

**From:** Pellegrini, Susan <PellegriniS@colonie.org>  
**To:** Jhdrake40 <jhdrake40@aol.com>  
**Cc:** Magguilli, Michael C <MagguilliM@colonie.org>  
**Subject:** RE: John Drake has submitted a FOIL Request - Friday Sept 28  
**Date:** Thu, Oct 11, 2018 10:39 am

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Mr. Drake:

This is what the Planning Department told me had been submitted. I will follow up with them again to check on whether there was any storm water or buffering records submitted.

Susan Pellegrini

Paralegal

Town of Colonie Attorney's Office

Memorial Town Hall

P.O. Box 508

Newtonville, NY 12128

T: (518) 783-2704 F: (518) 786-7324

[pellegrinis@colonie.org](mailto:pellegrinis@colonie.org)

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**From:** Jhdrake40 [mailto:jhdrake40@aol.com]  
**Sent:** Thursday, October 11, 2018 10:26 AM  
**To:** Pellegrini, Susan <PellegriniS@colonie.org>  
**Cc:** Magguilli, Michael C <MagguilliM@colonie.org>

**Subject:** Re: John Drake has submitted a FOIL Request - Friday Sept 28

Susan,

I do have both the narrative and the site plan that were posted, but these are very generic documents that do not provide any information that can be reviewed by myself, the West Latham Neighborhood Association or by an outside engineering firm.

I just want to be 100% clear on what you are saying before I share this response. I understand that the position of the Town of Colonie is that Department and TDE comments may be withheld, but what about documents submitted by the developer, specifically related to storm water management and specific plans to provide buffering to surrounding neighbors. Is it the Town of Colonie's position that there is no information that you will be able to share based upon this FOIL request?

I will definitely be appealing this decision, so want to make sure I'm clear on the denial.

John Drake

4 Catalina Drive

-----Original Message-----

From: Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>

To: Jhdrake40 <[jhdrake40@aol.com](mailto:jhdrake40@aol.com)>

Sent: Thu, Oct 11, 2018 9:54 am

Subject: RE: John Drake has submitted a FOIL Request - Friday Sept 28

Mr. Drake:

The narrative and site plan submitted by the applicant that will be presented to the Planning Board next week is now on the Planning Board's website agenda page. Department and TDE comments are withheld as inter-agency pre-decisional materials pursuant to NYS Public Officers Law Section 87(2)(g).

If you wish to appeal the denial as noted above, you may do so in writing within 30 days to Town Attorney Michael C. Maggiulli at Memorial Town Hall, PO Box 508, Newtonville, NY 12128.

Susan Pellegrini  
Paralegal  
Town of Colonie Attorney's Office  
Memorial Town Hall  
P.O. Box 508

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**From:** Jhdrake40 [<mailto:jhdrake40@aol.com>]  
**Sent:** Tuesday, October 09, 2018 11:33 AM  
**To:** Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
**Subject:** Re: John Drake has submitted a FOIL Request - Friday Sept 28

Susan,

Thank you for the confirmation. Looking forward to getting the information by October 12.

John Drake

-----Original Message-----

From: Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
To: Jhdrake40 <[jhdrake40@aol.com](mailto:jhdrake40@aol.com)>  
Sent: Tue, Oct 9, 2018 8:10 am  
Subject: RE: John Drake has submitted a FOIL Request - Friday Sept 28

Mr. Drake:

I am in receipt of your FOIL request below. I am awaiting response from the Planning Department. You may anticipate a response on or before October 12, 2018.

Susan Pellegrini  
Paralegal  
Town of Colonie Attorney's Office  
Memorial Town Hall  
P.O. Box 508  
Newtonville, NY 12128  
T: (518) 783-2704 F: (518) 786-7324  
[pellegrinis@colonie.org](mailto:pellegrinis@colonie.org)

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you are not sure whether you are the intended recipient, please respond to the above e-mail address.

**From:** Jhdrake40 [<mailto:jhdrake40@aol.com>]  
**Sent:** Monday, October 08, 2018 6:51 PM  
**To:** Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
**Subject:** Re: John Drake has submitted a FOIL Request - Friday Sept 28

Susan,

I submitted the following FOIL request early morning on September 28, but I have not received a confirmation that you received the request. Can you please confirm receipt, and provide an estimate on when the information would be available?

**FOIL REQUEST FILED ON SEPTEMBER 28**

**"I would like to see all documents submitted, since the March 20, 2018 Concept approval, including meeting notes, emails, phone notes, comments and questions between anyone involved with the Summit at Forts Ferry, 33/45 Forts Ferry Road, and the Town of Colonie Planning department, including the Town Designated Engineers. Looking for all information but want to ensure details, questions and comments related to the water management plan are included. Also want to ensure any details around buffering the neighbors, including putting berms in place, planting additional shrubs or trees in the buffer area, or any action to minimize visual impact from both the apartment building and the office building."**

Thank you for your help.

John Drake  
4 Catalina Drive

-----Original Message-----

From: Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
To: 'John Drake' <[jhdrake40@aol.com](mailto:jhdrake40@aol.com)>  
Sent: Thu, Jan 18, 2018 3:31 pm  
Subject: FW: John Drake has submitted a FOIL Request

Attached are the records responsive to your request from October 19 to December 31. I am waiting for the concept submittals from PEDD. You may anticipate a response to that request on or before January 31, 2018.

Susan Pellegrini  
Paralegal  
Town of Colonie Attorney's Office  
Memorial Town Hall  
P.O. Box 508  
Newtonville, NY 12128



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**From:** Pellegrini, Susan  
**Sent:** Thursday, January 18, 2018 1:59 PM  
**To:** 'John Drake' <[jhdrake40@aol.com](mailto:jhdrake40@aol.com)>  
**Subject:** RE: John Drake has submitted a FOIL Request

Ok. I will ask for the concept application materials as well. I am just waiting for some email correspondence from PEDD and then I should the response ready for you.

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**From:** John Drake [<mailto:jhdrake40@aol.com>]  
**Sent:** Wednesday, January 17, 2018 5:44 PM  
**To:** Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
**Subject:** Re: John Drake has submitted a FOIL Request

Susan

I have been informed by the lawyer representing the Neighborhood association that all the documents for a concept review have been submitted so I would expect there should be several additional documents available

John

Sent from my iPhone

On Jan 16, 2018, at 9:45 AM, Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)> wrote:

The Planning Department sent me their file Friday so I will take a look. As of your last request for this information, they had advised me there was not any new submittals since October 19. I will try to look through the file it today.

**From:** Jhdrake40 [<mailto:jhdrake40@aol.com>]  
**Sent:** Tuesday, January 16, 2018 9:29 AM  
**To:** Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
**Subject:** Re: John Drake has submitted a FOIL Request

Susan,

I have the information you sent on the original traffic study submitted in September 2017, and the meetings notes for the zoning appeal, but I have not seen anything on any additional submissions regarding the developments of 33/45 Forts Ferry road. Any update on where you stand on this FOIL request that was submitted at the end of December 2017?

John Drake

-----Original Message-----

From: John Drake <[jhdrake40@aol.com](mailto:jhdrake40@aol.com)>  
To: Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)>  
Sent: Mon, Jan 8, 2018 5:47 pm  
Subject: Re: John Drake has submitted a FOIL Request

Susan

Thank you for the research on this one. Yes, please have the steno tapes from both 2/18/10 and 4/15/10 transcribed

Also, wanted to make sure you saw the two other requests I submitted. With the holidays I think both are just 5 business days old. One is for any updated information regarding 33/45 Forts Ferry Road. We are expecting them to be moving to a concept review so I would have thought there would be significant documents and communications. The other is a specific request for the traffic study for the 33/45 Forts Ferry project. The TDE referred to the study in the December 19 Planning Board meeting.

Appreciate your work on this

John Drake

Sent from my iPhone

On Jan 8, 2018, at 4:06 PM, Pellegrini, Susan <[PellegriniS@colonie.org](mailto:PellegriniS@colonie.org)> wrote:

Mr. Drake:

After researching our Town Clerk's Office archives, we were able to locate the steno tape and minutes for the 2/18/10 public hearing re: 45 Forts Ferry Road. According to the records, the public hearing was continued on 4/15/10 so we are now working on locating that tape as well.

The steno tape has not been transcribed. If you would like to reach out to the steno to have it transcribed, please let me know.

Susan Pellegrini  
Paralegal  
Town of Colonie Attorney's Office  
Memorial Town Hall  
P.O. Box 508  
Newtonville, NY 12128

<image001.jpg>

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**From:** John Drake [<mailto:jhdrake40@aol.com>]  
**Sent:** Monday, December 18, 2017 2:52 PM  
**To:** InfoFOIL <[InfoFOIL@colonie.org](mailto:InfoFOIL@colonie.org)>  
**Subject:** John Drake has submitted a FOIL Request

## John Drake has submitted a FOIL Request

**Reference Department:** Planning & Economic Develo

**Records to be inspected:** On February 18, 2010 a public hearing was held to hear the appeal of Phyllis H Mooney regarding the decision to deny her a building permit for premises located at 45 Forts Ferry Road. I request a copy of the transcript from this public hearing, as well as any documents presented or used during the public hearing. Please let me know if you have any questions or need clarification on the documents that I am looking for. Thank you.

**Title:** Mr

**Name:** John Drake

**Suffix:**

**Email:** [jhdrake40@aol.com](mailto:jhdrake40@aol.com)

**Phone:** (518) 785-0910

**Address:** 4 Catalina Drive

**City:** Latham

**State:** NY

**Zip code:** 12110

**Document Attached:** No file was uploaded by applicant.

**This message was sent to you via the FOIL Request Form.**