

1 TOWN BOARD
 2 TOWN OF BRUNSWICK, NEW YORK
 3 -----
 4 HUDSON HILLS PLANNED DEVELOPMENT DISTRICT (PDD)
 5 APPLICATION
 6 -----

7 STENOGRAPHIC MINUTES OF PUBLIC HEARING conducted
 8 in the above-entitled matter on the 3rd day of August,
 9 2005, at the Brunswick Family Community Center,
 10 Brunswick, New York, commencing at 6:30 p.m.

11
 12 TOWN OF BRUNSWICK BOARD MEMBERS:
 13 Supervisor PHILIP HERRINGTON
 14 Councilwoman CAROLYN ABRAMS
 15 Councilmen PATRICK POLETO
 16 SAM SALVI
 17 Clerk SUSAN QUEST-SHERMAN

18
 19 APPEARANCES:
 20 ANDREW W. GILCHRIST, ESQ. - Town Board Legal Advisor
 21 MARK KESTNER - Kestner Engineering
 22 MARK GREGORY - Transportation Concepts
 23 WILLIAM HOBLOCK, ESQ. - Capital District Properties, LLC
 24 MARVIN CHUDNOFF - Capital District Properties, LLC

1 P R O C E E D I N G S
 2 SUPERVISOR HERRINGTON: At this point, I'd
 3 like to ask our town clerk to read the notice of
 4 the public hearing.
 5 THE CLERK: "Notice is hereby given that a
 6 public hearing will be held by the Town Board of
 7 the Town of Brunswick on Wednesday, August 3rd,
 8 2005, at 6:30 p.m. at the Brunswick Community
 9 Center, Keyes Lane, Troy, New York, pursuant to
 10 Section 10 of the Zoning Code of the Town of
 11 Brunswick and also pursuant to the State
 12 Environmental Quality Review Act and its
 13 implementing regulations at 6 NYCRR Part 617, to
 14 allow public comment on the application submitted
 15 by Capital District Properties, LLC for the
 16 proposed Hudson Hills apartment complex consisting
 17 of 1,116 apartment units within 77 buildings, and
 18 located on 216 acres bounded by Route 7 to the
 19 south, North Lake Avenue to the north and Lord
 20 Avenue to the west.
 21 "The property is currently zoned
 22 agricultural, A-40. The application has been
 23 submitted pursuant to Section 10 of the Zoning
 24 Code of the Town of Brunswick for a Planned

1 Development District, PDD. A Draft Environmental
2 Impact Statement, DEIS, has been prepared by
3 Capital District Properties, LLC for this action
4 pursuant to SEQRA. The Town Board of the Town of
5 Brunswick, as SEQRA Lead Agency, has accepted the
6 DEIS as adequate for public review, and a notice
7 of completion has been filed. The public hearing
8 will allow comment on the PDD application and
9 DEIS. Copies of the application materials and
10 DEIS are available for public inspection during
11 regular business hours at the following locations:
12 Town of Brunswick Town Office, 308 Town Office
13 Road, Troy, New York, 12180.

14 "In addition, a copy of the DEIS is also
15 available for public inspection during regular
16 business hours at the Brunswick Community Library,
17 605 Brunswick Road, Eagle Mills, New York, 12180.
18 All interested persons will be heard at the public
19 hearing." Dated June 24th, 2005 and published
20 June 27, 2005 in the Troy Record.

21 SUPERVISOR HERRINGTON: Thanks, Sue.

22 This public hearing is for Hudson Hills's
23 Planned Development District application. The
24 Brunswick Town Board is serving as a lead agency

1 under the State Environmental Quality Review Act
2 as well as reviewing the PDD application.

3 This public hearing is being held to receive
4 comments on both the PDD application itself and
5 also the Draft Environmental Impact Statement
6 submitted by the applicant. Your comments on the
7 overall application as well as the DEIS will be
8 accepted and considered by this Board.

9 When a Town Board is reviewing the Planned
10 Development District application and is serving as
11 lead agency, several other public agencies are
12 involved in this process, including City of Troy,
13 Rensselaer County, New York State agencies,
14 Federal Army Corps of Engineers. The Town
15 distributed full copies of the Draft Environmental
16 Impact Statement to all of the individual members
17 of the Town Board, everyone on the Brunswick
18 Planning Board, Brunswick Zoning Board, Brunswick
19 Town department heads, including the building
20 department, water department, highway department,
21 town attorney, town assessor all received those
22 DEIS's.

23 The City of Troy, also Rensselaer County
24 Health Department, Rensselaer County Sewer

1 District, Rensselaer County Highway Department,
2 Rensselaer County Planning Department, New York
3 State Department of Environmental Conservation,
4 New York State Department of Health, the New York
5 State Department of Transportation is involved.

6 The New York State Office of Parks,
7 Recreation and Historic Preservation, the fire
8 districts and school districts also received the
9 DEIS.

10 The Town Board will be receiving and
11 considering comments from every one of these
12 agencies that I just mentioned to you.

13 The applicant will make a presentation
14 concerning the application and then the Board will
15 open the public hearing for your comments. There
16 is a microphone up in front and we ask that all
17 speakers use the microphone so your comments can
18 be heard clearly. We ask that anyone who makes a
19 comment provide their name and address for the
20 record.

21 The Town Board has retained a stenographer
22 who will be making a transcript of the hearing and
23 that transcript will become part of the official
24 record.

1 The Town Board has retained an independent
2 engineering consultant to review this and attorney
3 who the applicant is paying for -- you aren't
4 paying for them -- to assist the Town Board in
5 review of the application.

6 The Town Board has not made any final
7 decisions, positive or negative, on this
8 application and will not do so until it receives
9 and fully considers all of your comments -- and,
10 hopefully, all of you know us well enough to know
11 that is a true statement -- as well as comments
12 from all other public agencies. And I want you to
13 be assured that this Board will listen to your
14 comments.

15 Now, at this point, what I'd like to do is
16 turn it over to Andrew Gilchrist who will update
17 everyone on the procedural status for this
18 application.

19 MR. GILCHRIST: This application has been
20 submitted by Capital District Properties. It is
21 under Article 10 of the Code. It's for a Planned
22 Development District, as you know. The
23 application was submitted several months ago.

24 This Board, as Supervisor Herrington just

1 reviewed, is reviewing both the planning
2 or -- strike that -- the PDD application, that is
3 a planning and zoning decision by this Board, as
4 well as all of the environmental impacts
5 associated with this action, and that's under the
6 State Environmental Quality Review Act and this
7 Board is serving as lead agency.
8 As you may recall back in June, after several
9 months of having reviewed the Environmental Impact
10 Statement that the applicant submitted to the
11 Town, the Town Board deemed that document adequate
12 for public review and comment and, as Supervisor
13 Herrington said, filed a notice of completion.
14 That allows the public an opportunity to comment
15 both on the Draft EIS, the Environmental Impact
16 Statement, as well as the underlying PDD
17 application.
18 Your comments on whether this use is
19 appropriate from a planning and zoning perspective
20 for that site, that's the purpose of this hearing.
21 I have to reiterate something I said in June,
22 which is when a DEIS is deemed complete and
23 adequate for someone to review, it does not mean
24 that this Board, both as lead agency and Town

1 Board on the PDD, has determined that the
2 application is approvable in its current form.
3 What that means when you file a notice of
4 completion is that the document is adequate for
5 public review and comment. Supervisor Herrington
6 just stated that this Board has not made a
7 determination, either positive or negative, on
8 this application at this time. Legally, I've
9 advised them that they can't do that until they
10 consider all the comments received both from
11 members of the public tonight as well as all the
12 other public involved agencies.
13 Supervisor Herrington listed several,
14 municipal, city, county, state. I'll also add for
15 the record that the Federal Army Corps of
16 Engineers is involved as well. Until this Board
17 receives comments on this document, on the Draft
18 Environmental Impact Statement, as well as the
19 underlying application, they will not be making a
20 determination on this application. The law
21 requires this Board to consider and take what's
22 called a hard look at the issues raised in this
23 application and they will do so both with the aid
24 of technical consultants -- as you may know,

1 Kestner Engineering has been retained to review
2 this.
3 MR. KESTNER: Mark Kestner.
4 MR. GILCHRIST: Thank you.
5 (Continuing) -- to review this on a technical
6 basis from an engineering perspective. Mark has
7 also retained Mark Gregory of Transportation
8 Concepts and he'll be reviewing the traffic
9 impacts on the application.
10 And I'm reviewing this from a legal
11 perspective as well to make sure all the
12 requirements under the SEQRA regulations and under
13 the Town Code are adhered to in this review.
14 Again, this is an opportunity for members of
15 the public to express their comments, their
16 thoughts on the impact statement which has been
17 available for public inspection as well as the
18 overall application which, likewise, has been on
19 file at the Town Hall and available for public
20 review.
21 And with that, I'll give it back to
22 Supervisor Herrington to open the public hearing.
23 SUPERVISOR HERRINGTON: Thank you, counsel.
24 At this point, I'd like to call Mr. Chudnoff.

1 Would you like to make a presentation, Marvin?
2 MR. CHUDNOFF: Yes, thank you. My name is
3 Marvin Chudnoff and I am the managing partner of
4 Capital District Properties --
5 UNIDENTIFIED PERSON: Can we allow people
6 standing outside to come in? It will just take a
7 minute.
8 (Pause in the proceedings.)
9 MR. CHUDNOFF: I think that's an interesting
10 segue into what I think is somewhat unorthodox.
11 Typically -- and this meeting tonight is solely to
12 invite the comments of the general public relative
13 to this particular document over here, and I will
14 hand that off to my associate, Bill Hoblock, in a
15 few moments. But I think because, as what the
16 Supervisor just said is very true, I have never
17 seen this many people at the Brunswick meeting and
18 I think it's unfair for you not to see what we are
19 talking about.
20 I'd like to spend maybe five minutes and give
21 you a quick overview of what our dreams and what
22 our vision is for Brunswick and the immediate
23 community and then I'm going to just move directly
24 to Bill Hoblock. Then, we'll talk directly about

1 the EIS and I believe it then goes to the public.
2 I've been up here for 40 years. For 40
3 years, I have been a, in quotes, developer, a real
4 estate builder, a real estate owner. I've been a
5 developer throughout the entire United States. As
6 I say, again, I've been in the Capital District,
7 primarily Watervliet, Latham, Colonie, for the
8 last 40 years.
9 In the last five or six years, as it has been
10 obvious, I think, to most of you, there's been
11 significant growth in the Capital District and
12 that's growth that's coming from a whole host of
13 sources, from the educational institutions, from
14 scientific institutions. But what I think is
15 interesting is its growth that is diversifying the
16 economic labor base of the Capital District.
17 And as this has happened throughout the
18 entire United States, that kind of growth requires
19 housing for people. And in our country, housing
20 generally takes one out of three forms. And if
21 you travel anywhere throughout the United States,
22 within one or two percentile points, you will find
23 that a third of the population have stakes in
24 single-family dwellings, a third in condominium,

1 high-rise, co-op and a third in multi-family
2 rentals.
3 What we have tried to do, and which I will
4 show you in a moment, is kind of take the best of
5 both worlds. We believe you have a beautiful
6 community here. We believe that the site is a
7 beautiful site line. And what we have tried to do
8 is permit the economic flexibility for people that
9 live here and people that choose to live here to
10 be able to have the option of having rental
11 housing without making a major monetary commitment
12 and, at the same time, to permit them to move into
13 first-class, top-drawer, relatively expensive, a
14 thousand to \$1,600 a month, apartment units that
15 are built more like condominiums than they are
16 built as rental apartments.
17 What we are talking about is luxury housing.
18 The site that we're talking about is the site off
19 of Hoosick by Betts Road. We have a whole series
20 of other maps. If anyone wishes to see them, we
21 will show them.
22 The buildings that we propose to build are
23 buildings that will be somewhat akin to that, but
24 that's a very poor picture.

1 We're building another community right now
2 which is opening up, interestingly enough, next
3 week in Latham. Two-dimensional drawings are very
4 difficult to really convey what something will
5 look like. That is being built now, as I said, in
6 Latham and you can see the difference between the
7 first picture and this picture in that this is
8 computer-generated and really shows you
9 dimensions. It shows you a court center to this.
10 It shows you a series of gabled ends. It shows
11 you a series of different shadow lines trying to
12 make housing -- and there are 14 units in this
13 particular building -- reasonably attractive for
14 people. And we do that, and we hope we succeed,
15 with shadow lines, roof lines, individual
16 entrances for each apartment and the clubhouse
17 over there.

18 This is a job similar to phase one. By the
19 way, this is 350 rental units. This is the
20 clubhouse. This will be the clubhouse that we're
21 proposing here in Brunswick. This is a luxury
22 high-rise -- a luxury low-rise multiple family
23 dwelling.

24 The rental, as I said, will range from a

1 thousand to \$1,600 a month. Interestingly enough,
2 the demographic which we thought we were targeting
3 for this particular community, we hit right on the
4 head. About 60 percent of the people that are
5 moving in here are considered to be the term
6 empty-nesters; thus, people my age, maybe five,
7 six years younger, where their children have moved
8 out of the house. And these are existing
9 residents of the entire Colonie community who are
10 selling their homes to the new people coming in
11 and wish to stay in Colonie and wish to stay
12 in a quality community.

13 I'd like to just show you what are basically
14 the layouts of what we're talking about. By the
15 way, there's a waiting list for this right now.
16 It's opening up next week. So it's been rather
17 well received.

18 This is -- should I show it to the Board as
19 well as to the public?

20 SUPERVISOR HERRINGTON: Show it to the
21 public.

22 MR. CHUDNOFF: This is what we propose to
23 build. This is what we build with apartments that
24 have wooden floors, carpeted floors, central air

1 conditioners, washers and dryers in them. We
2 built units that have multiple pane windows.
3 Every unit has a terrace. Every unit has a
4 balcony. Every unit has a separate entry. These
5 are all luxury dwellings. This unit alone is
6 about 1,600 square feet. So they're good size
7 units and we think that they are rather well done
8 and, obviously, the public in Colonie thinks the
9 same.
10 What does this mean for the community? I've
11 taken the opportunity to just put up a few bullet
12 points of where we think the community will be
13 better if this is an intelligently planned and
14 intelligently executed housing community.
15 First of all, it will permit you to have an
16 alternative to what you currently have now. There
17 is no luxury rental housing in the Brunswick
18 community today. It gives an alternative for
19 empty-nesters or young professionals coming into
20 the area to have an alternative to immediate home
21 purchase.
22 Most people that come into the area typically
23 would like to spend one, two, three, five years
24 before they graduate and many of them do graduate

1 up into a single-family dwelling. This
2 development will loop the town's water system from
3 Hoosick up to North Lake, which has got
4 significant operational benefits to it and
5 significant life safety benefits to it.
6 This entire development will take 10 years to
7 reach completion and during that time, we will
8 employ about 200 people during that time frame.
9 When it is completed, this job will produce about
10 \$2.3 million a year in taxes to the community.
11 There will be additional revenue support for all
12 the other things that are in the community,
13 additional users. And, obviously, the new
14 residents will patronize the local businesses,
15 many of which are now coming up on Hoosick Avenue.
16 That's a very quick overview of what our
17 vision is and I'd like to turn this over to Bill
18 Hoblock and he will talk about the Environmental
19 Impact Statement itself.
20 MR. HOBLOCK: My name is Bill Hoblock. We
21 began this process about one year ago. It was
22 actually one year ago to the date. It was August
23 of last year when we submitted our original
24 application. During the last year, we have been

1 working very closely with not only the Town, its
2 consultants and other public agencies in what
3 began as a concept to what we're here tonight,
4 which is to discuss this, our Draft Environmental
5 Impact Statement.

6 About 50 copies have been submitted, and it
7 was mentioned earlier, to various Board members,
8 every public agency, whether involved, whether
9 interested, under SEQRA and various members of the
10 public requested it.

11 The DEIS itself discusses all the issues that
12 have been identified during the SEQRA scoping
13 process and those were the issues that were
14 identified by the public, by this Board and by all
15 public agencies.

16 The assessment included in this Draft
17 Environmental Impact Statement also includes
18 mitigation measures and alternatives that will
19 reduce or eliminate any potential significant
20 impact of the development.

21 The DEIS document itself was prepared by our
22 engineering firm, O'Brien & Gear. Jeff Ryan and
23 Gary Stewart are here tonight from O'Brien &
24 Gear and you probably have in that document itself

1 about a dozen different engineering disciplines
2 that have gone through all of the issues.

3 Let me hit briefly -- while this document has
4 been available to the public for about two months
5 or so, I'd like to hit briefly all of the issues
6 that were identified, as I stated, and discussed
7 in the DEIS.

8 Marvin Chudnoff had mentioned the benefit to
9 the downtown and that is discussed more in the
10 DEIS. The subject of the geology was analyzed.
11 Soils, bedrock and topography, erosion and
12 sediment control was analyzed. The cut and fill
13 analysis with respect to the earth work,
14 stormwater management was also detailed and
15 outlined. Water resources, surface water as well
16 as groundwater were analyzed in the DEIS. Air
17 quality with respect to construction vehicle
18 emissions and operation of Hudson Hills itself was
19 studied.

20 Terrestrial and aquatic ecology was detailed
21 and looked at, including vegetation, habitat and
22 species, flora, fauna and wetlands. Traffic was
23 a major issue that came up on day one, so a very
24 detailed and exhaustive study was done by Crate

1 Manning Engineering. Tom Johnson from Crate
2 Manning is here tonight. And that study was done
3 in conjunction with the Town as well as the New
4 York State Department of Transportation.
5 Land use and zoning was studied. Community
6 resources were analyzed in the DEIS. Utilities,
7 every type of utilities, water, sewer, electric,
8 natural gas, telephone and cable services,
9 emergency services were looked at. Waste
10 management, the impact on public school systems,
11 recreational facilities and municipal revenues was
12 also analyzed.
13 Cultural resources were assessed in the DEIS,
14 including a viewshed analysis which was complete
15 and attached to the document itself. Historical
16 and archeological resources are also assessed.
17 Noise and commune character, including the impact
18 on surrounding property values, potential
19 population and growth inducement aspects of Hudson
20 Hills were also assessed.
21 Apart from that, apart from all of the issues
22 and the sub-issues that go along with all of
23 those, alternatives to the development as proposed
24 are assessed in the DEIS. These alternatives

1 include not only alternative configurations of
2 development but as well as alternative scales or
3 size.
4 And the last part of the DEIS, based on input
5 from the Town and input from the agencies and
6 working with the consultants, a cumulative impact
7 of Hudson Hills in connection with other proposed
8 developments in the area was analyzed. Based on
9 an analysis of all of these issues, the DEIS has
10 been deemed complete for public comment here
11 tonight at this meeting. Thank you.
12 SUPERVISOR HERRINGTON: Thank you, Bill.
13 Andy, do you want to maybe explain for me the
14 format here? I mean, it's not really a question
15 and answer or a debate tonight, correct?
16 MR. GILCHRIST: Yes. The format tonight,
17 this is a public hearing that invites comments to
18 be received that will be looked into by the
19 applicant as well as the Board. It's not a
20 question and answer or debate session. If the
21 applicant chooses to respond to a comment this
22 evening as you speak -- you heard their
23 consultants are here -- they can choose to do
24 that. But be advised, this is the opportunity for

1 both the Board as well as the applicant to hear
2 the comments.

3 You must understand that this doesn't
4 complete the review process. The applicant must
5 accept all these comments. The reason we have a
6 stenographer here to create a transcript is that
7 transcript will be submitted to the applicant.
8 That must be reviewed and all the issues raised
9 tonight as well as all the other written comments
10 that could be received must be responded to by the
11 applicant to the satisfaction of the Town Board.

12 So the purpose for tonight again is not
13 question and answer or debate, but it is the
14 opportunity to put the comments on the record that
15 the applicant will need to respond to. And the
16 other involved agencies, the other public
17 agencies, will have the opportunity to examine
18 those comments as well.

19 So, again, that's the forum. If the
20 applicant chooses to respond to a certain issue or
21 comment raised, they're certainly entitled to do
22 so, but it's not required. You must understand.
23 Don't feel that since something's not being
24 responded to, it will not be. It will be. The

1 law requires that it be. And there is another
2 document, yet, that needs to be submitted by the
3 applicant to respond to all of your comments and
4 it's that document that will ultimately be
5 reviewed by this Board.

6 Again, to make sure that the application's
7 complete, that document needs to be deemed
8 complete. So, again, please put all your comments
9 on the record. They could be responded to if the
10 applicant chooses but, again, it's not a question
11 and answer or debate session tonight.

12 SUPERVISOR HERRINGTON: Thank you, Andy.

13 At this point, I'd like to open it up to the
14 public. Maybe if you would come up and use the
15 microphone. What I'd like to have you do is
16 address the Board, mainly so we can hear you and
17 also so the stenographer can get your comments on
18 the record.

19 So at this point, is there anyone who wants
20 to be number one here to get started? Any
21 comments, concerns?

22 MR. KESTNER: I'm Tony Kestner. I live at 16
23 Woodhill Lane. That's right near the Town Beach.
24 I have a real problem with the density of this

1 project. It's more dense than the lowest zoning
2 that we have, DR-9 zone. When you move into a new
3 development, you expect to have a certain amount
4 of construction activity. But when you move to an
5 area that is basically an A-40 zone, you don't
6 expect to have to listen to 10 years of
7 construction of apartment buildings.

8 He stated this is going to be a 10-year
9 project in phases and my question is: Are we just
10 allowing this to be dragged out? So that if it
11 doesn't work out, how do we know that these
12 apartments won't be changed to a different type of
13 apartment down the road?

14 As far as the traffic goes, I was wondering
15 if this study was actually done when the Town
16 Beach was open or was the traffic count done prior
17 to the Town Beach opening? Thank you.

18 SUPERVISOR HERRINGTON: Tony, thank you very
19 much. These are the types of concerns that we're
20 here to listen to tonight. As I mentioned, we
21 make sure we don't want to miss anything, so we
22 have a stenographer here.

23 Anyway, these are good comments, Tony. This
24 is why we're here and, you know, these are the

1 type things we need to hear and have people answer
2 for us.

3 Anybody else? Who wants to be next, I should
4 say?

5 MR. SCARTON: My name is Henry Scarton. I
6 live at 14 Kestner Lane in Troy. I have two
7 informational questions. I may have some
8 questions, but my first informational question is:
9 Is that book available to us now since I
10 personally didn't even know about this?

11 I know you're going to tell me it's been
12 publicly available for two months. Well, I've
13 been very busy. I didn't even hear about it til I
14 saw a note in my mailbox this afternoon. I'm here
15 even though my wife is home ill. I would like to
16 see the book.

17 Is there a copy they can circulate around
18 this room? We won't destroy it.

19 SUPERVISOR HERRINGTON: I guarantee you won't
20 read that tonight.

21 MR. SCARTON: As you know, Phil, I have some
22 experience in reading these documents and I want
23 to look for certain key points.

24 SUPERVISOR HERRINGTON: What I'm telling

1 you --
2 MR. SCARTON: Is this the only public hearing
3 we're going to have?
4 SUPERVISOR HERRINGTON: Andy will answer all
5 these. I wasn't trying to be wise, but I mean
6 that, I'm not as quick as you are. It took me
7 quite a while to get through that one.
8 MR. SCARTON: I helped to write these
9 documents. People hire me to do this.
10 SUPERVISOR HERRINGTON: You don't want to
11 circulate it tonight. I just assume the
12 people -- Andy, do you want to answer?
13 MR. SCARTON: Well, I'd like to know
14 specifically the things on the study on the effect
15 of property values. I have very specific
16 comments, though. Can somebody just tell us what
17 it says in there, please?
18 SUPERVISOR HERRINGTON: Henry, I'll give you
19 my copy if you want to read it tonight or right
20 now.
21 MR. GILCHRIST: That would be fine. The
22 question was: Is there a copy so that it can be
23 looked at this evening? And this gentleman asked
24 me for my copy. My response, just so everyone

1 understood what the discussion was, is that's the
2 copy that I've gone through and read and annotated
3 with my own notes. So that one is not available
4 for public review and inspection.
5 There is a clean copy available, I believe,
6 and if someone would like to take a look at it, we
7 can make that available. As you said, I will
8 reiterate for the record that these documents have
9 been filed in the Town Office and Community
10 Library since the end of June and I hope everyone
11 has had an opportunity and adequate access to
12 those documents so that they can make meaningful
13 comments. I hope that that has occurred.
14 As to the public hearing, they will make a
15 determination at the end of this evening as to
16 whether to keep the public hearing open. If there
17 are issues that we need additional information on,
18 this public hearing may be held open.
19 So with that, we'll allow additional
20 comments.
21 SUPERVISOR HERRINGTON: How many of them
22 copies have we had made? Anyone know? We had 50
23 copies of that made. I'm quite sure you guys
24 probably know. What did that cost you?

1 MR. CHUDNOFF: It was \$200 a pop.
2 UNIDENTIFIED PERSON: That doesn't matter.
3 SUPERVISOR HERRINGTON: I'm not saying that.
4 What I'm saying is -- I'm not afraid to charge
5 developers. I think we'll admit that.
6 UNIDENTIFIED PERSON: Let's move on.
7 SUPERVISOR HERRINGTON: Wait a minute now.
8 What I'm trying to tell you is I brag about how
9 polished people are in Brunswick. You don't need
10 to start fighting with me. I'm on your side,
11 guys. So what I'm trying to say here is -- wait a
12 minute. Please.
13 What I'm trying to say here is we
14 distributed -- Henry, just for your sake, I've
15 never since I've been here, and Pat's been here
16 quite a while -- made sure that every single
17 person -- I mean, we never handed out 50 copies is
18 what I'm trying to say. And they will be
19 available at the Town. We have one at the Town
20 Office, the one at the library and we've got 50
21 copies out.
22 I just want to tell you I've never heard of
23 that before. So we are working.
24 MR. ABBOTT: Has this been the largest

1 development in Brunswick so far? I'm Ron Abbott.
2 I live on North Lake Avenue.
3 SUPERVISOR HERRINGTON: The largest proposal
4 probably. What I'm saying is I'm trying to do it
5 right.
6 MR. ABBOTT: Right. Well, I understand that.
7 My problem is you're telling us how good of a job
8 you did, but none of us here seem to have heard a
9 lot more than you have. It didn't come when they
10 sent out and told me when the leaves were going to
11 be picked up. It sure didn't make it to my house.
12 SUPERVISOR HERRINGTON: Tonight is a public
13 hearing for all you people to come and listen to
14 try to get informed. You know that. Trust me,
15 you are going to be informed. Trust me. And I
16 don't think you want me to mail that with a leaf
17 flyer, I don't think.
18 Anybody else?
19 MR. DURKIN: Joseph Durkin, Maple Avenue.
20 The Draft Environmental Impact Statement basically
21 concluded that there's no impact on the character
22 of the community and it made some selective quotes
23 from the Comprehensive Plan, selective quotes that
24 were beneficial to them saying that the

1 Comprehensive Plan envisions a bedroom community.
2 The Draft Environmental Impact -- excuse me.
3 The Comprehensive Plan has quite a number of
4 comments and commitments to maintaining the rural
5 character of Brunswick. I think the Draft
6 Environmental Impact Statement is deficient in not
7 adequately addressing the rural nature of
8 Brunswick.
9 If you take a look at this development and if
10 you look at the other developments that are before
11 the Board, you will see that the rural suburban
12 line, the division between the rural areas and the
13 urban areas, is being moved significantly into the
14 heart of Brunswick.
15 The Comprehensive Plan makes the point of
16 saying that there is a patchwork of hamlets, open
17 space, farm land. Once again, looking at the map
18 which shows the number of developments currently
19 before the Board, you will see that the few
20 remaining open spaces in the vicinity of Hudson
21 Hills/Brunswick Meadows will be filled up, thus
22 extending the urban sprawl significantly into
23 Brunswick.
24 I think the Draft Environmental Impact

1 Statement should address the open space issues in
2 much more detail than it currently does and
3 address the fact that you're changing an
4 agricultural zone, as this gentleman said, to an
5 urban development zone in effect, and that's it.
6 SUPERVISOR HERRINGTON: Thank you. Good
7 comments.
8 (Applause.)
9 SUPERVISOR HERRINGTON: Anybody else?
10 MR. GRASSO: I'm Vito Grasso. I just want to
11 thank the Supervisor and the Board for this public
12 hearing. I also want to thank all of you for
13 coming out. I think your participation in this is
14 as important to this process as theirs.
15 I'm Vito Grasso. I live on Pinewoods Avenue.
16 I share Mr. Kestner's concern about the magnitude
17 and the density of this proposed project. It
18 seems to me, and the information that I've seen is
19 that this project -- and I understand it has a
20 10-year roll-out period -- would have the effect
21 of increasing or presumes that there's going to be
22 approximately a 20 percent increase in the
23 population of this town. That's what would be
24 necessary to support this project in the next 10

1 years.
2 To my recollection, there hasn't been a 10
3 percent increase in the population of this town
4 during any of the recent census periods that have
5 been tracked. So I think that would be an
6 important issue for the Town Board to look at, the
7 feasibility of the town growing at the pace and
8 magnitude that would be necessary to actually
9 support this type of project. Otherwise, we're
10 going to have a lot of vacant property in the
11 town.
12 I also share Joe's concern about the adequacy
13 of the traffic survey that was done. We've all
14 seen the impact of the work that's been done on
15 Route 7 on traffic patterns in the areas around
16 Route 7 even as far as Pinewoods Avenue and that's
17 without any additional residences or even
18 commercial property. That's just the work that's
19 been done on that road and the kinds of things
20 that have had to occur in order to divert traffic.
21 Finally, I would be concerned about the
22 projected income that might be generated by this
23 development. The developer talked about a
24 \$2.3 million revenue flow in the tenth year, the

1 final year of this project. The cost for
2 municipal services and the cost to prepare the
3 infrastructure are going to be in the first year
4 and my question is: What are those costs?
5 How realistic is it to expect that there will
6 be that level of revenue flowing from this project
7 at any point during its life span? And what will
8 the annual cost be to the town and to the
9 taxpayers in supporting the development of this
10 project and then the maintenance of it, including
11 police and fire protection? Thank you.
12 (Applause.)
13 SUPERVISOR HERRINGTON: Next. Come right up.
14 MS. HAYNES: My name is Susan Haynes. I live
15 at 11 Westlane Road. I, too, share concerns about
16 the tax upon our infrastructure for this project,
17 because while it may generate that amount of
18 income in taxes, we still are going to have to pay
19 a lot of out-go in terms of increased wear and
20 tear upon our roads, increased traffic on North
21 Lake Avenue, because I believe that one of the
22 proposals is to create a left-hand turn lane on
23 15th Street which would mean that traffic is going
24 to be routed through Frear Park up North Lake

1 Avenue. And because of the construction on Route
2 7 right now, there's a lot of traffic coming up
3 North Lake Avenue.
4 I would see a day if this project with this
5 magnitude would be considered that we would have
6 to have sidewalks, that we would have to build
7 sidewalks on North Lake Avenue in order to ensure
8 public safety.
9 Also, right now in terms of fire, we have
10 trouble attracting volunteers. With a project
11 that would grow this town by 20 percent, and this
12 is just one of five projects, then are our fire
13 services going to be adequate to handle that? I
14 would hate to see any volunteer fireman have to
15 get into a situation where they couldn't
16 adequately take care of a fire.
17 So those are some of my concerns about this
18 project.
19 (Applause.)
20 SUPERVISOR HERRINGTON: Thank you, Susan.
21 Next. Anybody else?
22 MR. FLEISHMAN: I'm Bernard Fleishman. I
23 live at 53 Colehammer Avenue off Pinewoods
24 Avenue. I think a key phrase that's been

1 mentioned a couple of times this evening has been
2 cumulative effect. It's not only inefficient but
3 I think kind of somewhat misleading to consider in
4 the light of the several housing projects that
5 have been proposed and, of course, the relocation
6 and expansion of the Wal-Mart facility, one gets
7 an impression of a creeping process to look at one
8 thing at a time; whereas, as these issues arise
9 one by one, we may get locked into a situation
10 where it's said "Well, you approved the last one
11 without prejudice, why not this one," et cetera,
12 et cetera?
13 I think what's needed is that the Town should
14 convene a public forum to consider the overall
15 impact of the various proposed projects. As a
16 matter of fact, they should also be considered in
17 the light of a new Comprehensive Plan, which will
18 try to designate where the Town is going to be
19 developed in the future, in what way and what
20 kinds of preservations will be maintained.
21 You know, the first Comprehensive Plan -- was
22 that in the late '90s, Phil? Among the
23 recommendations in that plan was to create a
24 Traffic Study Board or a Traffic Advisory

1 Board. I don't think we ever did that and I think
2 it's much to be regretted now, because the fact is
3 that the traffic capabilities concerning the
4 ability of people to go to and from major places
5 of employment, to and from the town, they're very
6 limited in this town and this is an area that
7 requires major focus.
8 So I would rather that the Town slow down and
9 halt any particular projects until we have a
10 chance to review the whole array of
11 recommendations in the light of a serious plan
12 that would ensure the future for the children and
13 their children in the town. Thanks.
14 (Applause.)
15 SUPERVISOR HERRINGTON: Thanks, Bernie.
16 Yes, come right up.
17 MR. FIVEL: My name is Norman Fivel. I live
18 on Wilrose Lane, which is right next to this
19 project. And it's been mentioned already, but the
20 cumulative impact analysis of this DEIS I find to
21 be insufficient, specifically with respect to
22 traffic. As everyone knows, there's a Wal-Mart
23 Supercenter proposed to be basically adjacent to
24 this site and the numbers that I got from the DEIS

1 are kind of staggering in terms of traffic.
2 At full buildout of this project, this DEIS
3 says there will be 557 new trips at the morning
4 rush hour. There will be 667 new trips at the
5 p.m. peak hour. Wal-Mart's environmental
6 assessment form indicates that they estimate an
7 additional 592 new trips at the morning peak hour
8 and an additional 608 new trips at the p.m. peak
9 hour. This is for a total of new a.m., new
10 morning, peak hour trips of 1,149. New peak p.m.
11 trips, p.m. peak hour trips, will be 1,275
12 additional. That's in addition to the traffic
13 that is currently on Route 7.
14 The DEIS says that the current volume during
15 the a.m. peak hour is 985 trips; during the
16 afternoon peak hour is 1,335 trips. If you do the
17 math, it comes out to more than a hundred percent
18 increase in the traffic on Route 7. Route 7 now,
19 just politely put, is a nightmare.
20 The proposed mitigation in this DEIS is for
21 Route 7 and 15th Street, for the City of Troy to
22 do something there to alleviate turning lanes, I
23 believe, but I don't see any proposed mitigation
24 other than a traffic light and two turning lanes

1 off of Betts Road. And I don't see how that helps
2 the congestion at all.
3 As a matter of fact, the traffic light is
4 going to increase the congestion. So I think in
5 terms of adding that cumulative impact that the
6 Draft Environmental Impact Statement is deficient.
7 Also, with respect to traffic, I think I
8 mentioned it, it talks about on page 44, the third
9 bullet, at completion of phase two development,
10 study area intersections are expected to operate
11 adequately with the exception of New York State
12 Route 7/15th Street and New York State Route
13 7/Betts Road intersections. The next page talks
14 about mitigation, but there is no mitigation
15 mentioned for the Betts Road intersection.
16 So, again, I believe that the DEIS is
17 insufficient in terms of addressing that traffic
18 problem.
19 Also, just briefly, I believe the DEIS says
20 that in certain cases, they will leave boundary
21 vegetation as it exists now, the existing trees
22 and vegetation but it's not specific as to where.
23 I'd like to see where they expect to maintain the
24 existing vegetation.

1 And then the last comment: My family's owned
2 property on Betts Road since the 1930s. They
3 farmed the property from the 1930s to the 1960s
4 when my brother and I built homes. We built on
5 the farm because of its beauty and its family
6 history. And in looking at the Comprehensive
7 Plan, it specifically stated that based on a
8 survey of residents that the two most important
9 considerations were traffic and preservation of
10 the rural character of the community. And I fail
11 to see how trading 215 acres of pristine farm land
12 for 1,100 apartment units with temporary occupants
13 who really have no stake in the town is worth the
14 trade. I don't see how that is consistent --
15 (Applause.)
16 MR. FIVEL: I don't see how that's consistent
17 with the wishes of the town residents, the people
18 who live here now and in the Comprehensive Plan.
19 Thank you.
20 (Applause.)
21 SUPERVISOR HERRINGTON: Thank you, Norm.
22 MS. FORSTER: I'm Donna Forster. I live on
23 McChesney Avenue. As Norm said, reading through
24 the Comprehensive Plan, the two biggest concerns

1 have been traffic, which we all are concerned
2 about -- and I simply know many people who don't
3 even use Hoosick Road and can't really be
4 clientele of the businesses that they want because
5 of the time that it takes to even get there. And
6 this has been in the papers with business owners
7 complaining that they cannot get their clientele
8 in.
9 But the other areas is taxes which concerns
10 all of us and which is a big concern. For school
11 taxes, I went to Brittonkill School and talked
12 with Theresa Snyder about enrollment, about the
13 addition that was just opened two years ago. And
14 she said that with 200 more students -- enrollment
15 currently is 1,400. When it reaches 1,600, they
16 will need a new school. Now, we are going to be
17 paying for the addition until 2022 at a rate of
18 six percent of the school budget. With 153 total
19 students going to Brittonkill from Hudson Hills,
20 if it's completed, and with the other projects on
21 board, we are going to be looking at also paying
22 for a new school. The school budget has already
23 increased over the last three years by 25 percent.
24 So if we make Brunswick more accessible to

1 these developments, are we telling senior citizens
2 and moderate income homeowners that they won't be
3 able to afford to pay their school taxes? Because
4 we're going to see significant rises. That's what
5 I wish to say.
6 (Applause.)
7 SUPERVISOR HERRINGTON: Thank you, Donna.
8 Who's next? Sir, come on up.
9 MR. KEENAN: Hi. I'm Dillon Keenan. I live
10 at 62 Moonlawn and I'm going to be a little
11 mundane. Looking at some of the engineering
12 principals, my first question is: How long does
13 the public have for comments to be received after
14 this meeting?
15 SUPERVISOR HERRINGTON: Andy, do you want to
16 comment on this?
17 MR. GILCHRIST: Sure. As we said earlier,
18 based on the number of issues raised tonight, it's
19 very likely that the public hearing will remain
20 open, meaning that there will be additional time
21 for the public to comment. Under the regulations,
22 the comment period will close 10 days after this
23 Board closes the public hearing.
24 If the Board does not close the public

1 hearing this evening, the comment period is
2 extended until another public hearing is convened
3 by this Board. Once the public hearing is closed,
4 there's still an additional 10 days to submit
5 written comments.
6 MR. KEENAN: So that will be decided tonight
7 or you have 10 days?
8 MR. GILCHRIST: That's correct.
9 MR. KEENAN: The first issue I have is on the
10 potable water section. Basically, the impacts
11 related to potable water can't be adequately
12 assessed without an engineering report which needs
13 to be included in the appendices. The report
14 needs to address the overall capacity, the
15 existing demand and additional fire demand. These
16 demands need to include the average daily and peak
17 demand and the adequacy of the fire zone.
18 Now, they list in table six a number of
19 370,000 gallons per day as existing capacity and
20 then they also list at full buildout a need for
21 193,250 gallons. That's over 52 percent of the
22 existing supply. That seems very significant.
23 They should investigate that a little more to see
24 the adequacy of it.

1 I also have questions on the waste water.
2 Basically, they're talking about -- they don't
3 include an engineer's report either. This report
4 needs to address overall capacity, existing flows
5 and additional flow by phase. This needs to
6 include the phase one development, because my
7 understanding of the way they have it hooked up
8 is they're connecting an eight-inch force main to
9 the existing eight-inch gravity sewer. That
10 extends to the pump station which has an existing
11 six-inch force main and it goes to a twelve-inch
12 gravity sewer.
13 And phase two improvements include upgrading
14 this eight-inch gravity sewer to a twelve-inch
15 gravity sewer and also the six-inch force main to
16 an eight-inch force main, yet, the adequacy is
17 never accounted for; just reasons for the
18 concern.
19 If you look at the existing pump station
20 rates, they're claiming 88 gallons per minute.
21 The phase one estimate is 200 gallons per minute.
22 The phase one and two is 414 gallons per minute.
23 Phase one through three goes up to 613, et cetera.
24 But if you look at the percentage, just the phase

1 one is an increase of 220 percent. The phase one
2 and two is 470 percent. And it goes up to 785
3 percent for phase one through four. That is never
4 really described how they're going to accommodate
5 that capacity.
6 And just one last note: On their municipal
7 revenue section, they state under the SEQRA final
8 scoping document, that the DEIS will include an
9 analysis of the overall and net effect of the
10 project on the town and county revenues.
11 "Increased revenues will compare to increased
12 costs, if any, for the services and utilities such
13 as schools, water, sewer, police and fire." The
14 DEIS does not adequately address these
15 requirements. It just glosses over and presents
16 revenues but not increased costs.
17 I guess I'll end there because I've probably
18 bored you enough with my technical questions.
19 (Applause.)
20 SUPERVISOR HERRINGTON: I want to compliment
21 people here tonight. I thought for sure what
22 would happen with this crowd is everybody would
23 get up and say "traffic and traffic and traffic."
24 I mean, we know traffic's an issue, but

1 everybody's done their homework and everybody's
2 got outstanding concerns and outstanding questions
3 that need to be answered and I'm impressed.
4 Next, please. Anybody else?
5 MR. SIMS: Nate Sims, 14 Balton Avenue in
6 Troy. After that really technical question,
7 mine's going to be a very philosophical one. But
8 for me, it seems like so much of this is about
9 what the community -- whether it's Brunswick or
10 Brunswick and Troy, which I think the fates of
11 those two places are completely
12 intertwined -- needs and what a very few people
13 want. And the very few people, of course, would
14 be the developers who stand to make quite a bit of
15 money from these projects. And I think that sort
16 of umbrella idea is important to keep in mind.
17 The population statistics, which many of you,
18 I'm sure, know, state that Rensselaer County has
19 barely gained any population in the last -- I
20 don't know -- 10, 20 years. And a lot of
21 developers would have you believe that building
22 things like this is really just to put people
23 somewhere, to have a place to live for all these
24 new people.

1 But if you look -- if you do the homework,
2 Brunswick, and Rensselaer County in general, the
3 population growth is much, much slower than this.
4 I don't know if it's 20 percent increase in the
5 size of it now, but certainly, especially when
6 combined with all the other projects that are
7 being proposed currently, it's extremely
8 unnecessary and it really comes down to money. So
9 I just wanted to put that on the record. Thank
10 you.

11 (Applause.)

12 SUPERVISOR HERRINGTON: Who's next? Come on
13 right up, please.

14 Henry, that's my copy. Take that home with
15 you tonight. Take a look at it.

16 MS. SYMANOWITZ: My name is Susan Symanowitz.
17 I live at 416 North Lake Avenue, 13 acres, a
18 significant amount that borders this project.
19 Just a few little statements.

20 We moved from the City 21 years ago for peace
21 and quiet and a safe environment to raise our
22 children. If we wanted to live near 1,500-plus
23 people, we would move back to the City. Hudson
24 Hills will negatively affect most residents of

1 Brunswick. Traffic on North Lake is already bad
2 as a bypass for Hoosick Street. The road is not
3 designed for heavy use with bends and turns. We
4 have a hard time now getting out of our driveway
5 and getting our mail.

6 The Town Beach 15-mile-per-hour speed limit
7 is not being enforced. Increased traffic
8 jeopardizes walkers and bikers. How will we be
9 protected from increased vandalism and crime that
10 will come with transients? Upscale apartment
11 dwellers will not make Wal-Mart their shopping
12 destination.

13 (Applause.)

14 MS. SYMANOWITZ: We are downhill from the
15 project. What will be done about drainage?
16 Long-term construction will cause noise pollution
17 and more dirt. Town officials are elected to
18 protect the town residents and many towns in the
19 area have established moratoriums for building.
20 The Town should consider this before a large can
21 of worms is opened.

22 Brunswick is not Latham where Mr. Chudnoff
23 and Capital District Properties has 350 units.

24 (Applause.)

1 MS. SYMANOWITZ: Many changes to zoning
2 should be carefully considered. Growth can be
3 managed to benefit a community and all its
4 inhabitants. All it takes is real leadership and
5 people who care. Thank you.
6 (Applause.)
7 SUPERVISOR HERRINGTON: Thank you. Next.
8 Anybody else have any comments?
9 MR. MEDICUS: Heinrich Medicus, The Knoll. I
10 would say if all these projects go through, it
11 really would change the character of the town very
12 much and it also might change the Board.
13 (Applause.)
14 SUPERVISOR HERRINGTON: Sir, come up.
15 MR. MCLEAN: Hi. My name is Sean McLean,
16 Eagle Mills, 509 Brunswick Road. Just a quick
17 comment. In lieu of like the cumulative effect of
18 all these projects, wouldn't it make more sense to
19 have a meeting at some point that will address the
20 bigger picture? Because I think what people are
21 really concerned about is not just, you know, to
22 vilify these gentlemen up here, because they want
23 to build apartments but that the overall effect
24 of, you know, at least a half dozen projects, what

1 it will do to Route 7. I know what it's done to
2 Route 2. They think that's the speedway now,
3 because you know, I live on a little farm, a
4 little side road. You pull out now and it's
5 Friday, New Jersey plates, you know, New York
6 City, Connecticut. I mean, these people are just
7 zipping through, because they realize that they
8 can whip out Tamarac Road. You must see them up
9 near you, Phil.
10 SUPERVISOR HERRINGTON: Yeah.
11 MR. MCLEAN: Wave to them when they go by.
12 But, you know, they're not stopping to spend any
13 money in our town. They're not adding revenue,
14 you know. And, also, the gentleman over here said
15 that it will add, you know, 200-plus jobs, I
16 believe. For who?
17 You know, our own town, you know, office
18 building isn't even being built by local
19 contractors. So I assume you're not going to
20 have -- you're not going to call me up to build
21 fireplaces. Okay? Thank you.
22 (Applause.)
23 SUPERVISOR HERRINGTON: Peter.
24 MR. MESKOSKEY: Pete Meskoskey, 168 Town

1 Office Road. I want to thank everybody here.
2 Pat, can you stand up and hold up the DEIS?
3 For all those who haven't looked at the DEIS, it
4 looks intimidating. Hold it sideways, Pat. If
5 you were to take the maps out, if you were to take
6 the traffic study out and a couple other things,
7 it's about two and a half inches thick. It looks
8 intimidating but it's not as bad as it looks. If
9 anybody wants to look at it, you should because
10 there are a lot of different things.
11 And the gentlemen from the development team,
12 please jump in if you have any questions, because
13 I have some questions about some inadequacies that
14 I'd like to answer. So I'd like to entertain any
15 questions.
16 First of all, the property value section,
17 the second from the last section, I looked through
18 the property value section and no place in the
19 property value section does it show any local
20 property value comparisons. It talks about a
21 couple theories about property values. It talks
22 about a couple other things about property values
23 but no comparisons and I've seen some property
24 value studies. It's very inadequate. And I would

1 like to see some defined and detailed information
2 on the property studies. It doesn't address any
3 of the high-end homes that are going to be next to
4 this that have high acreage. I'd like to see some
5 comparisons on that and how those either went down
6 or went up when apartments were put next to them.
7 Next is the fire protection. In the
8 DEIS -- and I'm going to read this section. Feel
9 free to respond -- "Police, fire and ambulance
10 services. Representatives from CDP met with
11 representatives from the local fire departments
12 on March 5th, 2005. At this meeting, the project
13 was reviewed. The departments confirmed that they
14 can serve the purpose of the development without
15 an increase in budget due in large to a backup
16 from the other fire departments within the town
17 and surrounding municipalities."
18 Now, I talked to one of the fire
19 chiefs -- and we have a meeting scheduled for
20 September 8th with the fire chiefs and the fire
21 commissioners to address these issues -- and I was
22 told that this group of people was told that no
23 promises were made and no commitments were made.
24 But yet, in the DEIS, it sounds like you got a

1 commitment that our local fire department can
2 handle it.
3 Right now, during the day, if there's a
4 structure fire in Brunswick, they call three
5 departments because of the lack of manning and
6 they usually have backup possibly from Troy. So
7 this again does not -- it's inconsistent as far as
8 the information is concerned.
9 Next is the waste management section. Under
10 that same section, it talks about transfer
11 station. Now, I've seen the transfer stations in
12 some of your properties and it's deplorable. I'm
13 talking about the big building that's about the
14 size of this building and they're really nasty.
15 And I think according to this, you're going to use
16 those there. So we want to take a look; possibly,
17 the Board should go look at a transfer station to
18 see what it looks like, the accommodation transfer
19 and recycle station. Again, it's inconsistent
20 with what they're showing here.
21 Then, the school tax -- Donna, help me out on
22 this. When you talked to Theresa Snyder, she said
23 that it takes three family school taxes to pay for
24 one student, correct?

1 MS. FORSTER: Correct.
2 MR. MESKOSKEY: Three. According to the
3 numbers that you have here on phase one, you're
4 going to pay for 354 units, \$202,743 of school tax
5 which -- that number seems substantial. If you
6 take the average -- now, I'm just going to get a
7 sample here. How many people here their school
8 taxes are over \$2,500?
9 (Affirmative responses.)
10 MR. MESKOSKEY: How many are under?
11 (No affirmative response.)
12 MR. MESKOSKEY: I pay \$4,000. So let's
13 multiply three families, \$2,500, which is low, it
14 comes to \$7,500. Phase one statement says 62.8
15 people. It equates to \$471,000 and you're going
16 to pay \$202,000. That leaves a deficit of
17 \$268,000 just on phase one, which means your taxes
18 will go up significantly.
19 (Applause.)
20 MR. MESKOSKEY: Just so the Board knows, I
21 took this from the DEIS. This is the developer's
22 information and the cumulative effects, I know
23 that everybody's talked about it and it's very
24 inadequate; traffic, congestion, everything. So

1 I agree with everything on cumulative effect.
2 It's very, very sketchy what's in here. There's
3 no detail. It needs to be specific.
4 And the traffic, again, on their
5 proposal -- I'm not sure if you want to help me
6 out here -- I think you proposed one car per unit?
7 Correct me if I'm wrong. Guys, you haven't spoke
8 yet tonight.
9 MR. CHUDNOFF: We did speak. We did speak.
10 MR. MESKOSKEY: I'm giving you a chance.
11 MR. HOBLOCK: Because this is the first time
12 that the public has had a chance to comment on
13 this specifically, the public hearing's clearly
14 going to be kept open. We're an advocate of that.
15 We're here tonight to listen to the concerns,
16 listen to the comments. We'll take them back.
17 We'll work with our consultants, along with the
18 Town, and address them the next round.
19 MR. MESKOSKEY: My purpose was I didn't want
20 to give misinformation. But if you go to any one
21 of your sites in Latham or anybody else's
22 apartment site, there's two and sometimes three
23 cars per family, because these people don't put a
24 lot of money in a home. They put their money in

1 vehicles. And the world is changing today as far
2 as how people do things and they have more and
3 more vehicles, not less. You need to take a hard
4 look at that and, again, we need detailed and
5 specific information on apartments with a number
6 of vehicles. You can go look over here at the
7 Brunswick Apartments; same deal.
8 Then, I have one last thing. I have a
9 handout. This was in the DEIS. (Handing to the
10 Board members.)
11 You guys can have one, too. (Handing to Mr.
12 Hoblock)
13 MR. HOBLOCK: Thank you.
14 MR. MESKOSKEY: You're welcome.
15 This is directly out of the DEIS. I'm going
16 to read this. And this is Mr. Chudnoff. It's
17 pretty impressive what Mr. Chudnoff has done in
18 his career. I know the Board has read it. I'm
19 going to read it, because the public here has not
20 read this.
21 "Capital District Properties is an
22 experienced, fully integrated real estate
23 development firm that specializes in the
24 acquisition, development, construction and

1 management of residential communities throughout
2 New York State. CDP's principals bring with them
3 decades of real estate development, construction,
4 finance and management experience. Headquartered
5 in Latham, New York, CDP was formed for the
6 purpose of developing multi-family communities in
7 the Central and Upstate New York regions.

8 "CDP was built on the foundation that
9 seasoned real estate professionals working
10 together with progressive communities can bring
11 quality communities to quality communities."

12 And then it goes on to Mr. Chudnoff. You
13 have a pretty impressive record as far as what
14 you've done. I'm not going to continue to read
15 that next paragraph. It's very impressive. I
16 know most of the people in the room haven't read
17 this.

18 If you turn to the next page, it also lists
19 some of Mr. Chudnoff's different apartments that
20 he's been involved in over the years. Am I
21 correct in saying over the years or currently
22 involved in?

23 MR. CHUDNOFF: Over the years and currently.

24 MR. MESKOSKEY: Okay. And it says at the

1 top -- I want the Board to note this -- "The
2 following is a list of selected multi-family
3 projects Mr. Chudnoff has been intimately involved
4 in the development of."

5 Now, there's some here from California,
6 Pennsylvania, South Carolina, New York and
7 Virginia. So I'm going to take your word those
8 are pretty good ones; haven't seen those.

9 I have a question and this is on Hudson
10 Preserve in Latham. Exactly where is Hudson
11 Preserve in Latham? Because I can't find it.

12 MR. CHUDNOFF: Route 2. It's on Route 2.

13 MR. MESKOSKEY: Okay.

14 MR. CHUDNOFF: Kitty-corner to the K-Mart,
15 immediately adjacent to St. Patrick's Cemetery.

16 MR. MESKOSKEY: So it's behind Lake Shore &
17 Beverwyck, abuts or adjoins Lake Shore &
18 Beverwyck? I was looking in Latham, that's why --

19 MR. CHUDNOFF: It doesn't abut it, but it is
20 in that neck of the woods, about 400 acres in
21 total.

22 MR. MESKOSKEY: I just want to read a couple
23 of these explanations of things he's been
24 personally involved with.

1 "Village One Apartment community is
2 strategically located in the heart of the Capital
3 Region offering convenient access to the area's
4 major shopping, entertainment and business areas.
5 The apartment community includes 340
6 well-appointed units and well-manicured grounds
7 complete with community tennis courts and
8 resort-style pool."
9 It goes on to describe Valley View, Beverwyck
10 and Lake Shore Apartments. Well, I went to take a
11 look and I ask this Town Board to go take a look,
12 but those apartments are not the nicest apartments
13 in Albany. They are in need of drastic repair.
14 It says on here they have resort-style pools.
15 They have a pool at each one of these, but it's
16 not resort-style. That information in here is
17 misleading.
18 If somebody were to read this and didn't
19 know -- okay, I talked to the mailman at Village
20 One and their major problem down there is that
21 they evict people. And he told me the problem is
22 when they get somebody in a unit, they end up with
23 two and three families in the same unit and they
24 have to evict them. I'd like to know your

1 eviction rate in those apartments.
2 MR. CHUDNOFF: It's very difficult for me to
3 respond to commentary which has a demeaning
4 content and is inaccurate. You're making
5 statements and I'm not going to respond to
6 statements that have no evidence.
7 MR. MESKOSKEY: Can you explain to me what
8 intimately involved means? It's in the DEIS.
9 SUPERVISOR HERRINGTON: Wait a minute. Andy.
10 MR. GILCHRIST: I know these are legitimate
11 concerns for the public. It's not a debate or
12 question and answer session. If there's
13 information that anyone in the public wants
14 additional information on, place that comment on
15 the record and I know the applicant will respond
16 to it. And as indicated, the public hearing will
17 remain open. Additional information will be
18 supplied by the applicant. You'll be able to
19 respond to that.
20 MR. MESKOSKEY: I invite anyone, Board
21 members, to go down to any of those apartment
22 complexes and see the disarray. We do not want
23 that in Brunswick. I mean, he's got a great
24 record, but based on this, take a look at those

1 apartments.
2 (Applause.)
3 MR. MESKOSKEY: I would just like to conclude
4 that we have a lot of information, we have
5 attorneys, we have the DEIS, but this is about
6 people and what this is going to boil down to is
7 five Board members saying yea or nay on the
8 information and we've got more information coming.
9 I don't know if you're going to close this tonight
10 or not, but it's supposed to be based on accurate,
11 respectable information. The information that
12 I've seen is not accurate and it's deceptive.
13 Thank you.
14 (Applause.)
15 SUPERVISOR HERRINGTON: It would not be a bad
16 idea for people to look at the Hudson Preserve,
17 the new apartment complex out of Watervliet. Is
18 that front entrance open, Marvin?
19 MR. CHUDNOFF: Yes.
20 SUPERVISOR HERRINGTON: The Hudson Preserve,
21 drive in there and you'll see exactly what he's
22 talking about here. I just thought I'd tell --
23 UNIDENTIFIED PERSON: Why would anyone want
24 to see --

1 SUPERVISOR HERRINGTON: You turn right by the
2 cemetery. You should go over to look at the
3 Hudson Preserve. I mean, that's exactly what he's
4 talking about building here so that would show
5 you.
6 Henry.
7 UNIDENTIFIED PERSON: It's in Watervliet, not
8 in Latham or Albany as those are indicated.
9 SUPERVISOR HERRINGTON: Wait a minute now.
10 MR. CHUDNOFF: Sir, that is inaccurate.
11 Check with your mailman. That is inaccurate.
12 UNIDENTIFIED PERSON: Sir, I've worked for
13 UPS for 34 years. That address is Watervliet.
14 MR. CHUDNOFF: That's an inaccurate
15 statement. It is misleading for you to say to the
16 general public that you want an honest and clear
17 dialogue and you say things that are inaccurate.
18 It is in the Town of Colonie.
19 UNIDENTIFIED PERSON: I'm glad you understand
20 your information is misleading.
21 SUPERVISOR HERRINGTON: Come on now.
22 MR. CHUDNOFF: It's either a matter of fact
23 or it is not, sir. It is in the Town of Colonie.
24 UNIDENTIFIED PERSON: It's in the City of

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Watervliet.
MR. CHUDNOFF: It's in the Town of Colonie. It pays taxes to the Colonie North School District. It pays taxes to the Town of Colonie. It has nothing to do with Watervliet. You are again factually incorrect. Check your facts. Give us the questions and we'll respond to them, but don't mislead the audience.
SUPERVISOR HERRINGTON: So go through Watervliet, take a left.
All right. Henry.
MR. SCARTON: My name is Henry Scarton. I live at 14 Kestner Lane. I'm also the director of the Rensselaer Polytechnic Institute's Laboratory for Noise and Vibration Control Research. I have been hired as an expert witness and have helped to write such documents for other people. I've also been hired by Concerned Citizens of East Nassau, for example, where I was the principal consultant. And you may recall that the Lane Mine was not permitted because, among other things, of the noise impacts.
Now, let me comment directly on the noise study which took me a while to find. It's on page

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63. And I'll read what it says. It says -- and I'm not talking about construction noise, which is another section. I'm talking about steady-state noise. We have over 1,000 units operating, and let me give you a little background.
Many times in the fall and in the spring, my phone rings and they want to hire me to do a noise study. Why? Because the windows go open and the air conditioners go on for some people and other people like to leave their windows open, et cetera, et cetera, et cetera. You're going to have 1,000 air-conditioning units, air-handling units, running over here in an area which is basically a valley. And you're going to have temperature inversion at night.
What that does, in case you don't understand that, you have continuity and density and the sound bounces off the temperature inversion and concentrates the sound in this area. So the background level, and I have measured this many times under many circumstances, in the absence of tree frogs, which bring it up to about 50 decibels -- normally, we're talking about 35 to 40 decibels, sound pressure level, at the microphone

1 location.
2 You turn on 1,000 air-conditioning,
3 air-handling units and you'll have a temperature
4 inversion and I can assure you that noise level is
5 going to come up. What is this going to be?
6 Well, you have to sort of check it out. I can
7 assure you it's not going to be 45 decibels. It's
8 going to be closer to 60, 65, maybe 68, 70
9 decibels. The calculations are fairly
10 straightforward.
11 So the air-handling units in the summer,
12 which is not studied at all in this and I just
13 scanned through this document -- I have to write
14 these, so -- I sort of help to write these so I
15 know where to look. It's not discussed at all.
16 Secondly, lighting impact, lighting trespass.
17 Mrs. Symanowitz is not going to hear these tree
18 frogs chirping anymore. You're going to hear the
19 air-handling units. You're going to have
20 luminaires on each of these units, more than one,
21 plus headlights of cars. That's going to add a
22 lighting trespass issue so that you will no longer
23 be able to see the stars out there. You'll just
24 be able to see the glow from the lighting of this

1 complex and it's going to be huge.
2 Third: I happen to live at 14 Kestner Lane
3 and I can tell you right now that the traffic is
4 horrendous. You're getting the people coming
5 right down North Lake Avenue and, now, we're going
6 to have a thousand cars, maybe more, depending on
7 how many coming. It's impossible. You're going
8 to have to put a four-lane highway through Frear
9 Park.
10 (Applause.)
11 MR. SCARTON: Finally, I personally pay
12 \$4,000 in educational taxes -- I happen to have
13 Troy taxes -- and over \$3,000 in property taxes
14 totaling to \$7,000. Now, I was not happy when my
15 taxes went up in one year \$1,000 and I think that
16 happened to a lot of us in this room.
17 (Applause.)
18 MR. SCARTON: And, now, they're going to
19 pay -- what did I see? -- \$1,500 taxes. And I
20 should check those numbers. I'm to be careful
21 here. But it's going to be the tax -- they're not
22 going to be able to be paying taxes. And I'm
23 sorry, we're going to be attracting an occasional
24 drug dealer in there and other transients that are

1 going to lower our property values. We have these
2 beautiful homes out there. Dr. Symanowitz is one;
3 the whole Kestner estate out there is beautiful.
4 I moved here 15 years ago. I love here.
5 It's beautiful. We're kind of ruining the
6 country. I have three-quarters of an acre.
7 Everybody has large lots. We're going to put them
8 into this?
9 Finally, I looked at that plan and I see
10 absolutely no area for storage space for those
11 units. Where are you going to put all the
12 storage, all those people moving in? I mean,
13 1,600 square feet, it's horrible. Thank you very
14 much.
15 (Applause.)
16 SUPERVISOR HERRINGTON: Henry, I owe you an
17 apology. You did know where to look in that book.
18 I didn't know where to start.
19 MR. SCARTON: Page 63.
20 SUPERVISOR HERRINGTON: I started from the
21 beginning.
22 Anybody else? Herb, come on up.
23 MR. HEADWELL: My name is Herb Headwell. I
24 live at 196 Town Office Road. I came to this

1 community in 2001, brought my family; Stacey, my
2 two kids are out playing outside. Over the last
3 four and a half years, I invested myself in this
4 community. I spent millions of dollars on Town
5 Office Road bringing it back, bringing the horse
6 business back that was there started by Maynard
7 Kessler in the '70s. And the Schaffers of the
8 Schaffer Brewing Company had many world champion
9 horses off Misty Hills Farm.
10 As far as the storage problem, I'm going to
11 be building storage units in Raymertown so that
12 will solve the storage problem.
13 In any event, my biggest plea is that there's
14 many nice people and wonderful people in this
15 community. Pete Meskoskey, the Gidenbergs down
16 there, Phil Herrington, his brother Ken, wonderful
17 people. My plea to this Board is this: Please,
18 when you make any decisions regarding anything of
19 this magnitude, it would be very appreciative if
20 you would just come talk to the people who vested
21 themselves in this community. I've only done it
22 four and a half years. But part of the reason why
23 I picked this area was the rural nature, the
24 country setting. I wanted my kids to be raised in

1 a nice farm-type environment.
2 And like I said, I spent millions of dollars.
3 My taxes are well over \$20,000 in property tax.
4 I'm a farmer. The key thing is that the people
5 are vested. I'm just giving you my case. I'm
6 sure there's many, many more here who have lived
7 here much longer than I have who feel like that
8 and that we really want to be talked to. Come to
9 see us and listen to what we have to say
10 personally, because these people aren't vested.
11 We're vested. And anything that happens, as
12 you've seen here, is going to affect us.
13 Now, I'm Republican. I'm all about
14 development, so on and so forth. Now, let's say
15 this thing goes through. I'm in a very difficult
16 position. I have 200 acres on Town Office Road.
17 If this thing goes through, I'm going to want the
18 next one. I'm going to want the 700 apartment
19 building complex built on Misty Hills and I think
20 that needs to be considered, is that I'm vested
21 here and put all this hard work into this road and
22 this town and this whole thing here; that, you
23 know, if I had to cash out, I think that needs to
24 be considered.

1 But that's the thing. We're all hard-working
2 people. A lot of us probably don't have time to
3 be here. We have a lot of responsibilities and,
4 you know, we don't get to read things, see things.
5 And another question I have is: Where are
6 the other 48 copies of the document?
7 SUPERVISOR HERRINGTON: Where are the rest of
8 the copies?
9 MR. HEADWELL: You said there's 50.
10 SUPERVISOR HERRINGTON: Each Planning Board
11 got them. Zoning Board got them.
12 MR. HEADWELL: They're all distributed.
13 Okay. That's basically all.
14 (Applause.)
15 MS. STEINBACH: My name is Connie Steinbach.
16 I live at 5 Lindsay Drive. I've been in Brunswick
17 for 49 years. Now you all know how old I am. I
18 think I'd like to just say that my major concern
19 is the fact that it is an apartment complex as
20 opposed to single-family homes. I do think that
21 single-family homes are much more closer to what
22 the character of Brunswick is and what I would
23 like it to stay and, basically, that is my
24 concern.

1 Now, I've never done this before so I may be
2 asking something that's obvious to everyone else,
3 but I assume that Mr. Kestner and the consultant
4 that he hired is going to look after my interest.
5 So, therefore, I was wondering: Is there a
6 report that gets produced and is it made available
7 to everyone to read so I understand what you're
8 analyzing when you decide what to do with this?
9 (Applause.)
10 MR. KESTNER: Yes, we will do a report on the
11 document. Mark Gregory from Transportation
12 Concepts will do a report on the traffic. We have
13 had meetings so far with the state engineer. We
14 had three individuals from the central office over
15 along with the City of Troy, city engineer and the
16 county highway engineer and we have discussed the
17 traffic. We will prepare our thoughts on the
18 information that is contained in this document
19 that will be available for you to look at.
20 In addition to that, we are getting comments,
21 as the Supervisor indicated at the start of the
22 meeting, from the state agencies; namely, New York
23 State DEC is going to assist in looking at the
24 stormwater management sections and also the

1 wetland section. DOT is planning on issuing a
2 letter in regard to the traffic issues both in
3 Brunswick and also some situations down in the
4 City of Troy.
5 So we're going to get input from all of these
6 various agencies in addition to our comments.
7 We'll put them all together and we will give them
8 back to the applicant.
9 SUPERVISOR HERRINGTON: Thanks, Mark.
10 Anybody else?
11 MR. GORDON: I'm Rickie Gordon. I live on
12 Moonlawn Road. My concern is -- I went to a
13 couple of other meetings and one of the big
14 concerns was the minimum lot per house is
15 considerable in the Town of Brunswick and I don't
16 understand why a mass development like this would
17 be approved versus single-family units that could
18 be put on decent-sized lots with a lot more
19 controlled development. I don't think there
20 should be an exception made for apartments. Thank
21 you.
22 (Applause.)
23 SUPERVISOR HERRINGTON: I'm not sure. I bet
24 the way it's zoned at the moment over here, if

1 you're just wondering, if somebody wants to put
2 single-family homes in that area, probably about
3 150 homes would go in there with the current
4 zoning roughly, just to give you an idea.
5 MR. MCLOUGHLIN: My name is Bill McLoughlin.
6 I live at 16 Lindsay Drive. I have two concerns.
7 One is, as you had said, the traffic. Traffic on
8 North Lake Avenue has really greatly increased,
9 but I'm concerned because we have a lot of runners
10 and people who ride bikes. In fact, I think it
11 was about five years ago, a young lady was riding
12 her bike and she got hit by a mirror off of a
13 truck going by. It's so tight in there and the
14 width of the road is very narrow and the property,
15 as you get into our area, is very close on North
16 Lake Avenue.
17 So I think there is a problem traffic-wise
18 and coming down through the Frear Park, a lot of
19 people go in and don't go over to Hoosick Street,
20 cut down to Frear Park, Oakwood Avenue and down
21 Hoosick. They don't go 20 miles an hour. They go
22 40 miles an hour, 50 miles an hour down through
23 there. I don't know. The police ought to get off
24 Hoosick Street and go over to Frear Park. They'd

1 make out much better over there.
2 My second problem is I had been to the Town
3 Board before and we had talked about planned
4 development districts. I certainly hope that the
5 Town will be a lot more restrictive in a planned
6 development district. You know, the problem that
7 we had and we were told by the town attorney that
8 they couldn't do anything about a planned
9 development district if there was a problem.
10 We had, I think it was, two or three public
11 hearings and people expressed a lot of opinions
12 like what's going on here and then it got down to
13 a final basis and the people were assured that
14 certain things were going to happen and we -- you
15 know, that really hasn't happened to a full
16 extent.
17 The Town Board had several things that they
18 insisted were going to be on there, but we
19 discussed some of these. We went to some of the
20 Town Board meetings.
21 SUPERVISOR HERRINGTON: When was that?
22 COUNCILMAN SALVI: Deed restriction.
23 SUPERVISOR HERRINGTON: Deed restriction on
24 Homeowner's Association.

1 MR. MCLOUGHLIN: No, no. That's also planned
2 development district.
3 COUNCILMAN SALVI: You're talking about deed
4 restriction.
5 MR. MCLOUGHLIN: Well, there were deed
6 restrictions but also, at the time, discussions
7 about single-family homes and other ideas and that
8 was not adhered to in the Town Board and the town
9 attorney advised there was nothing he could do
10 because it was in the district but also --
11 COUNCILMAN SALVI: Well, the attorney's not
12 here. If I remember the case, there's some
13 problem with deed restrictions, certain things you
14 can do in Mark's development. Maybe you can
15 handle that better.
16 MR. KESTNER: I think the comment was that
17 the developer can place certain things in the deed
18 that are in addition to the town zoning. And when
19 there is a violation of those covenants, then it's
20 not the Town's responsibility to enforce deed
21 restrictions that may be more restrictive than the
22 town zoning. If there's a zoning violation, then
23 the Town would enforce that.
24 MR. MCLOUGHLIN: I'm telling you the case of

1 where a single-family dwelling ended up with five
2 different people living in the place and renting
3 rooms in the place, but what the case was, there
4 was a public hearing and people were assured that
5 things were going to take place. If there are
6 minutes of that meeting, I'm sure if you go back
7 there, you'll find there were a lot of things that
8 people, in fact, were -- there was supposed to be
9 a one-way street in there. That's never occurred.
10 And it was said, "We will definitely take care of
11 that," and it was never taken care of.
12 That's the point. I think if we have a
13 planned development district, I think the Town
14 Board has to insist that things take place and
15 follow up with it, because I think we were on the
16 basis that the Town was going to take care
17 of -- the Town Board spoke that they were going to
18 have these things take place and it settled the
19 peoples' concerns, like our concerns here. And
20 there are minutes. I believe there are minutes.
21 COUNCILMAN SALVI: I just remember the one
22 about the deed restrictions. I don't remember the
23 other meeting. Yes.
24 MR. MCLOUGHLIN: But there were public

1 hearings. In fact, we got into the same problem.
2 We were going to hold it over at the town office
3 and they held it out at the barn. That was so
4 big, there was more people than this there. There
5 were more people than this.
6 SUPERVISOR HERRINGTON: When was that?
7 MR. MCLOUGHLIN: That was 15 years ago, I
8 think.
9 SUPERVISOR HERRINGTON: 15, 20 years ago.
10 MR. MCLOUGHLIN: Yes. My point is that if we
11 have a planned development district and you people
12 believe that there are certain things that should
13 take place, I would hope that they would be, you
14 know, adhered to.
15 SUPERVISOR HERRINGTON: I totally agree with
16 you. Planned development districts, the Town
17 Board can control the density. We can tell them
18 what to put in there and where to put them,
19 cluster them, so on and so forth. The Town Board
20 has a lot of control over planned development
21 districts and the good thing these days with
22 computers is you can look up them records pretty
23 fast. And, now, every development that is built
24 in the Town of Brunswick, we insist that they have

1 a homeowner's association and mainly because, you
2 know, you get on Route 2 there through Eagle
3 Mills, look on the map, that little bridge there,
4 the entranceway to that development is not taken
5 care of. There's no homeowner's association.
6 And I can rattle off a few more, but now,
7 there will be homeowner's associations and there
8 will be landscaping agreements and there will be
9 everything else. If somebody is going to build
10 something, they gotta take care of it.
11 Anybody else? Sir.
12 MR. GRASSO: I'm still Vito Grasso and I
13 still live on Pinewoods Avenue. I had a question
14 that occurred. The young lady who's been here for
15 49 years -- and, really, I wouldn't have thought
16 49 years -- but she raised the question about
17 Mr. Kestner's role.
18 Is it true that Mr. Kestner is supposed to be
19 looking out for the public interest in conducting
20 an objective review of the development proposal?
21 Is that an accurate representation?
22 MR. KESTNER: Yes, it is.
23 MR. GRASSO: My understanding is that you are
24 yourself a developer.

1 MR. KESTNER: Yes.
2 MR. GRASSO: And I would question the
3 prudence of appointing a developer to
4 review -- I'd just like to recommend that a truly
5 representative public body, a civic organization
6 such as Brunswick Smart Growth, be designated to
7 fulfill that role. I think you'd get a much more
8 objective assessment of the development.
9 (Applause.)
10 SUPERVISOR HERRINGTON: One thing I do want
11 to mention is quite a few of the people, Vito,
12 that stood up here, such as Henry, said they moved
13 to Brunswick and moved in Mr. Kestner's
14 development and they have beautiful homes and they
15 love it. So maybe he needs to look at everything
16 and make them look like his development. I don't
17 know.
18 Correct, Henry?
19 MR. SCARTON: Not across from me, he better
20 not.
21 MR. KESTNER: I am a licensed professional
22 engineer and I have a degree in civil engineering
23 from RPI and a master's degree in environmental
24 engineering from RPI. Our firm was started in

1 1955 in the Town of Brunswick and so I've seen a
2 lot of the projects that have been built in here,
3 including the original Wal-Mart and the apartment
4 complex. And I feel that we are qualified to
5 review this, but our comments are a matter of the
6 public record. I think if you talk to the
7 developers, engineers, we are thorough with what
8 we do. We do know the water, the sewer system.
9 For this particular project, we're bringing
10 on-board a very reputable transportation engineer.
11 So I do feel that we are properly
12 credentialed and can handle this review. Thank
13 you.
14 SUPERVISOR HERRINGTON: And to be perfectly
15 frank, when I took over as Supervisor in this
16 town, Mr. Kestner's father who's still alive and
17 is a lovely man, he was the engineer for the Town
18 of Brunswick. If you go in the basement, he's got
19 every water line in the Town of Brunswick. Mr.
20 Kestner's father's memory still -- how old is he,
21 Mark?
22 MR. KESTNER: Ninety-one.
23 SUPERVISOR HERRINGTON: But what I did do is
24 I went to the Kestners and I said, "I know you're

1 a developer. I know sometimes you represent
2 developers and sometimes you represent the Town of
3 Brunswick. You're going to make a choice. You're
4 going to represent the Town of Brunswick or you're
5 going to work for developers." And ever since
6 I've been here and this Board has been here, Mr.
7 Kestner represents the Town of Brunswick. And I'm
8 just telling you that I don't see where he's
9 representing developers so --.

10 Come on up, sir.

11 UNIDENTIFIED PERSON: Very quick question.
12 Mark, what is the time line you believe for the
13 submission of materials from DOT and DEC and other
14 organizations that's going to help formulate your
15 opinion?

16 MR. KESTNER: I spoke with DOT last Thursday.
17 We had the meeting. They told me they would have
18 their comment letter to us prior to August 13. I
19 have the draft comments from DEC in my possession
20 tonight. I do not have the wetlands comments from
21 DEC yet. They anticipate giving those to us prior
22 to August 13. That was in anticipation if the
23 Board were to decide to close the hearing, then as
24 the attorney indicated, there's a 10-day period

1 following the close of the hearing to submit the
2 written comments. So I told them to be sure to
3 get us written comments prior to the 13th, but the
4 Board will decide later about whether they keep
5 the hearing open or closed.

6 UNIDENTIFIED PERSON: Point of clarification.
7 Will those become part of the public record
8 available to the public?

9 MR. KESTNER: Yes, they will be. They'll all
10 be furnished to the applicant.

11 UNIDENTIFIED PERSON: But we'll have access?

12 MR. KESTNER: Yes.

13 MR. RYAN: Will that be new data --

14 SUPERVISOR HERRINGTON: Wait a minute now.
15 Come on up here. We really need your name and
16 address if you don't mind so we have a good record
17 here as we go along.

18 MR. RYAN: Mike Ryan, Wilrose Lane. My
19 question is about the traffic survey. Will this
20 be new data? Is that going to be using existing
21 data that's three, four, five years old? Are you
22 going to actually do a traffic survey or traffic
23 count?

24 SUPERVISOR HERRINGTON: We'll let the traffic

1 guy answer that.

2 MR. GREGORY: The Town itself doesn't do any
3 direct count for this project. We're reviewing
4 the traffic study that was done in part by Crate
5 Manning Engineering. We review the data that was
6 done and they, as part of the process, have done
7 recent counts. It's all in the DEIS document as
8 information they've used.

9 MR. RYAN: But I guess my larger question is
10 you're relying on data that you were given from
11 the developer. What about the data from the other
12 developers of the other projects? I think it's
13 kind of disingenuous to just rely on data from one
14 project when we have a number of other projects
15 currently under proposal.

16 MR. KESTNER: Well, we have the data from the
17 Wal-Mart traffic engineer. He is not this same
18 engineer. You have to understand, DOT also is
19 looking at these traffic counts. All right? They
20 independently took quite a volume of counts prior
21 to reconstructing Route 7 and they have a supply
22 of data that we have access to, too. So we don't
23 just rely on what the developer's engineer says.
24 We can check it against the DOT. And, also, the

1 county highway department has counts on North Lake
2 Avenue. So there's several ways we can check the
3 data.

4 MR. RYAN: Okay. But there won't be like a
5 new traffic count. That's -- I guess my question
6 is: How old are those studies?

7 MR. GREGORY: The count data, I think some of
8 it was done last year.

9 MR. RYAN: So it's fairly recent then.

10 MR. GREGORY: Yeah. And there's some
11 history, too. You have to understand a lot of the
12 data that's presented by DOT, whatever is public
13 information, you can -- there's counts they do
14 continually to monitor traffic and roads, et
15 cetera, so there's various ways to check data
16 that's been done.

17 I myself have been involved in many projects
18 in the area. I'm very familiar with the
19 intersections that have been done, you know, the
20 history, the construction that's going on. Those
21 are all concerns that I have as a reviewer in the
22 interest of the Town in regard to the developer as
23 well.

24 MR. RYAN: Will other projects, though, their

1 traffic data be included as a way to determine
2 this project's feasibility?
3 MR. GREGORY: Yes. They have included
4 Wal-Mart --
5 (Pause in the proceedings.)
6 MR. GREGORY: As part of the DEIS, they have
7 included the Wal-Mart site. They've included some
8 other area projects that are being proposed at
9 this time. And that is part of that DEIS document
10 regarding traffic. So it has been included as a
11 cumulative analysis.
12 MR. RYAN: Okay. Thank you.
13 SUPERVISOR HERRINGTON: Go ahead, Donna.
14 MS. FORSTER: Okay. This is just a quick
15 question about traffic. In the comprehensive
16 study, you said in 1995, DOT gave Hoosick Street a
17 "D" and, evidently, the construction that we've
18 been undergoing for the last five years is
19 supposed to correct that. But how do we know that
20 the new construction is even going to deal with
21 traffic patterns as they exist without the new
22 developments?
23 We have a lot of people not using Hoosick
24 Street. I don't know. My commonsense says how

1 can you even do a traffic study on Hoosick Street
2 at present with four years of continuous
3 construction?
4 (Applause.)
5 SUPERVISOR HERRINGTON: Sir, you want to come
6 up?
7 MR. BLANDLY: My name is Tom Blandly. I live
8 in Troy but on Brunswick Road. I hope you'll
9 permit a comment from a neighbor.
10 I think that the people of the town need to
11 be aware that the mindset of developing is
12 different from the mindset of people who live
13 there. And I think that, for instance, Mr.
14 Herrington cited the development of Wal-Mart and
15 so forth as if it were a good thing. And I
16 consider it, and I think everybody considers it,
17 more sprawl and a very ugly thing replacing a very
18 nice farm and so forth.
19 So what the public needs to do is keep in
20 mind the fact that town governments have
21 traditionally been and thought it was okay, I
22 mean, and it was accepted by everybody that
23 development was good. And so you go on that basis
24 and you're thinking one way, but if you think that

1 you want to keep the character of the town as it
2 is, then you have to think in another way and
3 realize that even though Mr. Kestner is very
4 honorable and is trying to do the job as he sees
5 it, inevitably, the way he sees it is more towards
6 a developer's point of view.
7 Now, developers are there not for the town,
8 especially outsiders; they are there for their own
9 interests and they are looking after their own
10 interests. And so the people of Brunswick and any
11 place where sprawl is occurring have to keep that
12 in mind. Thanks very much.
13 (Applause.)
14 MR. O'DELL: Hi. My name is Leo O'Dell. As
15 you know, I'm new to Brunswick. I'm new to this
16 kind of civic gathering. As I listen to this as
17 an outsider, I hear a series of issues: Taxes,
18 sewage, water, schools, property values, all of
19 which seem to cause great concern to everybody in
20 this room.
21 The assumption is we're going to get a
22 response from this developer and others. I point
23 out that our one response tonight from the
24 developer has been to whether a development was in

1 Watervliet or Cohoes or Latham; trivial
2 responses, which leads me to raise a question.
3 Phil, I presume that the developer's going to
4 make a series of responses to all these issues.
5 Bearing that in mind, and bearing in mind some of
6 the discrepancies we've heard in the analyses and
7 demand on sewage, for example, bearing in mind
8 that some of those reports are going to come from
9 the DOT to people who have brought us Hoosick
10 Street, I have a question: Given the fact that
11 there are to be more reports, there are to be
12 comments from this developer in particular, when
13 will these appear and how will their appearance
14 fit into a time line for deciding on this process?
15 Clearly, what I think we must have is a close
16 look at any of the analyses put forth by any
17 group.
18 So what is the time line, Phil?
19 SUPERVISOR HERRINGTON: We answered that
20 before. Andy, do it again.
21 MR. O'DELL: I must have missed it. Sorry.
22 SUPERVISOR HERRINGTON: That's okay.
23 If we close the public hearing tonight, you
24 got 10 days. I don't think you want that.

1 MR. GILCHRIST: To reiterate, the public
2 hearing, it certainly sounds that it may be held
3 open. If that's the case, the developer will be
4 responding to certain issues that have been raised
5 this evening. And as Mr. Kestner said, we'll be
6 getting comments from other state agencies being
7 copied on those as well and reviewing them as
8 well.

9 I'll get to the time line in a moment, but I
10 must add that I'm also a resident of Brunswick.
11 This is the first series of projects that I have
12 been retained by the Town Board on to review for
13 purposes of environmental compliance and zoning
14 compliance. I sit as the Planning Board attorney
15 in this town and I, like you, am very interested
16 in what this town is all about. So any questions
17 or comments about whether Mr. Kestner is bringing
18 a developer's attitude toward his review of this,
19 I must tell you as a resident of this community,
20 that is not the case. I work with a series of
21 consultants in my practice, engineering and
22 otherwise, and I'm here to tell you on the record
23 that Mr. Kestner's review has been nothing but
24 thorough and I would not allow anything but a

1 thorough technical review of these applications so
2 that I can adequately counsel the Board on their
3 zoning and planning decision.

4 So I give you that statement on the record.
5 Please do not feel that the review that's being
6 done on this application is anything less than
7 thorough. I attest that it will be.

8 The time line on this will be -- we're
9 waiting for responses from state agencies. They
10 may be here. We're sure they'll be here on or
11 before August 13. Issues that need to be
12 responded to by the applicant, the ball will be in
13 their court. When they prepare additional
14 information and submit it to the Board,
15 Mr. Kestner and I, Mr. Gregory as well, will
16 review that and make a determination as to whether
17 those issues have been adequately responded to.

18 If they're deemed complete, just like we went
19 through this issue of whether the DEIS was
20 completed, and in the event the Board keeps the
21 public hearing open, there will be another public
22 hearing that will be noticed and kept open and
23 there will be another meeting such as this.

24 Can I tell you exactly when that will occur?

1 We can't, because again, it depends on when
2 additional information might be supplied by the
3 applicant, whether it is complete, whether it
4 needs some supplementation. When that's done, I
5 can't answer that.

6 All we can tell you is that it will be
7 noticed to the community as to when another
8 meeting like this will be held. I can tell you if
9 certain residents didn't know about this tonight,
10 it certainly was published in the paper and
11 whether anyone actually looks at the legals, I
12 can't attest to. It was at the Town Hall on the
13 Town Board. If you don't ride by Town Hall, I can
14 also tell you that it was posted on the Town's
15 website for about the past six weeks. It will
16 also be noticed in a similar manner when it's
17 reconvened. So I know this Board is trying to
18 give every opportunity for members of the public
19 to comment on complete information.

20 So I hope that answers the question. But as
21 to exactly when the hearing would be reconvened,
22 we can't tell tonight.

23 MR. KEENAN: When should the public submit
24 their comments, waiting for them to revise the

1 draft or can they --

2 MR. GILCHRIST: The members of the public can
3 submit comments now, can submit comments going
4 forward. The written comment period will not end
5 under the SEQRA regs until 10 days after this
6 Board closes the public hearing.

7 So in the event this Board does not close the
8 public hearing tonight, the written comment period
9 is now open without date. You can submit them
10 now. You can submit additional comments when
11 additional information is submitted. You're not
12 foreclosed in doing so. And all the comments will
13 be considered by the Board and the consultant.

14 SUPERVISOR HERRINGTON: Can I have your name
15 again?

16 MR. KEENAN: Dillon Keenan, 62 Moonlawn.

17 COUNCILMAN POLETO: The original DEIS study
18 came in to us the beginning of March this year.
19 The Town Board has reviewed those and we've had
20 comments back and forth and it took three and a
21 half months in order to get from what they
22 originally gave the Town Board to what we have
23 here tonight.

24 We've now had this six weeks. We're making

1 comments ourselves to consultants to look at this
2 and we're making comments back. So it's not as if
3 they just gave it to us and we're rolling over.
4 We've been arguing back and forth on what's been
5 in here before we said it was even ready for
6 everybody to look at.
7 SUPERVISOR HERRINGTON: Anybody else?
8 MS. HAISER: Hi. I'm Karen Haiser. I live
9 off Tamarac Road and I'm not 49, but I have been
10 here most of my 47-plus years. As the Board
11 considers whether or not to have another meeting,
12 I thought it might be useful to go through this
13 really quick.
14 If you guys wouldn't mind raising your hand
15 if you looked at the Environmental Impact
16 Statement. Some hands.
17 SUPERVISOR HERRINGTON: This is a pretty
18 thorough town here.
19 MS. HAISER: I have some thoughts as has been
20 discussed. There have been some areas of concern
21 here over urbanization and the fellow over in the
22 corner made a comment about inevitably
23 intertwining Troy and Brunswick. I kind of
24 disagree with you on that. I think the

1 urbanization of Troy has -- I'm sorry -- Brunswick
2 happened in increments starting with the Monroe
3 Muffler dealership.
4 I do have a specific question for you, by the
5 way. It happens in increments. I think it's
6 really not necessary for Troy and Brunswick to be
7 intertwined. So I'd like to just start off with
8 that. I think it's really hard in theory to draw
9 that line but harder in practice, but I do think
10 it's something we need to look at.
11 I'll look to you with a question that I have
12 regarding how you identified your target market
13 for these buildings. I'd really like some more
14 information on that. It's the who, what, when,
15 where and, I guess, why of who you think these
16 people will be filling these apartments in more
17 detail than you mentioned.
18 You mentioned empty-nesters. You mentioned
19 some transients. But it's really -- it's so out
20 of keeping with Brunswick's character and so close
21 to more what you'd find in an urban area, I'd like
22 to know more about how you've come up with this,
23 your projected use for this building when you do
24 that, if you could, please. I don't mean to sound

1 flip.
2 And if all the projected jobs actually came
3 to pass over the past 20 years, very few of the
4 housing developments in this area would be
5 sufficient to take care of that need.
6 Be careful using RPI. It's certainly adding
7 to the academic belt in the area and
8 technological, but they're really not adding jobs
9 to Troy and Rensselaer County. So I don't see
10 that.
11 Therefore, a concern, as some people have
12 also voiced, is where would people come from?
13 Would they come or is it a field of dreams type of
14 concept? And I think that despite the fact that
15 you're planning nice apartments, if people don't
16 come, the buildings will still have to be
17 utilized. I think back to the urbanization line.
18 We're solving Troy's grocery shopping problem now.
19 I don't think we need to solve Troy's low income
20 housing problem as well.
21 (Applause.)
22 MS. HAISER: As you mentioned, it's about
23 money. And as Mr. Blandly mentioned, that's your
24 job. You're here to make money. I think it will

1 become more and more about money as the Misty
2 Hills fellow mentioned. A door opens. People
3 come. The privacy's gone. So it becomes more
4 desirable to move to Canada, Iowa; I hope not, but
5 I think it's important to really clarify the
6 lines. You've heard talk about development
7 districts, et cetera.
8 And to conclude, Dr. Fleishman talked about
9 moratoriums. Other folks have mentioned a lot of
10 communities in the area are looking at some type
11 of guidelines, looking at how they want to guide
12 development in the area. I think that will help
13 everyone. I think if we're not careful, if we're
14 left out, if we're the only ones not doing that
15 type of planning, we could be easy pickins for
16 more developers.
17 We heard a story just today from a friend.
18 There was a farmer next to him. Someone came to
19 this farmer, told him a story how he had grown up
20 here, he missed it, he wanted to bring his family
21 back, raise them, live his life here. The farmer
22 sold him the property and he, the very next day,
23 sold it to the developer for two and a half times
24 what he had just paid for it. So song and dance.

1 So if we aren't careful with the barn door,
2 the horse is not only going to get out but it's
3 going to get killed on Route 7. Thank you.
4 (Applause.)
5 SUPERVISOR HERRINGTON: Anybody that hasn't
6 spoke that wants to say anything?
7 MR. STEIN: My name is Bill Stein. I
8 actually live at 92 Willet in Albany. I was asked
9 to come here by a friend and watch the meeting.
10 And I'm sorry that I'm from Albany, but I hope you
11 guys appreciate this. I moved here a couple years
12 ago and in my almost 30 years, I lived 20-plus
13 years in Los Angeles. And I came here hoping and
14 appreciating the countryside and what draws people
15 to the Northeast and watching the fire flies that
16 we don't have in Los Angeles and watching even the
17 black flies that everybody hates but they're here.

18 There's the part of the Northeast that makes
19 the Northeast and I have enjoyed every minute that
20 I've been here since I moved here. I hope -- I
21 wish that LA had boards like this or community
22 services like this that actually listen to the
23 public, that they didn't develop as much as they
24 have.

1 I don't know if there's -- besides palm trees
2 and Santa Monica that you see on the TV, but the
3 amount of trees have dissipated, the amount of
4 bushes. There's very seldom -- there's very
5 little greenery. And as my cheesy, sob thing to
6 the public and to the Board from Albany, but I am
7 a cyclist and all of our cycling buddies come out
8 this way and enjoy the scenery and to watch
9 another LA-type development come up to me is a
10 heart-breaking story.

11 So as a neighboring citizen or resident, I
12 would ask the Board to just listen to these
13 impressive stories and the impressive concerns
14 that they have. And I hope the developers have
15 taken this into consideration and will come up
16 with a plan or maybe downsize 1,100 units but
17 something. But I appreciate the concerns
18 everybody else has and I hope the Board listens to
19 them.

20 (Applause.)
21 SUPERVISOR HERRINGTON: Anybody else who
22 hasn't spoke that wants to get up?
23 MR. ZIEMBA: Good evening. My name is
24 Russell Ziemba. I live at 1813 Highland Avenue in

1 Troy. I've lived in the area for over 30 years
2 and I've never seen a housing development of 1,100
3 units built before in the area. It's like the
4 creation of another village and I think the scale
5 of this proposal is inappropriate for the Town of
6 Brunswick. I believe that if you're going to
7 create 1,100 housing units, they ought to go in an
8 urban area like Troy, my hometown. That's where
9 they belong where there's already existing
10 infrastructure and public transportation where
11 people can get to stores and schools and
12 restaurants. All the things that people would
13 drive to here, they could walk to or it would be a
14 much shorter drive in Troy.

15 So I think that something of this scale
16 doesn't really fit with Brunswick but is urban and
17 ought to be in an urban area.

18 In the last 25 years, the Capital District
19 has only grown by about five percent in population
20 but the amount of developed area has grown by
21 about 40 percent. So it's become less dense.
22 It's sprawled over the countryside and that's not
23 a very efficient use of space.

24 With the coming energy crisis, with world oil

1 production peaking in the next few years, we're
2 going to see gas prices doubling or tripling and
3 it's not feasible for people to drive -- it won't
4 be feasible for people to drive long distances.
5 So it makes more sense to concentrate any growth
6 in urban areas.

7 But if, for some reason, this development
8 does go through and 1,100 housing units are built,
9 another village ought to be created or at least a
10 planned community that has all the elements of a
11 community, a mixed use community with stores,
12 restaurants, a community center, sidewalks, public
13 transportation, all the things that people need in
14 their community so they don't have to go out to
15 Hoosick Street two or three times every day to get
16 the things that they need.

17 Hoosick Street is a mess as it is right now,
18 but if you add several thousand car trips per day
19 to Hoosick, it's going to make it a lot worse. So
20 even though I don't live in this town and it's not
21 going to affect me directly and I can avoid
22 looking at it, I really think that it's not good
23 for this community. It's not good for our county.
24 It's not good for the environment. And we ought

1 to build things that are sensible and this is not.
2 (Applause.)
3 MR. LONDON: I got a couple of topics that
4 I'd like to discuss. Unfortunately, you've heard
5 them already. So I'd like to bore you. The first
6 one is traffic. I have a little different twist
7 on the traffic but, nonetheless, traffic.
8 First of all, I think someone was talking
9 about providing a DOT study, is that correct?
10 MR. GREGORY: DOT is involved.
11 MR. LONDON: So we're supposed to get some
12 information from the DOT, some type of study, is
13 that correct?
14 MR. GREGORY: We'll respond -- the Town, DOT
15 will respond accordingly in a time frame that's
16 allotted.
17 DOT has been contacted and they will respond
18 regarding traffic in a written form which will be
19 reviewable by the public as well as myself and
20 others.
21 THE CLERK: Can I ask your name?
22 MR. LONDON: My name is Eric London and I
23 live on Colehammer off of Pinewoods. Sorry.
24 Can I ask when the last traffic study was

1 done by the DOT between North Lake and Route 142?
2 MR. GREGORY: The physical counts, you mean,
3 the DOT conducted?
4 MR. LONDON: Yes.
5 MR. GREGORY: I don't have that information
6 on hand, but I could find out specifically. They
7 have counting stations which are done in intervals
8 depending on where it is located, if it's on a
9 county or -- excuse me -- on a state highway.
10 MR. LONDON: So we really don't know if it
11 was done in the last five years, ten years, twenty
12 years?
13 MR. GREGORY: It's all public information.
14 They publish what's called the New York State DOT
15 Traffic Volume Report, Highway Sufficiency Report.
16 All these include stations, actual mile markers,
17 locations, volumes, percent of trucks, the whole
18 works in regard to traffic, if it's in location or
19 if it's between a segment, so on top of the other
20 counts that are done either by independent
21 consultants or by themselves in regard to
22 projects.
23 COUNCILMAN POLETO: I know they had counters
24 out this spring that were counting traffic down

1 on -- I don't think it come out 142, but they were
2 on the lower part of Hoosick Street.
3 MR. LONDON: Okay. So not the whole area
4 that we're discussing.
5 COUNCILMAN POLETO: I don't believe that far.
6 MS. FORSTER: The DOT information on the
7 Internet is 2000, I believe.
8 COUNCILMAN POLETO: Yeah, but they did have
9 counters on the bridge. I know they had counters
10 on Georgia Court and I believe another set of
11 counters up off South Lake Avenue.
12 UNIDENTIFIED PERSON: I don't know if it was
13 Route 2. There was a set of counters down by you.
14 MR. GREGORY: I was just going to add the
15 most recent published traffic volume report by New
16 York State DOT is the 2000 and 2003 traffic volume
17 report, which includes many years prior to that as
18 well. But that's the most recently published and
19 it's on DOT's website and publicly available.
20 MR. LONDON: Okay. Next, I just wanted to
21 address the traffic study conducted by the
22 developers. According to page six of the traffic
23 impact, this study was done in February on a
24 Sunday, Monday and Tuesday. What does that do for

1 us? Just something to think about.
2 You know, the traffic on Hoosick, everyone's
3 been complaining about. I guess I don't complain
4 so much about it anymore, because I just refuse to
5 go over there unless I absolutely have to, maybe
6 to go to Sycaway Bikes and get my lawn mower done.
7 Other than that, I try to avoid it. You know, if
8 it's too congested now, according to the report
9 that they did, and maybe my information may not be
10 accurate -- you can correct me if I'm wrong -- but
11 if there's going to be a 20 percent increase in
12 population to fill all the units in this apartment
13 complex and people already don't want to drive
14 over there, who's going to drive over there with
15 that additional 20 percent increase in population?
16 Is that addressed anywhere where these people
17 are going to come from? Maybe it's something that
18 I missed. Hopefully, they can address that.
19 The next issue for me is more dear to me and
20 that's my bank account; taxes. As people have
21 mentioned, taxes just seem to be going up and up.
22 The cost for the improvements, the overall
23 infrastructure, is of a big concern, I assume, for
24 everyone. The EIS states that there would be a

1 \$1.5 million increase in revenue at the end of the
2 10-year construction period. Is that correct,
3 gentlemen? Did I get that right?
4 MR. CHUDNOFF: If there's no increase in the
5 taxes, that's close to the number, if there's no
6 increase in the next 10 years which is somewhat
7 unlikely.
8 MR. LONDON: No increase in what?
9 MR. CHUDNOFF: Taxes.
10 MR. LONDON: Just in the percentage of taxes?
11 MR. CHUDNOFF: Today's rate and multiply it
12 by the millage of any improvement.
13 MR. LONDON: Now, that's also assuming that
14 you fill all those units that you plan in four
15 phases?
16 MR. CHUDNOFF: No.
17 SUPERVISOR HERRINGTON: I don't want to get
18 into question and answer.
19 MR. LONDON: I want to make sure that I have
20 a right -- you know, they've had a lot of people
21 talking at them, accusing them of things. I don't
22 want to do that. So I want to be --
23 SUPERVISOR HERRINGTON: If you're asking
24 questions, I'm okay --

1 MR. LONDON: They can say no. They're
2 grown-ups, I believe. They're putting millions of
3 dollars into Hoosick Street. They can't answer
4 yes or no for themselves?
5 SUPERVISOR HERRINGTON: I want to make sure
6 everyone's comments here get on the record and
7 they have to physically answer --
8 MR. LONDON: It's my understanding you're
9 going to be continuing this anyway, so I'm sure
10 that will happen. Thank you.
11 SUPERVISOR HERRINGTON: I don't want to get
12 wise with you, buddy.
13 MR. LONDON: Well, actually, you have before
14 so --
15 SUPERVISOR HERRINGTON: I have before?
16 MR. LONDON: I really don't want to go there.
17 SUPERVISOR HERRINGTON: Politics.
18 MR. LONDON: I really don't want to go there.
19 You know, I'm really not trying to get into that
20 with you, Phil. Is that okay?
21 SUPERVISOR HERRINGTON: Hey, listen. I don't
22 need this either. If you got comments, please,
23 there are gentlemen here that haven't spoken yet.
24 MR. LONDON: I haven't spoken yet and I had

1 comments and you're interrupting me when I'm
2 trying to ask my questions.
3 Should I not be asking my questions? Am I
4 prohibited?
5 SUPERVISOR HERRINGTON: Come on. Come on.
6 Come on. Will ya? It could have been your
7 attitude last time, too, but go ahead.
8 MR. LONDON: Yeah, it could have been. It
9 also could have been yours.
10 Okay. I'm sorry, gentlemen. Before I was
11 interrupted, I was trying to find out if that was
12 at all four phases. You said that was incorrect.
13 MR. HOBLOCK: We're just going to let
14 everything get put on the record just like
15 everyone else.
16 MR. LONDON: It's my understanding there was
17 a \$1.5 million increase in revenue. I want to
18 know how that's going to be sufficient to take
19 care of all the infrastructure, because I just
20 don't see that.
21 There have been many comments today, I
22 understand from earlier comments, that you're
23 looking to attract empty-nesters and that's fine
24 if they're from the area and they're local. You

1 know, I could see that. But then my question
2 becomes: Who's going to take over their housing?
3 Where are these people going to come from? And
4 that is a big issue to me with houses, that are
5 they just gonna leave them or where are they going
6 to attract the buyers from?
7 And that was really my question with the
8 taxes as to how they're going to make up for the
9 revenues that will be needed. Thank you.
10 (Applause.)
11 MR. LONDON: I apologize to you, Phil.
12 SUPERVISOR HERRINGTON: You don't need to
13 apologize to me. I'd rather be straightforward.
14 I don't want to get out of hand here. If you want
15 to come to the farm, if you want to swear at me,
16 if you want to wait tonight to call me names, I
17 don't mind. I just want to keep going through
18 this process.
19 MR. MILOS: I'm Ron Milos. I'm from Blue
20 Heron Lane. I'm an empty-nester. I came up here
21 from Poughkeepsie. I did not move to Watervliet.
22 I did not move to Latham. I did not move to
23 Colonie. I came here because of the character of
24 the town, because of the rural environment and,

1 now, I'm waking up to the fact that I might be
2 living in a city.
3 I think what you really have to understand is
4 you're touching the very fabric of the community
5 when you make this decision. That, above
6 everything else, I think you ought to consider.
7 Thank you.
8 (Applause.)
9 MR. MEEHAN: Hi. My name is Jamie Meehan.
10 I've lived here for 20 years. I live at 103
11 Carrolls Grove Road and I just want to talk to the
12 Board a little bit, because this decision is in
13 your hands of what's going to happen to our town.
14 And I feel that I know all you people and I
15 know that you've given a lot of your time to the
16 Town and I think it's a great thing. So I just
17 want to make sure that you remember that we have
18 to keep this town the way it is. We have to keep
19 the rural character of this town.
20 And I know that you've mentioned in your
21 Comprehensive Plan that was brought out a few
22 years back that we were going to try to keep the
23 growth on Route 7 and, granted, I'm not against
24 growth totally, but I just think that this project

1 with almost 1,200 units is just outrageous. I
2 also think that there's like three or four other
3 projects that have been earmarked in the town or
4 that have been talked about, proposed, in the town
5 that will increase the town's population by 30
6 percent maybe if you take into the cumulative
7 effects of everything.
8 And I just want to tell you that I have a lot
9 of sweat and equity into this town. I was the
10 president of the Historical Society at one time
11 and I can make a comment from there, that it's
12 definitely going to change the history of the
13 town. I've been the president of the soccer club.
14 You're going to have to build me more soccer
15 fields, because where are all these kids going to
16 play that are coming here?
17 Presently, I'm a member of the Brittonkill
18 Board of Education and I don't speak for the Board
19 of Education because somebody would probably sue
20 me because it's against the law, but I speak as a
21 citizen and I know some of the numbers that were
22 tossed around tonight -- right now, just for the
23 one addition we did on the school, we're paying a
24 debt service which now the state has granted us 40

1 years to pay them back, so we can pay them back
2 even more money, at over a million dollars a year.
3 And with the cumulative effect of all these
4 developments and all these kids coming into our
5 school, we're definitely going to have to build a
6 new school building and God knows how many
7 millions of dollars just in debt service that'll
8 cost us a year, let alone if you build a bigger
9 school, you have to hire more teachers, more
10 electricity, pay more to heat it, get more buses,
11 pay for more gas. It's just such a snowball
12 effect, just keeps going on and on, you know?
13 I want to make a couple other comments. I'm
14 also an avid bicyclist. I know I go out at 5:30 in
15 the morning because that's the only time I feel
16 safe. And even in the last few years, I feel much
17 less safe, because there's just so much more
18 traffic on the road. And I've almost been killed
19 a few times, but thank God, I'm still here.
20 I want to say that I agree with many of the
21 other comments about the sewage, about how will we
22 have the capacity? All the sewage has to go to
23 the sewage treatment plant eventually and I don't
24 know what kind of capacity they have down in Troy.

1 I also want to talk a little bit about the
2 light pollution. I know when I first moved out to
3 Carrolls Grove Road, you can see quite a few stars
4 and even as I looked over towards Route 7, towards
5 this way from my house, you could almost see stars
6 to the horizon. I know now when I look out, I
7 basically kind of see like a yellow glow of all
8 the development on Route 7 and that disappoints
9 me.
10 I'd also like to say that we're definitely
11 going to need more fire protection, more police
12 protection. Route 2, people have made comments on
13 how that has become a busier and busier road. I
14 know even Carrolls Grove Road, I think there used
15 to be about three cars a day there when I moved
16 and, now, there's many more than that. So as all
17 these other roads get congested, it in turn makes
18 all the side roads much more congested and it's
19 not a good thing.
20 So I just want you to make sure that you
21 remember that there is a cumulative effect of this
22 development, of all the other developments, that
23 that's definitely a big point. And I also hope
24 and urge that you would keep the comment period

1 open.
2 And I don't quite understand; like, if you
3 close the comment period tonight and there were
4 only 10 days, how are these people going to answer
5 all these questions that we have in 10 days? How
6 are you going to get the study from 10 days from
7 now? The DOT study isn't even due.
8 SUPERVISOR HERRINGTON: Jamie, we could close
9 the public hearing and extend the comment period,
10 but I don't think you people would want us to do
11 that. I'm quite sure you'd want to read whatever
12 the answers are going to be and come back and have
13 another crack at this, would be my guess. I mean,
14 in my estimation, with all these things brought
15 up, we could close the public hearing and extend
16 the comment but I don't believe we're going to do
17 that. So what I'm saying is the public hearing is
18 going to be open, continued.
19 MR. MEEHAN: Okay. I just want to say that,
20 I mean, you look around and you see all the
21 hundreds of people that came out here. It is a
22 beautiful August summer night. I'm sure if you
23 had a public hearing in January and it was five
24 below zero, we'd have 600 people, because think of

1 all that we're giving up tonight just coming here
2 to help our town and help urge you people on the
3 Town Board to listen to us and to take a very hard
4 look at this project, because I think you guys
5 want to leave a legacy and I think your legacy for
6 this town wants to be that you kept it rural, not
7 that you turned it into Clifton Park. Thank you.
8 (Applause.)
9 SUPERVISOR HERRINGTON: We all know that
10 Route 7 is a tough area. I just wish them
11 Vermonters would find another way to go. They're
12 tough, too, coming up through. I know the lower
13 part of the City of Troy, Route 7 continues to be
14 a challenge and the state's telling me the work
15 they're doing with traffic lights is going to
16 improve the flow. We're going to wait to see
17 that.
18 MS. RUSSO: Hi. My name is Barbara Russo. I
19 live on Colehammer Avenue. First of all, I'd like
20 to thank all the townspeople for coming out here
21 today. It's a hot night. It's uncomfortable in
22 here, but I'm glad that so many of you came to
23 express your concerns and I urge you to stay
24 involved in your community and to let these folks

1 know your concerns.
2 Secondly, I'd like to echo that gentleman's
3 request that the Town Board does keep the public
4 comment period open on this matter. It seems like
5 there's several pieces of information out there
6 that have not even come to the public yet. The
7 comments from the DOT are supposed to come on
8 August 13th. DEC's comments on wetlands are not
9 yet available. I think these are all important
10 pieces of the puzzle that the public should see
11 before the public comment period is closed.
12 Regarding the comments on the wetlands, this
13 is one area that I haven't heard addressed yet
14 tonight and it's an area that caught my attention
15 in the DEIS as being very deficient. The DEIS
16 claimed that no state-regulated wetlands will be
17 directly or indirectly impacted by this project
18 and, yet, it goes on to say that project-related
19 improvements to the intersection of Betts Road and
20 New York State Route 7 will go outside state
21 wetlands T-106.
22 Betts Road is supposed to be widened. I
23 think everybody in the town is familiar with the
24 large wetlands of the area, state wetlands, where

1 we see the migratory birds every spring and every
2 fall. It's a beautiful vista to see.
3 By widening Betts Road, it seems there would
4 be an impact on fresh water wetlands area as well
5 as to the many migratory birds that use this area.
6 The DEIS fails to address any potential
7 impact on the buffer area. There is, I believe, a
8 buffer area from Betts Road over to the wetlands.
9 The DEIS does nothing to address that.
10 Just one other brief point that I would like
11 to note. A lot of people have had concerns about
12 cumulative impacts and also the growth-inducing
13 aspect, that this project could have somewhat of a
14 snowball effect. You approve this project, more
15 are going to come.
16 In the developer's own DEIS, in footnote one
17 on page sixteen, regarding the sanitary sewers
18 that they plan on improving, "It is understood
19 that the construction of the sanitary pump station
20 will also benefit future non-project-related
21 development."
22 So they're talking about improving the
23 sewers, adding a new sanitary sewer pump. They're
24 looking to the future of more development in this

1 area and that's something that it seems like the
2 townspeople are very concerned about and I would
3 ask the Board to strongly consider in their
4 evaluation of this project.
5 (Applause.)
6 SUPERVISOR HERRINGTON: Anybody else that
7 hasn't spoke?
8 MR. CONWAY: Hi. I'm Mike Conway. I live on
9 Blue Heron Lane. I built my house there six years
10 ago. Building a house in Brunswick was an easy
11 decision for as much as what the town is as what
12 it isn't. I grew up here in this town. My family
13 lives in this town. I know quite a few of the
14 people in the town and they're great people in
15 this town. We have a strong leadership, a good
16 team. But the town isn't -- it's not Clifton
17 Park. It's not Latham. It's not Watervliet,
18 Colonie.
19 I look at your documentation and it seems
20 that you make light of all your findings that
21 would negatively impact us, specifically light
22 pollution, noise pollution, impacts on the
23 wildlife. It seems rather flippant to me that you
24 can dismiss the displacement of the wildlife

1 because you find it common.
2 I see a handful of species identified in your
3 documentation. I don't see references, and maybe
4 they are common, to Eastern Bluebirds,
5 Ground-Hornbills, Bald Eagles, Eastern Coyotes,
6 just to name a few of the things that I see in my
7 backyard every day.
8 I do see the things that you are going to
9 bring to my town: Increased demand on the
10 infrastructure, the water, the sewer, the roads,
11 the fire department, the police department, the
12 school system. I don't see a value to that; do
13 you, sir? I say you're not welcome in my town.
14 Thank you.
15 (Applause.)
16 SUPERVISOR HERRINGTON: Anyone else?
17 Mr. Wilson, sir.
18 CHIEF WILSON: Hi. I'm Steve Wilson, fire
19 chief of Brunswick One Fire Department, Sycaway.
20 I just want to say I was talking to Pete earlier
21 and he did state that the fire department was more
22 as a backer to this; and that we had meetings with
23 them. We did have a meeting with Town of
24 Brunswick. We did meet and we do have concerns

1 with it.
2 As far as a backer, we just gave them a list
3 of our concerns and also stated as far as taxes
4 that we wouldn't say anything about as far as the
5 taxes going up or down or whatever, but just that
6 we did not discuss as far as taxes, how they are,
7 that they'll go available to the town itself.
8 But as far as those, we did have a meeting
9 and we did give him our concerns and we're
10 supposed to go back for a second meeting on that,

11 which we didn't have, as far as hydrant
12 replacement, dead ends, getting our apparatus
13 around.
14 I just want to say to the Town Board that any
15 developments that are coming up we do appreciate
16 you steering our way. We do get concerns a lot,
17 sometimes they don't get heard. These places get
18 built and it's too late. We do need your backing
19 as far as that goes also. Thank you.
20 (Applause.)
21 SUPERVISOR HERRINGTON: Anybody else?
22 MS. MACDONALD: Hi. I'm Julia MacDonald on
23 North Lake Avenue. I've been there 26 and a half
24 years in a single-family home. I had some

1 comments. I came in late so I don't know what I
2 missed.
3 I assume we've been over traffic pretty
4 thoroughly. I heard you say you've been talking
5 about Hoosick Street. It used to be North Lake
6 Avenue and 142 were a well-known secret for the
7 predominant group of people that came through
8 here, skiers, et cetera, from Vermont. Not
9 anymore.
10 Having lived on North Lake as long as I have,
11 I have traffic concerns about North Lake. Every
12 year, we wind up having to call the state police
13 to come and sit because there's no police
14 protection, so we use the state police and ticket
15 speeders. They've been clocked 70 miles per hour
16 going past my house on North Lake. I don't want
17 more cars on North Lake.
18 If this development is completed, some of
19 those cars are going to come down North Lake.
20 If Hoosick Street is ever completed, maybe some
21 people will go back to using Hoosick. I have my
22 doubts about that.
23 That was one thing I wanted to comment on. I
24 gather we talked about ambient light and ambient

1 noise. I can now hear Hoosick Street.
2 We talked about EMS and fire protection. How
3 many of these people are going to volunteer? This
4 is a volunteer outfit and you didn't say that,
5 which I thought was very restrained. If we're
6 going to add 2,000 residents, some of those people
7 have got to be willing to volunteer for EMS and
8 fire protection. It's a volunteer company, which
9 takes me to my next piece which is: Who are these
10 people and where are they coming from and how long
11 are they going to be here?
12 We're talking about people, young adults who
13 are saving for their first house. How long do
14 they live in an apartment before they move out and
15 what are they willing to do for their community
16 while they're here? I think that's an important
17 issue.
18 We have a lot of people who've lived here a
19 long time who participate in their community. I
20 don't know that your apartment dwellers are going
21 to do that.
22 You've talked about empty-nesters. If
23 Brunswick has a thousand empty-nest families that
24 want to live in these apartments and participate

1 in their community the way they always have,
2 great, we'll find some new people to move in. I
3 don't think we've got them. I think we're going
4 to have those empty-nesters moving in from other
5 communities.
6 If they move in, let's talk about what
7 happens to empty-nesters. And I'm one now, so I
8 can tell you where I see my future headed. I'm
9 going to get older, frailer. I'm going to drive
10 worse. I'm going to not want to participate in as
11 many activities. I'm going to need more services.
12 I'm going to call EMS more frequently than I ever
13 have. I've never called them, but I might at any
14 point. And I'm going to take a lot more out of
15 the town as I get older. And my apologies to
16 those of you who are older than I am, but you
17 might not disagree with me on that.
18 So I think you need to consider what the
19 residents of this complex are going to offer to
20 the community compared to what they're going to
21 take away from the community.
22 So in terms of that, I would like them to
23 address further how long they expect people to
24 stay in their rentals, to try and give us more

1 sense of where they think those people are coming
2 from. A thousand families is a lot of families.
3 I'm concerned about occupancy rate.
4 What is an adequate occupancy rate to make
5 each phase of these a go for the developer and at
6 what point do they decide to move to the next
7 phase? How many of the units have to be occupied
8 in phase one for them to say, "Oh, good, let's
9 build phase two and phase three."
10 What happens if they don't build them? What
11 happens if it turns out not to work? Do we have
12 empty buildings? The last thing any community
13 needs is empty buildings.
14 Do we have buildings where they drop the rent
15 and then we start to decrease the value of those
16 apartments? Do we have buildings that are not
17 maintained and then the value of the apartments
18 goes down and then they ask for a re-valuation on
19 their taxes and you get less tax money? What
20 happens if these things occur? Once they're
21 built, they're there. You're not going to make
22 them tear them down. So that was my other
23 thought.
24 Oh, and this is a question actually for the

1 Town Board to address, but you don't have to do it
2 right now. I'm interested in what the
3 relationship is between revenue in the town and
4 population increase. I understand that when you
5 add businesses, you collect more taxes. That's a
6 good thing, assuming we like the businesses. But
7 when you add housing compared to the services that
8 you have to spend money, I'm interested in what
9 that relationship is financially.
10 And my final comment has to do with wildlife
11 and all of that stuff. As I said, I've been there
12 26 years. I have seen two new critters in the

13 last couple years in my yard and they tell me
14 something about what's going on in Brunswick. The
15 first one I have is pigeons. I never had pigeons
16 until two years ago. Pigeons clearly think I now
17 live in the city. Okay?
18 The other one is I have deer. Now, we've
19 always had the odd deer. We've never had as many
20 as five deer at one time in the backyard. And for
21 those of you who live anywhere near me, if you
22 drive around, you will notice everyone's got the
23 same problem. We've got so much habitat pressure
24 that the deer are now moving into peoples'

1 backyards and you can drive around on North Lake
2 Avenue and up in North 40 and up in that
3 development and you will see all the cedars and
4 Arborvitae are neatly sheared to the height of a
5 deer's head. That's only going to get worse. And
6 all that landscaping is at risk.
7 So I'm somewhere between the city with my
8 pigeons and the country with my deer. I'd rather
9 be in the country. Thank you.
10 (Applause.)
11 MS. HAISER: I know it's getting late, but I
12 couldn't let this slip by. I'm Terry Haiser.
13 I've been living on Muriel Drive for 37 years and
14 we really do enjoy Brunswick and there's no way
15 I'm telling you how old I am.
16 I'm a senior citizen. I'm an empty-nester.
17 And, perhaps, my husband and I are the kind of
18 people you're thinking of moving into your
19 apartments for seniors now. We have a
20 four-bedroom house that is too big for us right
21 now. It's filled with junk we don't need.
22 However, I would look for some place that's a
23 little more arthritis-friendly, not as many steps.
24 But there is no way I would trade the view

1 from my kitchen window, even though I see the
2 rotten rabbits eating my lilies -- I see the
3 occasional deer, loads of squirrels -- for a view
4 from the terrace or patio that's going to overlook
5 someone else's patio or looks out on a parking
6 lot. And there's no way I could live in a
7 claustrophobic environment with over 1,100
8 apartments. So this empty-nester would not be
9 interested in your apartments.
10 (Applause.)
11 SUPERVISOR HERRINGTON: Anybody else?
12 MR. DONNELLY: I have one quick question.
13 Bill Donnelly. I live up on Farm to Market Road.
14 I'm just wondering if the Town can post the
15 minutes of the meeting on their website so that
16 everybody in the town can have access to what's
17 going on.
18 SUPERVISOR HERRINGTON: Yes. The minutes are
19 there.
20 MR. DONNELLY: So everything that's being
21 recorded tonight will be posted?
22 SUPERVISOR HERRINGTON: Oh, not what she's
23 doing. I don't know.
24 THE CLERK: Mine will but mine is not -- this

1 is verbatim.
2 MR. DONNELLY: Do the minutes include all the
3 comments?
4 THE CLERK: Try to. Try to.
5 MR. GILCHRIST: The reason we have the
6 stenographer here is to make sure that everything
7 that's said tonight is recorded. So we'll have a
8 paper copy once the transcript is made and I'll
9 inquire of our stenographer. Is an electronic
10 version available?
11 THE COURT REPORTER: Yes.
12 MR. GILCHRIST: An electronic version is
13 available, so I would presume there's adequate
14 space on our town website and those can be placed
15 electronically as well.
16 SUPERVISOR HERRINGTON: Okay. Anybody else?
17 (No affirmative response.)
18 SUPERVISOR HERRINGTON: I want to compliment
19 everybody. Like I said, you guys did your
20 homework. We got some great questions that will
21 be answered and, you know, I just want to mention
22 to you that we don't get paid a lot to be up here
23 but every one of us is up here because we love the
24 town. I believe every one of us has been born in

1 the town, raised in the town. But anyway, what
2 I'm saying is we take this job pretty serious and,
3 you know, there was a north-south connector road a
4 few years ago -- bear with me, because it's
5 important -- that wanted to connect over by the
6 Wal-Mart over to Route 2 and that would have, in
7 our opinion, opened up commercial on Route 2. We
8 voted that down. The developer was not very
9 happy.
10 The 12 acres that they're playing soccer with
11 now, as you know -- maybe you don't know -- that
12 was zoned commercial out by Tamarac High School,
13 commercial property, approved for self-storage
14 units and a go cart track. We went to the
15 developer, talked him into letting the Town buy
16 that and now it's our soccer facility.
17 Just a few months ago, Route 2 and Route 278,
18 that chunk of land there, was for sale -- is for
19 sale and they came to the Town Board and wanted to
20 put apartments in there. Of course, there was no
21 sewer out there, but we turned that down and, now,
22 they're talking about single-family houses.
23 What I'm saying is we got a little bit of a
24 track record here. The tough part is, as you

1 know, Charlie here, he owns the land; Ken Duncan
2 who used to be farming who I've known my whole
3 life had a big Sycaway creamery farm, he owns a
4 lot of that land. Farmers are getting old. I
5 still got a few years, my brother and myself. We
6 still enjoy it. But farmers are old and that's a
7 challenge.
8 I'm mumbling here and she's typing so I gotta
9 be careful. We love the town. We don't want to
10 wreck the town. But there is an issue with
11 farmers getting older. There is some land. A lot
12 of us are getting tired. David is here. David, I
13 think, gets a little tired, too, sometimes. We're
14 going to keep going as long as we can and the
15 challenge I'm hearing is whatever happens to this
16 land, what you're telling me is you want it to be
17 something of a quality, something very nice.
18 I mean, I'll go on record -- I'm in trouble;
19 my attorney's not here. I mean, I think all of us
20 have a concern with the density, number one.
21 That's a concern. What I am going to do is ask
22 you to drive up Route 2, turn into Hudson
23 Preserve, take a look at what they are and then
24 when we continue this, at least you've seen the

1 project.
2 But Carolyn Abrams is going to kill me,
3 because I went to her a few years ago and she
4 enjoys walking, jogging and staying out of the
5 limelight and I think I said, you know, "Come on,
6 get on Town Board."
7 So what I'm saying is we aren't professional
8 politicians here. We love the town as much as you
9 do and, you know, this is difficult.
10 You know, in closing, I went up with Mark
11 Kestner and Andy Gilchrist and we walked that
12 site. Now, there's corn on a lot of it. I might
13 add, with all due respect to Mark and myself, Andy
14 was about a hundred yards ahead of us because he
15 jogs. We wanted to see what was up there. That's
16 the type of thing we do, whether you believe me or
17 not. I'm not running for office. I got another
18 couple years there. This isn't an election
19 speech.
20 We're challenged. We've gotta look at
21 everything and, you know, we want to do what's
22 right. I don't know what that is. You know, and
23 quickly, a challenge for the school, I mean, that
24 drives me -- we raised taxes once in fourteen

1 years on the Town Board. One reason we did that
2 was they just raised our bond rating from a B bond
3 to an A-rated bond with Mooney's. And when we
4 built that town office, that made thousands of
5 thousands of dollars difference in our bond.
6 Correct?
7 The school's always a challenge. It seems
8 like the school goes up five percent, six percent,
9 seven percent whether we have development, no
10 development. That's a pet peeve of mine. I get
11 in trouble. My wife just retired, a school
12 teacher. I want to put a challenge out there for
13 schools. I understand more people come to
14 schools, but I mean, we try not to raise.
15 Brunswick's a beautiful place and I don't want to
16 be the guy to wreck it, I tell you.
17 I've heard a lot of comments here tonight.
18 There's a lot of questions. I think the Board
19 will agree with me that we need to keep this open.
20 Andy, do you want to just wrap it up? We're
21 going to keep this open and accept comments.
22 COUNCILMAN POLETO: I'll make a motion that
23 we leave the public hearing open.
24 COUNCILWOMAN ABRAMS: I'll second.

1 SUPERVISOR HERRINGTON: Let's do a roll call
2 on that.
3 MS. HEADWELL: Can I get one thing in? I'm
4 sorry to wait til the last minute. I'm Stacey
5 Headwell. I live at 196 Town Office Road. I want
6 to go on record to make sure everybody knows I
7 don't want it. You know, just like the farmers
8 here, if you sell out now, you move in all these
9 people who know nothing about farming, you know?
10 SUPERVISOR HERRINGTON: Tell me about it.
11 MR. HEADWELL: There are alternatives. There
12 are ways, like equestrian centers, things that fit
13 in with the character of this area. It can be
14 done. You can create all kinds of revenue. You
15 can help your situation and do wonderful things
16 with Brunswick.
17 SUPERVISOR HERRINGTON: That's important.
18 Repeat that.
19 MR. HEADWELL: As we've been talking tonight,
20 Brunswick is very historical. I mean, there's
21 Joseph McKinley born in Poestenkill. There are
22 works in peoples' houses in this area where
23 they're, in fact, the way it was in 1800. I mean,
24 there are things that can be done to attract

1 tourism, a possibility for an equestrian center.
2 I mean, the horse industry is huge in this
3 country. We have 40 horses right here. Probably
4 most people don't even know it, but things like
5 that can be supported and it could help the
6 farming issue.
7 I understand Phil's concern, because I'm kind
8 of doing what he's -- I may be the youngest farmer
9 around. I can see myself in 10 years having his
10 problem, you know, if my field of dreams don't
11 work, but there are alternatives to this kind of
12 thing. And I think that a medium like this can
13 really start some organized effort, thought and
14 bring people together to do those kinds of things,
15 because it's huge.
16 I mean Jerry Linski -- I don't know if you
17 know him. He's a vet who knows Senator Bruno.
18 Senator Bruno is a horse person. I mean, there's
19 things -- if you want to preserve this, I think we
20 have to offer alternatives, because there's guys
21 like Phil and all the farmers who have put in
22 their sweat equity and have made huge sacrifices.
23 And as probably any historian knows here, the
24 first people here were the farmers. So I think we

1 have to give some deference to the farmers, you
2 know, for what they do every day. I mean, Ken
3 lost his finger a little while ago. You know,
4 things happen and they sacrifice.
5 I think that, you know, we have to come up
6 with different options to kind of, you know,
7 create development here to fit with what we're
8 trying to do, which brings me to one more question
9 and that is I would really like to know what
10 attracted you to this particular spot and why. I
11 mean, why? What is it about this spot? Is it
12 just because you own the land or is it
13 demographics or is it traffic studies or what's
14 the magic formula for this spot? I'm just
15 curious.
16 MR. CHUDNOFF: Probably the same things that
17 turn you on. And the intent and plan, and we have
18 proven it before, is not to kill the goose that
19 laid the golden egg. One thing I would like
20 people to relate to, that owners of real
21 estate -- there are two kinds of developers.
22 There's probably more but most developers will go
23 in, buy a farm, build single-family homes and
24 they're gone. They're gone. We don't do that.

1 We own property for 30, 40, 50 years. Some are
2 old. Some are new. All right?
3 I have a vested interest in the long-term
4 success. I'm not going to live another 40 years,
5 but I have a vested interest and the young people
6 in our company have a vested interest in our
7 company. But the same things that turn you
8 on -- I have a farm. I have friends of mine,
9 neighbors, who have horse farms down in Earlton
10 and Cocksackie, New York. So I have similar
11 feelings.
12 But at some point in time, to respond to your
13 question, this area is growing. There is an
14 opportunity for children to not have to leave this
15 area and go somewhere else to make a living. It's
16 difficult. Phil is a farmer. I know plenty of
17 dairy farmers out there. They get \$14, \$15 a
18 hundred ways to milk today. When I was a kid on
19 my grandfather's farm in Lancaster, Pennsylvania,
20 he got \$10.
21 So in the intervening 40 years, it went up 40
22 percent. And diesel fuel was eight cents a
23 gallon. Today, it's \$3 a gallon. I'm not exactly
24 an ogre from outer space. There is an area that

1 is growing that should grow sensibly. People
2 should be sensitive to the land. People should be
3 sensitive to the needs of the community. I think
4 what happened this evening is great. I think
5 there are comments and a lot of the comments are
6 extraordinarily valid and obviously have not been
7 answered enough.
8 I invite everyone to do as that gentleman,
9 read this document. There are copies of it in the
10 town. Read the document. If something is not
11 clear, pose the question and we'll clarify it.
12 We're not going to kill the goose that lays the
13 golden egg. I don't know if that answers your
14 question or not.
15 MR. HEADWELL: I mean, what's the reason? I
16 mean, is it -- why this particular spot?
17 MR. CHUDNOFF: Because it's a beautiful area
18 and it's the Capital District. It's an area that
19 grows. It's an area that has a vitality. It's
20 got a vitality.
21 SUPERVISOR HERRINGTON: We're going to wrap
22 this thing up.
23 MR. SCARTON: Point of order. You have a
24 motion on the floor.

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SUPERVISOR HERRINGTON: Yes. Motion on the floor to continue the hearing. Do we have a second?
COUNCILWOMAN ABRAMS: Second.
SUPERVISOR HERRINGTON: All right.
(WHEREUPON, at 9:21 o'clock, p.m., the public hearing was adjourned.)
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C E R T I F I C A T I O N

I, THERESA L. KLOS, Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that the foregoing 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.

THERESA L. KLOS

Dated: August 22, 2005.