

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

4 AIRPORT AREA GEIS
PRESENTATION ON UPDATE TO AIRPORT GEIS

5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled matter
7 by NANCY L. STRANG, a Shorthand Reporter Commencing
8 on September 26, 2017 at 7:01 p.m. at The Public
9 Operations Center, 347 Old Niskayuna Road, Latham,
10 New York

8

9 BOARD MEMBERS:
10 PETER STUTO, CHAIRMAN
11 LOU MION
12 STEVEN HEIDER
13 CRAIG SHAMLIAN
14 SUSAN MILSTEIN

12

13 ALSO PRESENT:

14 Michael C. Magguilli, Esq. Town Attorney's Office
15 Joseph LaCivita, PEDD
16 Michael Tengeler, PEDD
17 Joseph Grasso, PE, CHA
18 Christopher Einstein, PE, CHA
19 Mary Beth Buckner
20 Wendy Allen

18

19

20

21

22

23

24

25

1 CHAIRMAN STUTO: Welcome everybody. Welcome to
2 the Town of Colonie Planning Board. We are here today for
3 the introductory meeting for the Airport GEIS - the
4 presentation on the update to the Airport GEIS. This will
5 be an introduction for all the Board Members and for the
6 public.

7 The Planning Board is seeking to become lead
8 agency for the GEIS and Joe Grasso will tell you more
9 about that.

10 The Town has hired CHA and they have their
11 consultants here and they will all be introduced. They are
12 hired to guide us through the process.

13 The beginning part of the meeting will be the
14 presentation which will be the sideshow. Any questions
15 from the Board - Joe will go over that as well. When that
16 has concluded, we will open it up for questions about
17 process to the public.

18 Without further ado, we will turn it over to
19 Joe Grasso from CHA and he will be the emcee of sorts for
20 the presentation this evening.

21 MR. GRASSO: Thanks, Pete.

22 So, thanks everybody for coming. I personally
23 hope that we were going to get a larger crowd, but I
24 appreciate the people that did take the time out to make
25 it out tonight.

1 Like Pete said, this is the first meeting about
2 the update to the Airport Area GEIS. We're going to get
3 into a presentation about the process and about GEIS' in
4 general and how GEIS' work - Generic Environmental Impact
5 Statements are really an important planning tool. It's a
6 tool that the Town of Colonie was a pioneer of the early
7 1990s and they formed three of those that cover about half
8 of the Town.

9 Tonight, the Town has hired CHA to do it update
10 to the Airport Area GEIS. The purpose of tonight is
11 really an introductory meeting. For many of the Planning
12 Board Members, this may be your first time going through a
13 GEIS process. There may be members of the public that are
14 a little bit familiar with these studies and how the Town
15 has used those. It's really an educational opportunity for
16 us to explain to you what the Town is going to get out of
17 this process as we move forward.

18 It is important to understand that a GEIS
19 process, as you formulate a study, has a lot of parts.

20 The first part of the process is for the Town
21 to go through a scoping process. The purpose of scoping by
22 definition is to understand what you're going to look at
23 in a study and to what level of detail. Like I said, this
24 is an update to the Airport Area Study that was done back
25 in the early 1990s and we have a lot of great information

1 out of that study they we're going to take forward. We are
2 looking at this not only as an update, but as a fresh look
3 - a new look to see if there are new issues that the Town
4 needs to look at as they plan for growth in the future.

5 Like I said, tonight is just an introductory
6 meeting. There is no formal actions being taken tonight.
7 The only thing the Town has done so far in this process is
8 that we have formed a Steering Committee and the Steering
9 Committee was formed in order to help guide CHA's work
10 product. The Steering Committee consists of members of the
11 Planning Departments, the Department of Public Works,
12 Albany County DPW, CDTC, and Pete Stuto as a
13 representative from the Planning Board. It's really
14 members that are administering the current GEIS on a
15 day-to-day basis. So, that's why we ask that a Steering
16 Committee be formed.

17 We have had a couple of meetings so far with
18 the Steering Committee to help us get ready for tonight's
19 meeting and make sure that this is rolled out in an
20 appropriate way.

21 As part of Chris's presentation we're going to
22 talk about the roles and responsibilities of all the
23 different stakeholders in the process. We're going to talk
24 about when we expect public comment and public input to
25 come into the process as well as the important role that

1 the Planning Board is going to have as the lead agency.

2 I'm going to start out by introducing the CHA
3 team with me tonight. They are not going to have a
4 speaking role, but I think it is important that the
5 Planning Board start to put a face with a name because
6 you're going to be hearing from these folks as we go to
7 the study.

8 Once again, I am Joe Grasso from CHA. I am a
9 Project Manager. I have seen everybody at previous
10 Planning Board meetings. I often serve as a TDE for
11 reviewing projects on behalf of the Planning Board that
12 come before the Town. I have a long history of not only
13 being with CHA, but working in the Town and I have had the
14 good fortune to help the Town administer the three GEIS'
15 that cover much of the Town's area.

16 Also with me and really leading the
17 presentation tonight is Chris Einstein. He is the
18 Principal Planner at CHA. He will be the one really
19 quarterbacking the whole scoping process that we are going
20 to go through.

21 Also with me is Sarah Bowman. She is a Traffic
22 Engineer at CHA. As you can expect, traffic is going to be
23 a huge part of the study. That is where Sarah's expertise
24 lies and in terms of helping us through the scoping
25 process and doing the technical studies. We will be

1 relying on Sarah's expertise there.

2 Lastly, Pete Lilholt is a Civil Engineer. He is
3 a Civil Engineering Group Manager at CHA. Pete's focus is
4 going to be on all of the infrastructure related aspects
5 of this study including water, sewer and drainage
6 considerations.

7 In terms of the format for tonight, we expect
8 that Chris's PowerPoint is going to take about 45 minutes.
9 It is important for the Planning Board Members to
10 understand the concepts as they are presented. So, if you
11 have questions about a process during Chris's
12 presentation, feel free to ask. When Chris is done,
13 obviously we're going to roll it out for additional
14 questions or comments that the Planning Board Members may
15 have just like a typical Planning Board meeting. Then, we
16 would like to open it up for questions that the public may
17 have.

18 Tonight is not a public scoping meeting where
19 we are looking to delve into the issues in the level of
20 detail regarding the various topics. That will come later
21 in the process. If you have questions about the process or
22 why we are doing this or how the Town has used these
23 studies in the past, feel free after the Planning Board is
24 done with their comments - we would like to hear your
25 thoughts, as well.

1 We have put on a couple of boards around the
2 room and down the hallway just showing the boundaries of
3 the study area. That's always a common question that
4 people have - is the boundaries. So, we have some maps
5 there. Obviously, I'm going to stick around after the
6 meeting as well as Chris and the rest of our team in case
7 you have other questions that come up as you're thinking
8 about things.

9 With that, I'm going to turn it over to Chris
10 Einstein.

11 MR. EINSTEIN: Thank you, everyone. Ask for
12 being here tonight on this warm August night. It's amazing
13 that it is actually the end of September. Here we are.
14 It's comfortable in here. We have quite a bit to go over
15 tonight. So, let's just jump right in.

16 What is a GEIS? You have heard it several
17 times. A GEIS is a Generic Environmental Impact Statement.
18 It is something that the Town has been using for many,
19 many years. It is a tool that is provided to us through
20 the State Environmental Quality Review Act which allows us
21 to evaluate the impacts of large-scale programs, projects
22 as well as plans. It can also be used to focus in on
23 growth areas and it is a great tool to look at the
24 cumulative impacts of growth and help plan for those
25 impacts.

1 This little graphic here does a pretty good job
2 explaining what cumulative impacts are and what they are
3 composed of. You may have a proposed project and that
4 proposed project is going to have some sort of impact on
5 the resources within the Town. At the same time, there are
6 probably other actions going on. Those actions also have
7 an impact on the resources of the Town. There are past
8 actions which are basically the baseline condition or the
9 existing environmental conditions. Then, you have the
10 future actions.

11 So, this is something that require some
12 predictions. How much growth are you going to have in a
13 given period of time? All of those things together form
14 cumulative environmental impacts.

15 Some of you may be familiar with site-specific
16 Environmental Impact Statements. They focus on a
17 particular project. The SEQR regulations do require you
18 to do some cumulative impact analysis, but it really is
19 not very meaningful. Many projects don't even require an
20 Environmental Impact Statement. There is a lesser
21 environmental review that could go on and through that
22 process it may be determined that there are really no
23 significant environmental impacts. Things like a small
24 increase in impervious area or small demand for water, or
25 sewer or any number of things might not trigger that next

1 level of review. If you multiply all of these things
2 together many times over and you don't plan and mitigate
3 for them, then you start to see certain impacts.

4 Continued growth could lead to run-off which
5 has effects on our systems and our watersheds. We can see
6 this in just about every community that's had quite a bit
7 of development. It's an issue for the North Colonie School
8 District - an increase in the number of school aged
9 children and overcrowding of some of the classrooms. So,
10 this is obviously not North Colonie Schools. These are the
11 things that can happen over time if you don't plan for
12 these things. The point is that the cumulative impacts can
13 sneak up on you over time.

14 So, how do we plan for this?

15 GEIS helps us to identify those unforeseen
16 significant impacts; those things that we just can't get
17 at without doing a cumulative impact analysis. As a result
18 of doing the analysis, we can then mitigate for it. We can
19 identify the appropriate mitigation for these cumulative
20 impacts.

21 Some of these impacts may be eliminated through
22 design considerations.

23 For example, you have an important stream
24 corridor. It may be important to increase the buffer on
25 that stream corridor. So, these are the types of things

1 that can come out of the GEIS.

2 The document is also used continually as a
3 resource. So, any future projects that occur within the
4 GEIS study area need to be evaluated against the GEIS
5 findings to make sure that if they are not consistent,
6 that some additional review then needs to occur.

7 The Town has three existing areas where GEIS'
8 have been done in the past. The first is the
9 Boght/Columbia Street GEIS. The next to occur was the
10 Airport Area GEIS, which is by far the largest. The last
11 one was the Lishakill/Kings Road area GEIS. So, as you
12 can see, much of the Town is incorporated into one of
13 these GEIS areas and certainly there are the majority of
14 the areas that have development pressure going on.

15 So, why update the GEIS? We have an existing
16 GEIS that's working. Why do we need to update it? Well,
17 it is a little old. It's been in effect for the last 26
18 years, so some things have changed. The environmental
19 review needs to be updated, so it is time to do that.

20 A lot of the major mitigation tasks have been
21 completed. Yet, we still have development potential in the
22 Town as well as redevelopment. The development scenario
23 doesn't necessarily stop just because the land is gone.
24 There are other projects that are continuing to occur.
25 There are underutilized properties that are properties

1 that change use. So, this is constantly going on in just
2 about every community.

3 Then, we also have the Comprehensive Plan
4 update going on right now. So, it's a good time to do
5 this. We don't know what's going to come out of that in
6 terms of the recommendation for land use and zoning. There
7 may be some changes and if there are, we want to make sure
8 that is incorporated in what we are doing with the GEIS.
9 So, it's a very good time to begin this process.

10 This is the key assumption: The types of
11 development that we will be using to develop growth
12 projections will be driven by the existing land use and
13 zoning. So, as a result of that, we are not going to
14 evaluate alternative land uses in that process. That will
15 come out of the Comprehensive Plan.

16 Really, before we get too far in this process
17 and before we get to the point where we are looking at
18 growth projections, we need some feedback from the
19 Comprehensive Plan process. We need to know where that is
20 going, what type of land use is going to be proposed for
21 the airport area as well as getting to the extent of
22 knowing if there is going to be any zoning changes where
23 there might be changes in density and where the uses are
24 defined more specifically.

25 Some of the benefits of the GEIS - in my

1 opinion, that is the best way to identify the cumulative
2 impacts of growth. I suppose you could do it in other
3 manners of the planning processes, but the end result is
4 that you still need to do the SEQR process.

5 SEQR gives us a good way to go through this and
6 identify those impacts. It is the best way to plan for
7 growth. You are identifying the impacts. You are
8 identifying the mitigation to go with it.

9 This is something that the Town has pioneered.
10 It has been used in other communities, but it started here
11 in Colonie first. If you are able to identify the
12 mitigation or impacts, a lot of times you can put a dollar
13 value to that. There may be a way to equitably distribute
14 that over future development. It's not all on future
15 developments because the existing conditions - the things
16 that are going on in the Town right now - all contribute
17 towards the impacts so that is all part of the process. It
18 is a good way to distribute those costs.

19 It also pays for the GEIS itself. The
20 development projects that come in can be charged a fee for
21 the preparation of the Generic Environmental Impact
22 Statement. It takes a while to get that back, but it
23 certainly can happen.

24 Some of the accomplishments under the original
25 GEIS - the Capital District Transportation Committee

1 informs us that roughly 90% of the transportation projects
2 that were cited in the GEIS have been completed. The rest
3 are in some planning phase or another. The CDTC works
4 directly with the Town by contract every year and does the
5 reviews of the development proposals. Over the past years
6 they have done over 300 traffic mitigation reviews.

7 This is a long list. I didn't put this up here
8 for you to read through all of them, but it gives you an
9 idea of the long list of the traffic mitigation projects
10 that have occurred within the Town.

11 The same thing for water improvements. This is
12 another one where mitigation fees were charged and many
13 projects were undertaken as a result of that.

14 Let's talk a little bit now about the GEIS
15 process, overall.

16 What's going on right now is the Town is going
17 through a coordinated review process. The Planning Board
18 intends to serve as the lead agency for the SEQR process.
19 So, we are going through a process of coordinating with
20 the many involved agencies. This is pretty much the same
21 list of involved agencies that were involved in the
22 original GEIS. So, this is the rest of it here. They are
23 both involved and interested agencies. An involved agency
24 is an agency that will have either funding, approval or
25 some sort of permitting authority over future projects. An

1 interested agency doesn't have that status. They do not
2 have the funding and they do not have the approval
3 authority over projects, however they are interested in
4 some manner.

5 For example, we have two federal agencies on
6 here. That is a little bit different. They may have
7 permitting authority over a project, however because they
8 are a federal agency they are not subject to SEQR so they
9 are not considered an involved agency. They are still
10 interested. So, there are several examples of that.

11 Right now, the coordinated review process is
12 just about complete. The 30-day period that we are
13 required to go through is over on the 21st, I believe. The
14 next action by the Planning Board on this would be to
15 declare themselves lead agency. Then, we are going to work
16 on a scope of issues for the GEIS.

17 That's about as far as we are going to be able
18 to take this until the Comprehensive Plan is done and
19 until we understand what is going on in terms of land use.

20 In terms of the rest of the process, the
21 process will involve establishing a growth scenario which
22 is going to be very important and will guide all of the
23 environmental impact analysis that will go on. We will
24 prepare a Draft Environmental Impact Statement. We will
25 undergo public participation. There will be a final

1 Generic Environment Impact Statement which will address
2 comments received and then eventually there will be some
3 findings. This will be a long time down the road.

4 So, there are basically four major components
5 of a Generic Environmental Impact Statement, but first is
6 the growth projections. As I mentioned, these will drive
7 everything we do in terms of impact and mitigation. The
8 biggest portion of the GEIS will be the impact evaluation
9 and the associated mitigation.

10 The last component is a major component and
11 that is the evaluation of alternatives. That will probably
12 be focused on alternative growth projections. Again as I
13 mentioned, we will not be looking at alternative land
14 uses. That will not be part of this process. That will all
15 be dictated by the Comprehensive Plan.

16 So, establishing growth projections involves
17 identification of land-use and zoning within the study
18 area, plus trying to understand the rate of growth. This
19 will be a discussion for later. We will go into great
20 detail on how we get that growth rate. Basically for now,
21 these are the two components which will then give you your
22 growth projections.

23 As part of the GEIS and as part of the impact
24 analysis we are going to conduct some capital
25 improvements. We are going to prepare some capital

1 improvement plans. We did them for water in the past. We
2 did not do them for sewer. We will likely do them for
3 sewer in this GEIS and also for transportation.

4 We will take a little time to go through the
5 scoping process.

6 CHA working with the steering committee will
7 come up with a preliminary draft scope. That preliminary
8 draft scope will then go to the Planning Board for their
9 review. The Planning Board, once they are satisfied with
10 that, will release it to the public and to all interested
11 agencies for their review. So, this is really important.

12 There will be plenty of opportunity for public
13 input on this. The Planning Board will accept written
14 comments during a specified period. And there will also be
15 a public meeting on this. We will get together again and
16 have an opportunity to talk about what you like or don't
17 like about the scope, what things might be added and what
18 things might be taken out.

19 Based on the comments that are received, CHA
20 and the Steering Committee will work together again to
21 revise a draft scope and a preliminary final scope will be
22 prepared. Again, it will be provided to the Planning Board
23 for their review and eventually the final scope will be
24 for review. That is the process.

25 As far as a preliminary scope of issues - there

1 is no real surprise here. We are going to go back to the
2 original GEIS, we are going to do a good evaluation of all
3 of the issues that were evaluated as part of that process.
4 This is kind of a pretty standard list of environmental
5 issues that are typically evaluated the SEQR process. So,
6 we will take a look at these and this will be our starting
7 point.

8 In terms of schedule, we had a Steering
9 Committee kickoff meeting back in August. They are here
10 at the public meeting tonight.

11 As I mentioned, the Planning Board's next
12 action will be to declare lead agency and then issue a
13 positive declaration. All a positive declaration is in
14 SEQR terms is that the potential impacts of the project
15 will be significant, therefore we need to prepare an
16 Environmental Impact Statement; in this case, a Generic
17 Environmental Impact Statement. So, that is planned to
18 occur on October 17.

19 From there, the Planning Board will act on a
20 draft scoping document which will then initiate the public
21 process. We do not have a date for that yet. It will
22 probably be somewhere toward the end of this year. There
23 will be a public meeting probably beginning in 2018 and
24 then the final adoption of the final scope will occur some
25 time in 2018, in the first or second quarter.

1 It's about as far as we will be able to get.
2 Again, we will see what happens with the Comprehensive
3 Plan and then we will go from there.

4 In terms of future tasks, just as a quick
5 reminder, once we have a scope in place we will prepare a
6 draft GEIS. There will be public hearings and there will
7 be a final GEIS which will respond to the comments that we
8 receive and identify any changes that may be necessary and
9 then of course the findings.

10 With that, I will turn it back over to the
11 Board.

12 MR. GRASSO: So, questions or comments from the
13 Planning Board on the process of where we are and where we
14 expect to be over the next few months and role of the lead
15 agency?

16 CHAIRMAN STUTO: I have questions on the final
17 two items on that one.

18 What is the final product and what is the
19 practical impact of it? In other words - the final GEIS -
20 if that's accepted in the statement of findings?

21 MR. GRASSO: That's a good question. So, once
22 the Town gets to that point where we have a final GEIS and
23 a statement of findings, that will basically replace the
24 current GEIS and the current statement of findings.

25 You may be familiar with all the mitigation

1 fees that get assessed to projects. When we are done with
2 this process, as part of the adopted statement of
3 findings, they will be all the things that we expect to
4 then hold future development actions to. That will be the
5 new set of standards. It would have included a new set of
6 mitigation fees. So, at that point, the whole document
7 goes away and is replaced in its entirety by this new
8 study.

9 So, as we are reviewing projects in front of
10 the Planning Board or even at the Town Board when they are
11 reviewing PDD's, we are going to have a new study to rely
12 on for that information. Every time a project comes in, we
13 are going to review it based on: How does it conform with
14 the GEIS? Did that project fit into the growth goals? Was
15 it in a certain area that needs a certain level of
16 scrutiny? Do mitigation fees apply and how should they be
17 applied? That's what you will use to help base your SEQR
18 decision on all future projects, whether it be a site plan
19 or a subdivision plan or a PDD support moving forward.

20 CHAIRMAN STUTO: Do the capital projects fit in
21 with that?

22 MR. GRASSO: Like Chris said, a capital
23 improvement plan basically is an structure improvement
24 project for a specific category; for example, water,
25 sewer, storm or traffic. As part of a statement of

1 findings, it will say there are a series of improvements
2 in terms of transportation structure that needs to get
3 built in order to mitigate the impacts of the development.
4 It will assign what that new fair share of mitigation is
5 and as the Town collects the mitigation fees, it will
6 constantly reevaluate to determine when the appropriate
7 time is and when there are enough available funds in order
8 to build that improvement to do with those impacts.

9 A lot of times the Town has to wait a while to
10 collect the mitigation fees until it's got sufficient
11 resources to actually put those projects in the ground. As
12 you can see, the list of projects that were included --
13 water, we are up to \$8 million worth of improvements that
14 have been built and paid for by mitigation fees. The list
15 of transportation projects is over \$10 million. It is
16 substantial. We would expect that study to continue in the
17 future.

18 MR. MAGGUILLI: Chris, I think it might be
19 helpful if you explained a little bit about how mitigation
20 fees are arrived at, who arrives at them and how they come
21 up with the numbers and the role that Capital District
22 Transportation Committee has in the mitigation fee
23 process.

24 MR. GRASSO: As part of the GIS process, the
25 formula they get used to assign to future projects is

1 established. So, sometimes it could be based on a square
2 foot of building or the number of units. That formula is
3 built into the study and part of the adoption.

4 In terms of transportation, there is going to
5 be a series of improvements that need to get built to
6 address the traffic impacts of all the projects and each
7 of those projects will have an assigned cost. As a new
8 project comes into the Town, it's going to generate a
9 certain amount of traffic. Based on where that project is
10 and where that traffic is going, if that project is going
11 to benefit from the transportation improvement, it is
12 assigned a percentage of that cost.

13 So, the terminology that we use is that it is
14 the reserve capacity formula. CDTC assists the Town with
15 evaluating those projects when they come in and to help
16 route the traffic from every project through the Town's
17 transportation network and every time those trips hit one
18 of those assigned projects, it calculates what the percent
19 of reserve capacity is being used. We add up all of those
20 dollars through the Planning Board's review process and
21 assign a mitigation fee to that project. Through the
22 review process, the applicant is made aware of what those
23 mitigation fees are and basically reach agreement to pay
24 those mitigation fees as their fair share contribution.

25 If they say no, these mitigation fees aren't

1 appropriate or aren't fair, then it's up to the Town to
2 say well, you need to do your own independent studies and
3 decide what level of improvements need to be done to
4 support your project. We have never had it happen.

5 The beauty of it is because this has proven to
6 be a fair share mechanism where everybody understands - a
7 very transparent process of how the fees are created and
8 the development committee appreciates this process and
9 understands that. It really saves them time and saves them
10 money and really puts their dollars in to help mitigate
11 the improvements and that is really what we want this
12 focus of this mitigation to be.

13 MR. MAGGUILLI: The Capital District
14 Transportation Committee - that is not part of Town
15 government.

16 MR. GRASSO: It is not a part of Town
17 government. The reason why they are integral is because
18 they administer a model of all of the capital region
19 roads, obviously of which the Town of Colonie is a major
20 part. So, they have a very sophisticated model. So, when a
21 project comes in, we don't just rely on a traffic study
22 provided by applicants' consultants. We give that data to
23 CDTC so they may provide a very objective system of
24 calculating what the fair share mitigation fees should be
25 based on their model and how that traffic is expected to

1 route through the transportation network.

2 MR. LACIVITA: I think one of the reasons why
3 developers like it is because they pay a proportionate
4 share and it is equal in most all development. There is
5 not one that is higher than the other.

6 MR. MAGGUILLI: This is not a part of the
7 Capital District Transportation Authority. It is separate.

8 MR. GRASSO: That's right.

9 MR. MAGGUILLI: A lot of people think that it
10 is a part of CDTA and it's not. This isn't a part of
11 county government, nor is it a group of people appointed
12 from various governments or entities.

13 MR. GRASSO: This is a quasi-public/private
14 agency and their sole purpose is to serve local
15 communities within the capital region and help them deal
16 with traffic planning issues.

17 CHAIRMAN STUTO: I have little more to add and
18 correct me if I'm wrong.

19 The CDTC is a MPO, a municipal planning
20 organization. It is recognized under federal highway law,
21 I think. That's how they are funded. So, they are all over
22 the country. Each region has its own. I think they get
23 transportation money to fund them - to do principally
24 traffic studies.

25 Is that correct?

1 MR. GRASSO: Traffic planning, yes.

2 MR. MAGGUILLI: The mitigation fee formula - is
3 that part of this process?

4 MR. GRASSO: It will be, yes.

5 MR. MAGGUILLI: So, the mitigation formula
6 itself could change as part of the update.

7 MR. GRASSO: That's right.

8 MR. MAGGUILLI: Thank you.

9 CHAIRMAN STUTO: I have read through a few
10 GEIS'. I have seen airport one, in particular, a lot in
11 my other job working at the airport.

12 The statement of findings is sort of the big
13 bang at the end. As I recall, there is a lot of public
14 input. Each and every comment from the public is
15 addressed.

16 Can you talk about public input and how that
17 works its way into the statement of findings?

18 MR. EINSTEIN: Sure. Once we get to the
19 preparation of the draft GEIS, it will then go out for
20 public review. That is for everybody to take a look at and
21 review and to provide comment on. Just like the scoping
22 process where you will have written comments accepted,
23 there will also be a public hearing. There may be more
24 than one through that process. All that information gets
25 collected and then it's our job to sit down and determine

1 of all those comments and which ones are considered
2 substantive environmental concerns.

3 There is a process for going through that. SEQOR
4 actually defines and gives you some definition of how to
5 do that. We will go through that process, identify those
6 substantive comments and then provide responses to them.
7 That is really the Final Generic EIS. So, the Final
8 Generic EIS is really a comment in response. It will also
9 includes some other things like maybe some additional
10 information that comes up or changes or things like that.
11 Primarily it is a comment and response document.

12 As a result of all of that, those comments and
13 responses as well as the information that was presented in
14 the draft GEIS all come together to create a statement of
15 findings.

16 A statement of findings addresses whether or
17 not the impacts are significant and the mitigation
18 measures are identified to reduce the level of
19 significance of those impacts or eliminate those impacts.
20 The GEIS becomes - as I think I mentioned previously -
21 almost a guidance document. It is used to evaluate -- as
22 these projects come in, it's going to be used to evaluate
23 these projects against the standards that are established
24 in the findings statement. That is kind of the process and
25 how the findings pull all of that information together.

1 MR. MAGGUILLI: All aspects of the Airport Area
2 GEIS are up for discussion, correct?

3 MR. EINSTEIN: Yes.

4 MR. MAGGUILLI: That would include the
5 boundary?

6 MR. GRASSO: Yes, it is always something that
7 we can look at - the boundary. It is often one of the most
8 talked about things - why the boundary is located at a
9 certain point. Obviously, there are certain perimeters of
10 the airport area that are not covered by other GEIS', but
11 it is something that we can look at. When the boundaries
12 were initially set, some of it was based on where there is
13 a lot of development already in the past and we are not
14 expected to see the level of growth in other areas.
15 Obviously, we can always look at where that boundary needs
16 to be. Based on the research that we have done so far, we
17 feel the boundary is in a good spot. It is always
18 something that we can look at again.

19 In terms of boundaries, I would just go onto
20 say one of the reasons why it is difficult to assign the
21 boundaries is because the initial feeling is that inside
22 this study area boundary I am going to be held to a
23 different set of rules, then if I was just on the outside.
24 That is true. I feel comfortable with where the Town has
25 set the boundaries of the study area thus far. I think

1 that they are widely accepted amongst the public and the
2 development community.

3 CHAIRMAN STUTO: Chief?

4 MR. HEIDER: Part of this that I am going to
5 ask is wrong because I am new to this whole GEIS thing.

6 Does the Airport GEIS talk to of the other two
7 GEIS'? Does that also talk about the area that is not
8 covered by the GEIS?

9 MR. GRASSO: It is a great question. Really,
10 they are independent. Every study may have its own level
11 of issues that were studies. So, there are valid reasons
12 why certain things are studied within this study GEIS and
13 that will be spoken to, but not so much what is going to
14 be going on in the other areas except when we are talking
15 about impacts that are more regional in nature and that
16 could be influenced by what is going on in another GEIS
17 study area boundary. There may be certain, for example,
18 roadway improvements that are triggered not only because
19 of what is going on within this study area, but what is
20 going on in one of the adjacent ones or even what could be
21 going on outside of the study areas as well. That is where
22 we need to factor those things in to make sure we are
23 looking at a fair share contribution.

24 Like Chris had said, when we come up with those
25 mitigation fees -- what development within that study area

1 will pay for will be impacts of those projects within the
2 study area. If there are impacts being caused by
3 development and it is outside of the study area, the
4 development within the study area will not pay mitigation
5 fees.

6 MR. MAGGUILLI: If it is outside the
7 boundaries, can they can be charged GEIS mitigation fees?

8 MR. GRASSO: They would never be looked at as
9 being part of the study area and assigned mitigation fees
10 flatly. It could go through as a part of another study
11 area where -- or the SEQR review of those projects would
12 be looked at to see what level of mitigation they need to
13 be for that specific project.

14 MR. MAGGUILLI: They are not bound by the
15 formula.

16 MR. GRASSO: They are not bound by the formula
17 and that really should be looked at by its own set of
18 rules. Sometimes that takes time and cost money for
19 developers to do, but that is something that the Planning
20 Board will always have as part of its review process.

21 MR. MAGGUILLI: Joe, can you explain a little
22 bit how the GEIS itself - how that is related to the Comp
23 Plan review update and why we can't finish one without
24 first finishing the other?

25 MR. GRASSO: Obviously, we are talking about a

1 document that was based on a certain development
2 projection, based on certain land uses that were
3 contemplated back in the early 90s. Things have changed.

4 The Town went through a rezoning process in
5 2007. The Town is currently going through a Comp Plan.
6 There is an expectation that there could be a change in
7 how we expect the Town to develop it in the future, both
8 from a rate of growth standpoint, the density of growth
9 and even the land use. What the Town is doing is trying to
10 be proactive because this is a pretty regimented process
11 to go through a GEIS update. So, they are starting the
12 process now with the expectation that out of this process
13 there is going to be a new land use projection.

14 As I said, we are 26 years into this document.
15 As part of this process, we are going to go through and
16 validate a lot of those assumptions that were made back in
17 1991; how the development occurred, was it at the
18 appropriate rate and did it occur the way we expected it
19 to. This is really looking forward. We are going to look
20 and see how we did in the past, but we are really looking
21 forward to the next planning for the next 15 or 20 years.

22 CHAIRMAN STUTO: There is a sign-in sheet with
23 the public if they want to ask questions about the process
24 as well.

25 MR. GRASSO: Is there any more to add to that,

1 Chris?

2 MR. EINSTEIN: No.

3 CHAIRMAN STUTO: Comments or questions?

4 Members of the public, if you don't mind
5 signing in first before you ask questions, that would be
6 helpful for our record.

7 MS. BUCKNER: My name is Mary Beth Buckner. I
8 just have a question. I'm not sure if it is a question, or
9 not.

10 Is there ever a maximum saturation considered
11 regardless of the mitigation fees? Do you know what I'm
12 saying? In other words, no matter how much mitigation fees
13 do apply, if the place is saturated is there a max
14 cut-off?

15 MR. GRASSO: There is not. That's a great
16 question. That is often asked. Because we are going to
17 assign a plan - and let's call it 15 years. It's not to
18 say that at the end of 15 years we expect full build-out
19 to occur. We expect towns to continue to grow and develop.
20 It may be redevelopment. It may be conversion of certain
21 land uses to other uses. There is no expectation that
22 things are going to reach a maximum. The rate of growth
23 may change over time. Things can slow down as areas
24 continue to get built out. There is no expectation that it
25 would ever stop.

1 Back in 1991 there were certain projections
2 done and obviously the Town continues to see a lot of
3 applications brought before the Planning Board for new
4 projects within the study area. There is no finite limit
5 to the growth. This is just going to take us to the next
6 planning; say, 15 or 20 years.

7 Does that answer your question, Mary Beth?

8 MS. BUCKNER: Yes. To me, it just seems like
9 things are finite.

10 MR. GRASSO: We are just not there yet. Like I
11 said, some of that information will come out of the Comp
12 Plan process about how much the Town is expecting to
13 change in the future and how it wants to change in the
14 future.

15 Wendy Allen?

16 MS. ALLEN: There is a list of the Steering
17 Committee?

18 MR. GRASSO: I did mention it, Wendy.

19 MS. ALLEN: Who is on that Committee?

20 MR. GRASSO: Peter Stuto, Chairman of the
21 Planning Board is representing the lead agency; a
22 representative from the Planning Department; the
23 Department of Public Works; Albany County and CDTC who
24 administers the traffic. Those are the departments of the
25 agencies that are currently involved in administering -

1 and the Town Attorney's office -- administering the
2 current GEIS. What we wanted was continuity between the
3 existing GEIS and then the new document.

4 MS. ALLEN: So, that is about six people?

5 MR. GRASSO: Yes.

6 MS. ALLEN: From this group - for example, it's
7 the Shaker Heritage Society, by the way and not Historical
8 Society.

9 MR. GRASSO: I'm sorry.

10 MS. ALLEN: That is a historic district and
11 they are an involved agency or an interested agency --
12 what will their opportunity to participate be?

13 MR. GRASSO: They have been sent notices
14 regarding the process that we are going through. So, they
15 have been alerted that there is going to be - that we want
16 their comments. There will be a formal scoping process
17 where we solicit their comments. Every time we have
18 created a document along the way in terms of the process,
19 they will be provided a copy of that formally so that we
20 can gather their comments on it. So, their comments will
21 be entertained throughout. That happens both during the
22 scoping process that we are in now and obviously once we
23 get into the study those same agencies will have an
24 opportunity to comment on the preparation of the draft and
25 the final and the SEQR findings.

1 MS. ALLEN: Okay, thank you.

2 MR. GRASSO: Is there anybody else wishing to
3 speak?

4 (There was no response.)

5 CHAIRMAN STUTO: Any further business?

6 (There was no response.)

7 Thank you.

8

9 (Whereas the above entitled proceeding was concluded
10 at 7:50 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION

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.

NANCY L. STRANG

Dated _____

