



Kenneth Kovalchik &lt;kovalchikk@togny.org&gt;

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**Rapp Rd. Project DEIS comment**

1 message

**Wendy Dwyer** <missmisc@icloud.com>

Tue, May 26, 2020 at 10:46 AM

To: Kenneth Kovalchik &lt;kovalchikk@togny.org&gt;

Cc: Wendy Dwyer &lt;missmisc@icloud.com&gt;

Mr. Kovalchik

This is a dictation from Mr. Lou Ismay

The future was a consideration of the people who originally expressed interest in the Pine Bush and its water resources.

The Pine Bush is now listed as an important national treasure. It is our obligation to continue to protect it and continue its preservation. Business interests are paramount to many people. From a broader perspective we have an obligation to future generations to no longer destroy important places because of commercial interests.

Isn't it time that government act in the interest of people and set an example for others?

Sincerely ,  
Lou Ismay  
Past Environmental Educator  
SUNY AlbanyDictation from Lou Ismay to Wendy Dwyer by phone 5-26-2020 , 10:36 AM.  
Due to COVID - 19 Lou Ismay does not have access to a computer  
Submitted by Wendy Dwyer , exact words of Lou IsmayLou Ismay  
P. O. Box 660  
Altamont , N.Y. 12009- 0660

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**Fwd: Continued : accidentally sent Comment regarding Rapp Rd. Pyramid project**

1 message

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**Wendy Dwyer** <missmisc@icloud.com>  
To: kenneth Kovalchik <kovalchikk@togny.org>  
Cc: Peter Barber <barberp@togny.org>, Wendy Dwyer <missmisc@icloud.com>

Thu, Apr 30, 2020 at 12:33 AM

**From:** Wendy Dwyer <missmisc@icloud.com>  
**Subject:** Continued : accidentally sent Comment regarding Rapp Rd. Pyramid project  
**Date:** April 30, 2020 at 12:31:51 AM EDT  
**To:** Wendy Dwyer <missmisc@icloud.com>

\*\*\*Please excuse me , I accidentally sent this when I was planning to save it to work on in the morning so I guess I should finish it tonight. I apologize.

Good Evening Mr. Kovalchik and Mr. Barber,

As you may be aware I am completely against this project for many, many reasons. That said clearly a pandemic and economic collapse was not in the picture when this first was proposed. I am glad the deadline for comments has been extended, for many reasons and hope we will be able to hear each others comments when the virtual public hearing occurs May 13th. Really this should

all be tabled for a year or two to see where the economy goes post COVID and until open meetings can be held with integrity and transparency and in compliance with the Open Meeting Law. I am writing now with just a couple comments because I need to get back to sewing masks, we need to try to decrease the spread of COVID-2019 as a priority for the public health. I will write more in response to the DEIS by May 26th and it will be edited better !

I would like to say that because of COVID-19 arriving on the scene I think this whole project needs to be looked at from a different perspective. Now people are put in harms way when they go to stores, many have turned to on line shopping with home delivery even for groceries. Many people I know who never would have considered this practice are shopping on line to stay safe and many tell me it is quite convenient. It will be quite some time I firmly believe before people will feel safe going into stores for anything but the basic necessities, in and out as fast as possible and a second wave of the disease is predicted this fall , hopefully that will not occur. And until there is a vaccine it seems things will not return normal. I wonder if things will ever be the same, Tragically there have been deaths and so much loss as people lose jobs, businesses, savings, housing and so on. I understand the town and the city need sales taxes and will need them even more as we progress in this recession. There will not be sales taxes without sales and that requires income. I realize we need jobs. But we also need to protect the environment , We are facing worsening climate change and green space is critical. There will be more health issues as the environment is damaged further and further. Near a globally rare habitat I feel it is irresponsible to build a huge store on precious land, much less to build a gas station near a critical habitat over an aquifer. There are plenty of gas stations, you are putting current businesses at risk. Local businesses matter more than a new company coming in to town . Many facets of these 3 projects should be looked at now in a different light. Will people have money for fancy new apartments or offices? Will shopping on line become even more the standard practice. Will stores stand empty like scars on once green space? How sad is that, all that pavement absorbing heat , contributing to climate warming. Not in my name .

As I have said before if you really feel a Costco is needed then build in inside the existing Crossgates Mall. No doubt now there will be more empty stores, malls were already failing pre COVID. Cement and steel are industries that adversely affect climate change and should be avoided whenever possible. I could write so much more but I need to get back to sewing. It is sad that in the midst of a disaster we are fighting against assaults on the environment, fragile habitats, assaults on voiceless species, air , water and our green spaces. And when people are distracted, as we all are, things get slipped through that are not in the interest of the public health, safety or welfare such as the EPA roll backs on mercury that happened recently ,

I wanted to tell a story that came to mind reading some of the comments in favor of building .

I have been involved with Public Hearings on other issues such as a nuclear power plant development and construction of a fracked gas pipeline. . At the hearing about the nuclear power plant there was a contingent of people all dressed in matching tee shirts with their company name and a pro nuclear message . They were all signed up to speak first, they all said similar things. They left when the last one of them spoke, did not wait to hear what others had to say and boarded buses home. It didn't feel sincere. The meeting about the fracked gas pipeline got hostile. Pro pipeline people were aggressively positioning themselves in front of others to block us from the media, the pro pipeline people read comments from their phones. When it was over a man I had met at the start came over to me as I was packing my car to leave. He confided that they were mandated to be there by the employer , they were sent comments to read from their phones, they were recorded giving their comments and their jobs were threatened if they did not comply. There were co-workers that would turn them in if they did not do as mandated. They were there in great numbers having been bused in from several areas. He told me that many of them cared about the environment and in their hearts they too wanted to protect the environment and work towards more green energy . He said he and many others agreed with us and were against the project, They needed their jobs and had to do as mandated.

How sad is this that people have to speak out against their own best interest in order to keep a job. And it will get worse now as everyone is threatened because of the pandemic and jobs become more scarce, People cannot speak from their heart. I hope you will remember this story as you consider comments. Of course everyone is entitled to their own opinion, but it may be coerced. You will note that people who care about the environment, care about the future, the voiceless species and care about the rare jewel we are so lucky to be blessed with, the remaining segments of the Pine Bush, they speak from their hearts, for the well being of all. Once you destroy precious habitats and bull doze trees ( breaking rules) you cannot go back. I hope we do our part to slow climate change and protect what is left of the planet. We must all do our part. Every one of us. In the midst of this pandemic we see cleaner air and water, people exploring nature. Being in nature is therapeutic and very important for mental health as well as physical health , just another reason to protect the planet in the midst of what may be mass extinction.

Sincerely

Wendy J. Dwyer  
Tax payer Guilderland Center

Contact info available if needed

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**Need clarification Executive Order/ DEIS Rapp Rd. Guilderland N.Y .**

1 message

**Wendy Dwyer** <missmisc@icloud.com>

Wed, Mar 25, 2020 at 10:15 PM

To: gov.cuomo@chamber.state.ny.us

Cc: fahyp@nyassembly.gov, Laura.Travison@albanycountyny.org, Kenneth Kovalchik &lt;kovalchikk@togny.org&gt;, Guilderland Supervisor &lt;barberp@togny.org&gt;, Wendy Dwyer &lt;missmisc@icloud.com&gt;

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Please excuse the format , I am struggling to learn MAC . Mr Kovalchik please record this letter as a public comment opposing the project, I will submit more directly relating to the DEIS later in the week. Thank You .

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3-25-2020

Dear Governor Cuomo,

CC: Assembly Member Ms. Pat Fahy, Mr.Peter Barber, Guilderland Town Supervisor, Mr. Ken Kovalchik, Guilderland Planning Board, Ms. Laura Travison, Albany County Planning Board.

Thanks for your work in this time of crisis. I apologize for creating extra work and hope an assistant can deal with this issue for you.

I am writing to clarify the spirit and intent of an Executive Order ( see letter below from Mr. Barber) "to keep local governments functioning and help rebuild the economy " as it applies to the proposed plan by Pyramid corporation to build apartments, a gas station, a Costco and likely more along the globally rare habitat, the Pine Bush Preserve in Albany County .

There was to be a public hearing today and it has been cancelled and may never occur. I agree with canceling due to COVID -19 and suggested this via email to Mr. Kovalchik a couple weeks ago. The public hearing , however, should be rescheduled after this crisis has passed, perhaps in a large space such as the Guilderland High School auditorium. I suspect this will not happen and the comment period ends April tenth. I strongly feel this project should be tabled until the pandemic is behind us, the effects of the looming recession are known and the potentially adverse effects on the environment can be explored further.

As I write this letter, I should be sewing masks to help with the shortage of supplies, not worrying about this issue. People are distracted now as we do not even know if we or our loved ones will survive the pandemic.

I am on record as opposing this development. I am a taxpayer in Guilderland where I grew up, my Father fought fires in the Pine Bush decades ago, my Mother opposed Crossgates Mall for environmental reasons.

The public hearing was important to discuss face to face the pros and cons of this proposed development with each other and the Town Planners. Hopefully the process was more than just motions to appear to be exploring the issue fully and not just a smoke screen as the plan is pushed through by the Town. For the record the DEIS has not been accessible to be read at times as the server has been down , see the pictures below, perhaps because so many people are home now due to COVID -19.

I have some question s about the future. We are being told to expect a recession like we have never seen in our lifetimes.

- Will business be able to pay their taxes now?

- Will Costco threaten existing businesses and gas stations?
- Will people have money to spend ?
- Will Crossgates fail as people shop more on line to avoid infection, a trend that is already closing malls anyway? A letter to the editor in the Berkshire Eagle suggested the Berkshire Mall, nearly a ghost town be converted to a temporary hospital for COVID -19 . The Destiny Mall is a failure as are many across the country .
- Can Costco go into Crossgates if it must come to Guilderland? No doubt there will be lots of space available now .
- What is the hurry to decide this matter when we do not know what will happen?
- Has the Town considered the looming recession given this crisis that did not exist when all of this started. Why no wait to decide?
- Will people who have lost jobs and savings be looking to move to newly built apartments; as much as I hope this threat does not play out?

From an environmental perspective :

- Given global warming do we need more parking lots , roof surface to increase warming Governor? You have shown concern about global warming. We have warmer years every year and more severe weather events every year. Do we need to clear more land?
- Steel and cement are industries most implicated in global warming .
- There is growing concern about the connection of global warming, deforestation and increasing diseases. Please see the article from Harvard “ Corona Virus, Climate Change and The Environment “ March 2020.
- There is information available that implicates increasing pollution such as exhaust from cars ( there will be more cars if this does succeed ) that adversely affects birds ( see Birds Suffer From Air Pollution, Just Like We Do” Audublog by Kenneth Qin) and lowers humans ability to fight off pneumonia such as with COVID -19 from research from SARS ( Harvard University Center For Climate Health and The Global Environment). We see the adverse effect of warming with the spread of tick and mosquito borne illness and the devastating effects of jumping worms on our forest health which will accelerate warming as carbon stored in the forest floor is released and the forest is lost.
- With warming I fear endangered species may be further adversely affected from such things as decreasing snow cover, snow pack, loss of vernal pools, habitat loss , loss of buffer zones etc.
- As deforestation, climate change and incursion of humans into animals habitat increases there may be increasing diseases such as COVID-19, this too is reported in the Harvard University citation above . We must consider the cumulative effect of everything we do that affects warming , each of us, person by person, town by town, all across the planet.
- NASA Earth Observatory images show the effects of decreased human activity during this pandemic in greatly reduced pollution over China. Very telling.

So I request clarification from you Governor Cuomo, is this executive order to “ keep local governments functioning and move the economy forward” meant to speed up approval of projects such as this one? This project may be very risky to the environment and the economy. Local existing small businesses should come first and be assisted to survive, we will need taxes and employment for current issues and we must hear the warnings from our precious only home, planet earth.

Mr. Barber and Governor Cuomo, for the better good of the order, please delay this project. We have more important issues at hand now and for the foreseeable future and should focus on these issues.

Sincerely ,  
Wendy Dwyer RN, BS  
518 526 5594  
[missmisc@icloud.com](mailto:missmisc@icloud.com)

## Deis. Rapp Rd

To Mr Barber March. 20, 2020

Mr. Barber,

My name is Wendy Dwyer, I am a registered nurse and have a small property in Guilderland Center. I would like to comment on the DEIS regarding the pyramid Rapp Road project however we are in a crisis and I am starting to sew masks to send to hospitals that are going to be running out of equipment There is a call out for people to start sewing masks that clearly are a last resort , not n95, for when there are no supplies left for health care workers on the front lines of this pandemic. We are only in the early stages here now, this is a crisis and I think it's very unfair to require people to send in comments at this time when we all need to be working together to keep people alive The period for comments should be extended until this crisis is over And there should be a public hearing at that time where people can come and hear what's being said even if it has to be done at the Guilderland high school auditorium rather than being cramped in the small town hall meeting room. It is far more important to take care of people than to push through so fast given the crisis History will record what we've done in this crisis , let's stand on the right side of history together and allow people time to take care of urgent things that need to be done now and deal with this issue later . It Is probably unsafe to start building and doing things like that right now anyway so what's the rush to push this through please allow time for this crisis to be dealt with thank you I'm going back to my sewing machine this is a hastily dictated voice text I don't have time to type emails right now thank you

Wendy Dwyer RN BS  
518-526-5594  
[Missmisc@icloud.com](mailto:Missmisc@icloud.com)

Response from Mr Barber

**From:** Peter Barber <[barberp@togny.org](mailto:barberp@togny.org)>  
**Subject:** Re: DEIS  
**Date:** March 20, 2020 at 2:52:08 PM EDT  
**To:** Wendy Dwyer <[missmisc@icloud.com](mailto:missmisc@icloud.com)>

Hi Wendy:

First, thank you for your assistance in helping the community respond to this health care crisis. I meet daily (and often nightly) with the Town's medics and ambulance crews who often drive distances, usually to remote out of state stores, to pickup basic emergency supplies.

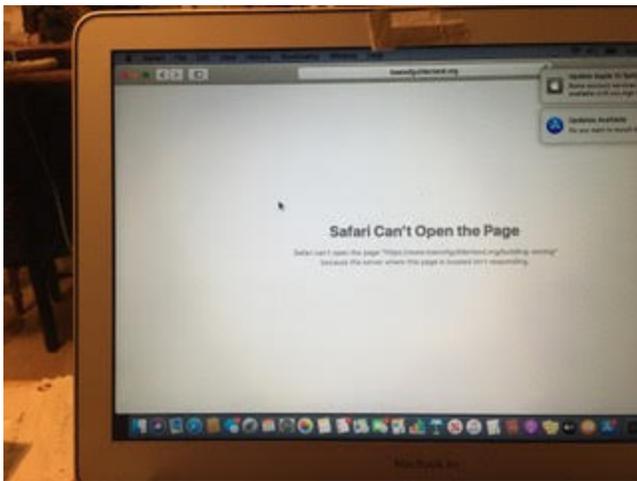
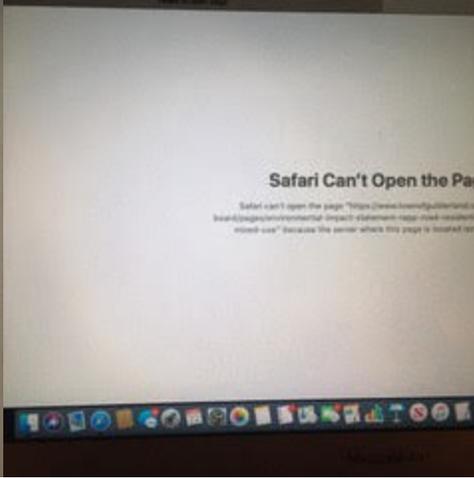
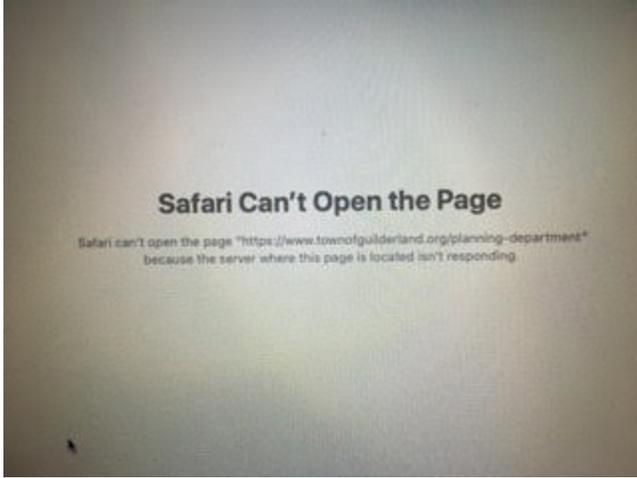
As you may know, Town buildings are closed. I forwarded your email to the Town Planner for a response but I'm not expecting it soon.

We're all mindful of the impact of coronavirus on people's lives. That's my primary focus and help with rebuilding the economy. We're trying to meet both goals and others. We're also aware of the Governor's Executive Orders which were intended to keep local governments function

I hope to share an update with you this weekend or by Monday.

Thank you.

Peter





## Comment from Rapp Rd Mixed Use Public Hearing 5 - 13 -202

1 message

**Wendy Dwyer** <missmisc@icloud.com>

Wed, May 13, 2020 at 11:17 PM

To: Kenneth Kovalchik <kovalchikk@togny.org>

Cc: Wendy Dwyer <missmisc@icloud.com>, Peter Barber <barberp@togny.org>

This is a copy of my statement to the Guilderland Planning Board May 13, 2020 regarding the Rapp Road Mixed Use Project including the building of Costco.

I am a taxpayer in Guilderland, 6013. Depot Rd. I grew up in Guilderland Center.

I have read most all of the DEIS and many of the comments. Many in favor comments were signed by anonymous or "Mike" and did not address the DEIS.

I am against the proposed development . I would only support Costco within and upon the currently paved Crossgates site if you really feel we need it although I prefer existing business be prioritized. Especially due to COVID-19 our local businesses will need us. Is Pyramid really solvent financially?

Regarding Lighting : on page 24 of the DEIS it says the project is tenant driven, lighting has been proposed as a variance, I learned from the Albany Planning Board meeting that light poles exceeding the town zoning are requested. WHY? Why? I do not see the reason in the DEIS, just that it is tenant driven The Albany planning board said the lighting would be overboard

There is some research, far more needed and being done regarding the impact of artificial lighting on human health, wildlife, birds insects and more.

Albany planning board recommended shielding the lights down as they would be a huge excessive glare on the surrounding area. But there are greater issues here, research on Polarized light pollution ( Jan 7, 2009) article "Polarized Light Pollution , A New Kind of Ecological Photopollution" outlines the deleterious impacts on animals and ecosystems, this article explains some of the interactions with human made objects. As many as a billion birds a year die in the U.S. when they collide with buildings, second only to death by feral and free ranging house cats.

Artificial Light impairs migration skills in birds, can also affect other predator behavior at night, breeding, nesting, biodiversity of animals, foraging, nocturnal wildlife and much more.

How much more light will there be in Guilderland from this project? In many places in our country now people can no longer enjoy the night sky. Imagine migrating by the stars? Light also affects insects, Polarized Light Pollution creates glares and other images that cause insects to do make deadly mistakes like laying eggs in places where they will not survive such as on glass or a puddle of oil in a parking lot as it appears to be water from the light or some other material. The eggs of course die . WHEN DID YOU LAST have a windshield covered in insects? Insects are critical to migrating birds, insect eating birds such as warblers are already threatened by diminished horseshoe eggs to sustain their migration and some are also noted to often collide with windows of lighted buildings at night.

Science magazine reports since 1970 grassland birds have declined 70 %, migrating bird masses have decreased in size by 13 %, North America has lost 3 billion birds and these numbers may be higher now, this includes common species as well such as black birds and sparrows.

More light is not good for anyone, LED lights which use less energy create a type of light that has adverse effects on wildlife. And this is in the Pine Bush Preserve area of global significance, a refuge for species and a critical habitat that has already been assaulted over and over across time .

Water: The DEIS claims Guilderland has ample water to manage the increased daily demand of 81,170 GPD cumulatively, the current plan for the proposed sites and what is up their evasive, stealthy planning skill sleeve next ?

I was on a call last week where Bill McKibben, founder of 350 .org. was speaking about the future of water . It was frightening , the U.S. has a major threat to our 40 major aquifers, they are being rapidly depleted per the U.S. Geological Survey ( 2013 ), National Geographic reported on this as well, some aquifers are down so far it would take 12 years possibly refill them.

There is a projected increase of water ( here and globally ) as more use is needed for population growth, farming and so on to provide for population growth, this will cause water wars. Is Guilderland planning for the future?

The DEIS does address Fire Protection briefly 3.8.3.2, but as a former volunteer firefighter in Columbia County where the companies are volunteer LIKE Guilderland I know expansion can tax departments volunteer reserves, EMT assist, especially as COVID taxes resources, fire calls, water emergencies, drills, car crashes and so on. Can the department really handle this? There is a LOT of development happening in Guilderland

The DEIS refers to abandoned homes. This is very deceptive, since the 90's these homes were bought up under multiple LLC's , many different names, these LLC's were traced back to Pyramid, see articles in the Times Union, Feb. 2016. The Altamont Enterprise, Nov 2019 has a story about a former resident who spoke out about having his families neighborhood devastated. By being bought out with non-disclosure agreements and reportedly no straight forward information about what was going down. These were neighborhoods of well kept homes, some were rented by Pyramid after they purchased them ( millions of dollars were spent on this , who knows for sure how much) and then the people were evicted and the homes sealed up. These neighborhoods were deceptively and evasively gutted, destroyed by Pyramid for their own benefit. What quality of life remains for existing residents? I grew up in Guilderland, it was a lovely place and I had hoped to come back some day when I cannot manage anymore at my current property .

Regarding demolishing these homes, the CD dump in Rensselaer, the Dunn Dump, that accepts CD waste from 7 states, of all things situated next to the school !!! is emitting composting gypsum and other things, it is not clear all of what is in there and it is a huge threat to the school and neighbors who are opposing it. Seneca Meadows in Seneca Falls is a mountain of CD trash and people there are resisting. Demolition and rebuilding is wrongheaded .

Build Costco in the existing Crossgates, on that site of pavement. Rest assured there will be more empty stores. Preserve open green space. Do NOT create 1,700 parking spots and more roofing to create heat. Trees cool the planet and hence also cool Guilderland

We are facing increasing climate warming with unchecked greenhouse gas emissions, species are going extinct every day and we may be in the midst of the 6th mass extinction. We must listen to science, the IPCC ( International Panel on Climate Change ) now predicts about 8 years to reverse warming or there will be catastrophic effects. We needed to stay below a 1.5 degree C increase, which is in itself not good, and go to net zero by mid century BUT we are on track for a 3-4 degree rise. This will cause devastation for food production, health systems, ecosystems and more and will make it very difficult to survive . And it could be that COVID -19 is related to climate change via zoonotic diseases, Habitat loss is a deadly important issue for the world.

We must all do our part and that INCLUDES the Town of Guilderland, Pyramid and each and every one of us. The Pine Bush Preserve is a critically rare habitat of global significance and must be protected as must all remaining green space on the planet.

There is a prophecy attributed to the Cree Indian : “ Only when the last tree has been cut down, the last fish caught and the last stream poisoned will we realize we cannot eat money”.

Protect green space. Who will speak for the trees, the birds, nature, the planet ?

What will you tell your children?

Sincerely,  
Wendy J Dwyer RN, BS  
Taxpayer for 6013 Depot Rd, Altamont NY 12009

Physical residence  
2529 Rt 295  
Canaan, NY 12029

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[missmisc@icloud.com](mailto:missmisc@icloud.com)