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TOWN BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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PUBLIC COMMENT SESSION

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THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter commencing on January 16, 2020 at 7:47 p.m. at Memorial Town Hall, 534 New Loudon Road, Latham, New York

BOARD MEMBERS:

- PAULA MAHAN, SUPERVISOR
- LINDA MURPHY, DEPUTY SUPERVISOR
- DAVID GREEN
- MELISSA JEFFERS-VONDOLLEN
- RICK FIELD
- JILL PENN
- DANIELLE FUTIA

ALSO PRESENT:

- Michael C. Magguilli, Esq, Town Attorney
- Julie Gansle, Town Clerk
- John Cunningham, Commissioner, DPW
- Mary Cox
- Lisa Drake

1 MS. DRAKE: Lisa Drake and I live at 4 Catalina  
2 Drive. I am here tonight because Supervisor you  
3 mentioned that we are a community that is active and  
4 involved and we live in a time when they say if you see  
5 something, say something.

6 In the Supervisor's State of the Town Address  
7 tonight, she mentioned that she appreciates good  
8 planning. That was one of her statements. So, to that  
9 I would like to asked the Board a question. This has  
10 to do with the Summit at Fort's Ferry. This is an  
11 ongoing project.

12 I believe they are 13 months into  
13 construction. I believe the last I heard was it will  
14 be complete and they will start putting people into  
15 the apartments by April of this year. So, I'm going to  
16 ask a question to the Board.

17 Are you aware that there is a 500-foot wall  
18 that has been built at the back corner of the  
19 development? It's bringing the elevation up for the  
20 parking garages so this is on the back west corner.  
21 Specifically, it is out my back door. So, when I stand  
22 on my deck - -

23 My husband John Drake wrote an email to the  
24 Board in early November of last year alerting the  
25 Board to the fact that the wall - the foundation forms

1 were in place and it was the first time that we as the  
2 residents - a neighbor right next to the development  
3 and also a member of the West Latham Neighborhood  
4 Association had any clue that such a wall would be  
5 part of this project.

6 This project has a long history. I have  
7 attended many meetings. Many of you have been at these  
8 meetings. We have discussed long and hard the size of  
9 the development. We have discussed long and hard  
10 elevation and concern for drainage and water.

11 My question is: Did we ever discuss such a  
12 wall? It is over 12 feet in height and it runs an L  
13 shape of the entire back and of the of development and  
14 on the west side. It's over 500 feet at 12 feet high.  
15 So, did the Planning Board under the direction of Mr.  
16 LaCivita or the TDE for the Town of Colonie ever know  
17 about a 12-foot wall? We never heard about it. The  
18 developer never discussed it.

19 We have been in meetings where it has been  
20 agreed that there would be a buffer - we have a buffer  
21 of 100 feet and there would be tree plantings. It was  
22 always talked about six feet. I don't know were 12  
23 feet has ever come from.

24 I'm trying to think around Latham where we  
25 have 12 feet cement walls. I have come up with two.

1 One is Exit 6. There is a lot of cement there. Most  
2 recently there is one between - it just got installed.  
3 If the sound barrier wall between Exits 4 and 5 on the  
4 northbound side of the Northway. I don't know of any  
5 other place in the Town of Colonie that we have such a  
6 wall. I thought we were supposed to have a gentle  
7 transition into our neighborhood.

8 So, I have pictures of what a 12 foot wall  
9 looks like if you would be interested in seeing that.  
10 I can offer that up to the Board members. I'm just  
11 curious. That's my question. How did we get to this  
12 point? The reason I asked tonight is because the email  
13 was sent in November. Of course we have had the  
14 elections. Of course the holiday has come and gone and  
15 now we are into January. I came here tonight to see if  
16 I can ask the question again.

17 SUPERVISOR MAHAN: We're going to ask, but in  
18 the in term of Joe transitioning to his new position,  
19 our DPW Commissioner Jack Cunningham is going to oversee  
20 things.

21 I believe he checked into this issue of the  
22 wall and the email. This is really a Planning Board  
23 issue. Thank you for bringing this to our attention.  
24 We can get copies of emails. This is the Planning  
25 Board issue. This project has changed different times.

1 At one point, it was one building that was going to be  
2 built. Then, there was a lot of neighborhood  
3 opposition to that. It is zoned office/residential.  
4 This has changed over the years and there are  
5 questions again about the buffer.

6 This has been going on for a long time.  
7 Trying to sort it all out at this level without the  
8 plans in front of us is rather difficult.

9 Jack may be able to answer your question  
10 regarding the wall. He just looked into this when he  
11 received the emails.

12 MR. CUNNINGHAM: I received an email at the end  
13 of last week. I don't know what email you're referring  
14 to that has not been responded to.

15 MS. DRAKE: I'm referring to one by my husband  
16 John Drake that went to the Supervisor Mahan.

17 MR. CUNNINGHAM: There was an email that came  
18 the other day from - I can't remember her name.

19 MS. COX: Mary Cox.

20 MS. DRAKE: I am unaware of that one.

21 MR. CUNNINGHAM: Is this the same email that  
22 we're talking about?

23 MS. DRAKE: No, this is one that I sent to you  
24 and Joe LaCivita back in October. I followed up several  
25 times.

1 MR. CUNNINGHAM: So, the email last week - I  
2 followed up on that. My understanding is that I talked  
3 to the Planning Department. The wall right now is a  
4 foundation wall. It's going to be graded up so you're  
5 not going to have a 12 foot view of that. You're looking  
6 at a four foot to six foot view of that foundation. In  
7 front of that foundation from your view will be the  
8 plantings. So actually it will not be visible to you.

9 There was a follow-up question that I have  
10 not had a chance to look into yet. I do have that on  
11 my desk for follow-up.

12 MS. DRAKE: Mr. Cunningham, help me understand  
13 how we go on a 12-foot grading in an area that's very  
14 tight. There's not much space to the buffered area.

15 MR. CUNNINGHAM: I'm not a developer, so I  
16 can't tell you exactly how they're going to do it. I  
17 haven't had a chance to go back and look into the plans.  
18 I can tell you that I did receive a request regarding  
19 that information the other day. I followed up. That's  
20 what I found out so far. I will continue to follow up  
21 until I know the answer. That's my understanding as of  
22 right now. That's a foundation wall.

23 MS. DRAKE: I guess I would be interested as  
24 well as Mary to understand how that's going to work. We  
25 had a lot of concerns about this transitioning into a

1 buffer. I would be delighted not to see 12 foot of  
2 cement. I struggle to understand how that will work.

3 MR. CUNNINGHAM: I will get back to Mary and  
4 you and I will let you both know. Joe is leaving, so I'm  
5 transitioning and trying to learn about projects to get  
6 caught up on them.

7 MS. DRAKE: I look forward to your email. Thank  
8 you.

9 MR. CUNNINGHAM: Thank you.

10 SUPERVISOR MAHAN: Any other questions or  
11 comments?

12 If we don't have any other comments or  
13 questions, we will go into our regular Resolutions.

14 (Where is the above entitled proceeding was  
15 concluded at 7:50 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, Shorthand Reporter and  
Notary Public in and for the State of New York, hereby  
CERTIFY that the record taken by me at the time and  
place noted in the heading hereof is a true and  
accurate transcript of same, to the best of my ability  
and belief.

Dated: \_\_\_\_\_

NANCY L. STRANG  
LEGAL TRANSCRIPTION  
2420 TROY SCHENECTADY RD.  
NISKAYUNA, NY 12309