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**Subject:** 10/16 Planning Board Meeting Summit Proposal-Freedom of Information Law (FOIL) Request DENIED

**From:** Rosanne

**Sent:** Friday, October 12, 2018, 8:26 PM

**To:** West Latham Neighborhood

Dear Neighbors and Friends,

**THIS IS IMPORTANT:** As we began to prepare for the October 16<sup>th</sup> TOC Planning Board meeting regarding the Summit at Forts Ferry Project, the following Freedom of Information Law (FOIL) request was submitted by me to the Town of Colonie before 9AM on Friday, September 28, 2018:

**"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."**

When no response was given acknowledging receipt of the FOIL request, on the evening of October 8, I sent a follow-up note to the Town of Colonie legal department asking if my FOIL request had been received, and when I could expect a response.

On the morning of Tuesday, October 9, I received a response that the FOIL request had been received, and that I could expect a response by Friday, October 12.

On the morning of Thursday, October 11, I received the following from the Town of Colonie legal department:

**"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)."**

What this means is that in addition to the developer and his agents failing to follow-up on their commitment to have a follow-up meeting with us to discuss potential solutions for buffering, we now also have the Town of Colonie refusing to share any information regarding storm water management, buffering or any issues that may have been discussed with the developer of the proposed Summit at Forts Ferry. As members of the

West Latham Neighborhood Association, I believe we have explored every possible avenue to collaborate with both the developer and the Town of Colonie. We have seen too many examples like this, where we are NOT being given access to basic information on this massive development.

Our only choice at this point is to turn out in large numbers on **Tuesday, October 16**. I will be asking as many questions as I'm allowed, to better understand what is being done about storm water management and buffering the neighbors along Forts Ferry Rd., Omega Terrace, Catalina Drive and Harrowgate Way.

**This may be our last chance to influence the direction of this project. I encourage each of you to come out and raise your concerns about this proposed project that will significantly impact our individual properties and the neighborhood.**

The Planning Board Meeting will begin at 7PM and take place at the TOC Public Operations Center at 347 Old Niskayuna Rd, Latham.

John Drake  
Latham