

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

3 \*\*\*\*\*  
4 BOGHT ROAD/COLUMBIA STREET GEIS  
5 ROUTE 9 TRANSPORTATION UPDATE  
6 \*\*\*\*\*

7 THE STENOGRAPHIC MINUTES of the above entitled  
8 proceeding BY NANCY STRANG-VANDEBOGART,  
9 a Shorthand Reporter, commencing on  
10 March 13, 2012 at 7:26 p.m. at the Public  
11 Operations Center 347 Old Niskayuna Road,  
12 Latham, New York 12110

13 BOARD MEMBERS:

- 14 PETER STUTO, CHAIRMAN
- 15 TIM LANE
- 16 MICHAEL SULLIVAN
- 17 KATHY DALTON
- 18 LOUIS MION
- 19 BRIAN AUSTIN
- 20 BRIAN HAAK
- 21 ELENA VAIDA, Esq., Counsel to the Planning Board

22 Also present:

- 23 Joseph LaCivita, Director, Planning and Economic  
24 Development
- 25 Allegra Edelman, Esq., Town Attorney's Office
- Joe Grasso, PE, Clough Harbour and Associates

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1           CHAIRMAN STUTO: Okay, next on the agenda  
2 is the Boght Road/Columbia Street GEIS Route 9  
3 Transportation Update; consideration of  
4 positive declaration; proposed acceptance of  
5 the draft supplemental GEIS; and intent to  
6 hold public hearing.

7           With us to make a presentation is CHA,  
8 Joe Grasso and Allegra Edelman, who will give  
9 us an assist from the Town Attorney's office.

10          Joe LaCivita, do you have an  
11 introduction?

12          MR. LACIVITA: No, I don't Peter. Joe can  
13 start.

14          MR. GRASSO: The two actions before the  
15 Planning Board are two resolutions for  
16 consideration.

17          One is a resolution adopting a positive  
18 declaration pursuant to SEQRA and the second  
19 is consideration of determining that the draft  
20 GEIS is complete and we're ready to hold a  
21 public hearing.

22          Going back a bit, as you know, the Town  
23 of Colonie has been working over the past six  
24 or seven years on a traffic study that updates  
25 the traffic study that was done in the 1989

1 generic environment impact statement for what  
2 we refer to as the Boght Road/Columbia Street  
3 Area GEIS. The study in 1989 looked at a whole  
4 host of environmental impact issues which  
5 included traffic. Now that we're 20 or 25  
6 years further down the road, the Town decided  
7 that it was time to do an update to the  
8 traffic portion because there has been  
9 differences in the amount of traffic that has  
10 been generated in the area and the type of the  
11 development that has occurred in the area,  
12 which is different than what was originally  
13 anticipated in 1989.

14 As we have been working on the site over  
15 the past five or six years, we determined that  
16 the changes are significant enough to warrant  
17 the completion of a supplemental Generic  
18 Environmental Impact Statement. So, the  
19 process that we recommend for the Town is to  
20 deem this as a supplemental GEIS which has  
21 with it a couple of required procedural steps.  
22 One is the element of positive declaration  
23 identifying that there could be significant  
24 impacts associated with the action. The second  
25 is completion of the draft

1 supplemental GEIS. With that process, a public  
2 hearing is required. Then, it would move on  
3 for a supplemental GEIS and that basically  
4 culminates in an amended findings statement.

5 The original 1989 GEIS had a findings  
6 statement that basically outlines steps that  
7 the involved agencies would apply to future  
8 projects within the GEIS study area. So, the  
9 traffic study has been done for the past few  
10 months. There haven't been changes from the  
11 traffic study that you have in your packets.

12 The two actions before us tonight are  
13 adopting a positive declaration with respect  
14 to the GEIS, and then a resolution determining  
15 that the supplemental GEIS is complete and the  
16 intent to schedule a public hearing.

17 CHAIRMAN STUTO: We sat through many  
18 hearings and public presentations and I know  
19 that myself and the Members that are here from  
20 before have done our best with the newer  
21 Members to make sure that they are fully  
22 apprised. I've carefully reviewed everything  
23 in the file tonight. I know that everybody  
24 else has on the Board. This is just the first  
25 step. It's either the beginning of the end or

1 the end of the beginning; however you want to  
2 view it. We're going to complete it. If we  
3 vote in the affirmative on what's before us  
4 tonight, we're still going to have further  
5 study. We're going to have further public  
6 presentations. We're still going to have a  
7 public hearing and we're still going to get a  
8 lot of feedback from the involved agencies and  
9 the public.

10 What we're doing tonight - the positive  
11 declaration and the acceptance of the draft  
12 GEIS - is just the process of a formal public  
13 participation, from my point of view. If there  
14 are any comments or questions from this Board,  
15 please go ahead. I'm ready to move forward on  
16 this in a positive direction.

17 Are there any comments or questions?

18 ***(There was no response.)***

19 CHAIRMAN STUTO: Allegra, first thing is  
20 the consideration of the positive declaration,  
21 is that right?

22 MS. EDELMAN: That's correct.

23 CHAIRMAN STUTO: Can you read the  
24 resolution into the record?

25 MS. EDELMAN: "It is the resolution of

1 the Planning Board of the Town of Colonie  
2 adopting a positive declaration with respect  
3 to the projected study for the Boght  
4 Road/Columbia Street area;

5           Whereas in 1989 the Planning Board of the  
6 Town of Colonie Planning Board adopted a  
7 Generic Environmental Impact statement; 1989  
8 GEIS, and issued a findings statement with  
9 respect to the Boght Road/Columbia Street area  
10 and whereas the 1989 GEIS findings statement  
11 identified the anticipated impacts of the  
12 projected development over a 20 year period  
13 and established measures to mitigate the  
14 anticipated impacts; and

15           Whereas, with respect to the 1989 GEIS,  
16 upon conducting a coordinated SEQOR process,  
17 the Planning Board established itself as lead  
18 agency; and

19           Whereas, due to significant changes in  
20 land use, travel patterns and infrastructure,  
21 the Planning Board sought to update the  
22 transportation analysis and recommendations  
23 set forth in the 1989 GEIS; and

24           Whereas, in 2005, Creighton Manning  
25 Engineering, LLP prepared the DGEIS Land Use

1 and Transportation Update, Bought  
2 Road/Columbia Street 2005 study to determine  
3 whether growth in the study area was  
4 consistent with the original 1989 projections  
5 and identify transportation system changes and  
6 improvements to accommodate anticipated  
7 development; and

8 Whereas, in 2011, the Final Technical  
9 Memorandum Bought Road GEIS - Route 9 Update  
10 was prepared by Creighton Manning Engineering,  
11 LLP to identify reasonable improvements in the  
12 Route 9 sub-area; and

13 Whereas, the 2005 study and 2011 update  
14 identified potentially significant adverse  
15 environmental impacts arising from the  
16 projected land uses in a sub-area of the Boght  
17 Road-Columbia Street area.

18 Now, therefore be it resolved the  
19 Planning Board determines that such  
20 potentially significant impacts were not  
21 adequately addressed in the 1989 GEIS and be  
22 it resolved that the Planning Board has  
23 identified the actions as a Type I action  
24 pursuant to 6 NYCRR 617.4 and be it further  
25 resolved that the Planning Board hereby issues

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1 a positive declaration requiring the  
2 completion of a supplemental GEIS.”

3 CHAIRMAN STUTO: Do we have a motion on  
4 that resolution?

5 MR. HAAK: I'll make the motion.

6 CHAIRMAN STUTO: Brian Haak makes the  
7 motion.

8 MR. AUSTIN: I'll second.

9 CHAIRMAN STUTO: The other Brian seconds  
10 it.

11 Any discussion?

12 ***(There was no response.)***

13 CHAIRMAN STUTO: All those in favor?

14 ***(Ayes were recited.)***

15 CHAIRMAN STUTO: All those opposed?

16 ***(There were none opposed.)***

17 CHAIRMAN STUTO: The ayes have it.

18 What is now being proposed is the  
19 acceptance of the Draft Supplemental GEIS and  
20 the intent to hold a public hearing.

21 Is that one item or two separate items?

22 MR. GRASSO: No, that's one item.

23 CHAIRMAN STUTO: Who wants to give an  
24 explanation of that?

25 MR. GRASSO: I will. This is basically



1 saying that the study that's been done is  
2 complete and ready for public review, and also  
3 the intent to schedule a public hearing on a  
4 specific date.

5 CHAIRMAN STUTO: When can we make that  
6 determination as to when the hearing is going  
7 to be?

8 MR. GRASSO: It's included in the  
9 resolution that the intent is to schedule it  
10 for April 3, 2012 at 7:00 p.m.

11 CHAIRMAN STUTO: Is there a resolution to  
12 be read?

13 MR. GRASSO: I have it, if you want me to  
14 read it.

15 CHAIRMAN STUTO: Either you, or Allegra.  
16 Is that in our packet?

17 MS. EDELMAN: Yes, it is.

18 MR. GRASSO: The first half of the  
19 resolution is included in the first  
20 resolution. You can probably skip that and  
21 read the title to the resolution and the  
22 things that are different or in addition to  
23 what Allegra has already read.

24 CHAIRMAN STUTO: Go ahead.

25 MS. EDELMAN: "The Resolution of the Town

1 of Colonie Planning Board determining  
2 completeness of the Draft Supplemental Generic  
3 Environmental Impact Statement for the Boght  
4 Road/Columbia Street GEIS Route 9  
5 Transportation update and scheduling a public  
6 hearing with respect to the same. The proposed  
7 date is April 3, 2012 which will be a special  
8 meeting of the Planning Board.

9           Whereas CHA and Creighton Manning  
10 Engineering LLP prepared a Draft Supplemental  
11 Generic Environmental Impact Statement  
12 incorporating the 2011 update and the 2005  
13 study; and

14           Whereas the draft supplemental GEIS was  
15 filed with and has been reviewed by the  
16 Planning Board of the Town of Colonie. Now  
17 therefore be it resolved that the Planning  
18 Board of the Town of Colonie as lead agency  
19 hereby determines that the Draft Supplemental  
20 GEIS prepared by CHA, Incorporated and  
21 Creighton Manning Engineering LLP is complete  
22 with respect to its scope and content for the  
23 purpose of commencing Board review pursuant to  
24 6 NYCRR Section 617.9.

25           Be it resolved that a special meeting of

1 the Planning Board of the Town of Colonie for  
2 the purpose of conducting a public hearing in  
3 connection with the proposed draft  
4 supplemental GEIS and hereby is scheduled for  
5 April 3, 2012 at 7:00 p.m. in the Town of  
6 Colonie Public Operations Center at 347 Old  
7 Niskayuna Road, Latham New York; and

8 Be it resolved that a public hearing in  
9 connection with the proposed Draft  
10 Supplemental GEIS is hereby scheduled for  
11 April 3, 2012 at 7:00 p.m. at the Town of  
12 Colonie Public Operations Center, 347 Old  
13 Niskayuna Road, Latham, New York; and

14 Be it resolved that the Planning Board of  
15 the Town of Colonie will accept public comment  
16 with respect to the Draft Supplemental GEIS  
17 addressed to Joe LaCivita, Director,  
18 Department of Planning and Economic  
19 Development, 347 Old Niskayuna Road, Latham  
20 New York, 12110 until 4:30 p.m. on April 20,  
21 2012.

22 Be it further resolved that the  
23 Department of Planning and Economic  
24 Development be and hereby is directed to  
25 transmit notice of completion of the Draft

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1 Supplemental GEIS to Commissioner, New York  
2 State Department of Environmental  
3 Conservation, Regional Office of the New York  
4 State Department of Environmental Conservation  
5 and other involved agencies; cause notice of  
6 completion and notice of hearing to be  
7 published in the Spotlight and/or the Times  
8 Union and the DEC Environmental Notice  
9 Bulletin, post notice of completion and notice  
10 of hearing on the appropriate bulletin  
11 boards."

12 CHAIRMAN STUTO: I ask that this entire  
13 resolution be entered into the record so we'll  
14 hand that to the stenographer.

15 Do we have a motion?

16 MR. LANE: I'll make the motion.

17 CHAIRMAN STUTO: Tim makes the motion. Is  
18 there a second?

19 MR. SULLIVAN: I'll second.

20 CHAIRMAN STUTO: Was there any discussion  
21 before we vote?

22 ***(There was no response.)***

23 CHAIRMAN STUTO: All those in favor?

24 ***(Ayes were recited.)***

25 CHAIRMAN STUTO: All those opposed?

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***(There were none opposed.)***

CHAIRMAN STUTO: The ayes have it.

Thank you Joe, and Allegra. I know that you did a lot of hard work on this and keeping us on the straight and narrow. I appreciate it.

***(Whereas the proceeding concerning the above  
entitled matter was concluded at  
7:35 p.m.)***

**CERTIFICATION**

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4            ***I, NANCY STRANG-VANDEBOGART, Shorthand***  
5            ***Reporter, and Notary Public in and for the***  
6            ***State of New York, hereby CERTIFY that the***  
7            ***record taken by me at the time and place***  
8            ***noted in the heading hereof is a true and***  
9            ***accurate transcript of same, to the best of***  
10           ***my ability and belief.***  
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14            -----  
15            ***NANCY STRANG-VANDEBOGART***  
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18            ***Dated April 4, 2012***  
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