

Appendix A

17 Berncliff Avenue
Albany, NY 12208
July 31, 2013

Donald J. Reeb, President
McKownville Improvement Association
11 Norwood Street
Albany, NY 12203

Re: McKownville Reservoir Park

Dear Dr. Reeb:

When I heard you wanted to know if our family used the McKownville Reservoir Park I had to dig deep in the memory bank and called my kids for help.

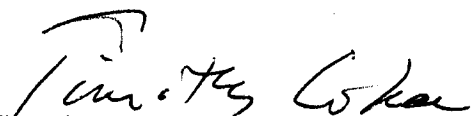
I went skating there a couple of evenings, but my sons Greg and Kevin were there almost every day when the ice was thick enough for skating. They shoveled off an area big enough for their hockey games and this was the major activity. But Greg said they also shoveled a path further upstream around and back so they had a large loop that they could race around on.

The pond was a treasure for the neighborhood, but eventually was taken away for winter use by the chemicals and de-icers that were added to the adjacent parking lots at Executive Park and runoff from the Thruway and Northway that were built over the natural streams that fed the pond.

In summertime the kids used it for tag and chases and all the fun things that kids can do in a natural habitat like that with paths and trails. It is a shame that this whole place has eroded away by political and environmental factors.

Thank you for all the good work you have done for McKownville over the many years, and good luck on this latest endeavor to stop the latest request for commercial expansion.


With best regards,



Timothy Cohan
Former McKownville resident 1963 to 1994
Past President of McKownville Improvement Association

I, Timothy Cohan, hereby swear that what I have written
in this notarized letter is accurate to the best of my memory.

MARILYN COHAN
Notary Public, State of New York
Qualified in Albany County
Commission Expires 1/31/13


7/31/13

September 13, 2013

317 Crystal Lake Road
Enfield, NH
03748

Don Reeb
President, McKownville Improvement Association
11 Norwood Street
Albany, NY 12203

Subject: McKownville Reservoir Park

Dear Dr. Reeb:

You asked if I remembered how we used the park when we lived in McKownville?? The park around the reservoir was the focus of many of our family outings.

I remember the good times spent fishing in the reservoir. It was occasionally stocked with fish by a resident from the Country Club Highlands area. He worked for the Conservation Department and was an avid fisherman. I guess the reservoir was the beneficiary of some of his fishing prowess. At any rate, my sons and I spent many an hour walking around the pond, casting for some sport fish. It was a very pleasant place to be.

Of course, you knew how we used the pond in the winter for Ice skating. All the Dads and kids in the neighborhood would help out shoveling off the snow so that there was a large area available for skating. When needed, the McKownville Fire Department would arrive at the pond on a Monday night with the fire truck and add a fresh layer of water to the ice so that the surface would be nice and smooth for the next days skating. We also used the old "filter building" for changing and for a "warming hut".

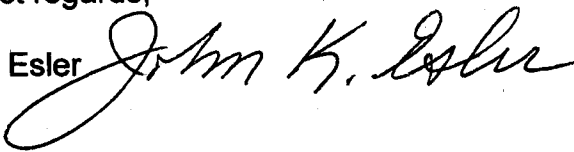
Then there were the times that we spent with our dogs, first "Snoopy", then "Regis", roaming around the whole area doing whatever dogs do when they get to wander. I don't know if you recall it or not, but there used to be a whole lot more to the park stretching upstream towards the Northway, into an area that was called the "Upper Reservoir". This was the part of the original reservoir area that has since been covered by the Executive Park parking lots. In those days, however, it was a place of nature where we could spend some quiet time with our kids and our dogs.

Most of all, our boys, and the rest of the neighborhood boys used the entire area as the base for their games of "Capture the Flag". This was one place in town where they could hide and seek without worrying about getting hit by a car or annoying a neighbor. They might get a little soggy from their escapades in the marshy areas, but that what boys are supposed to do, isn't it?

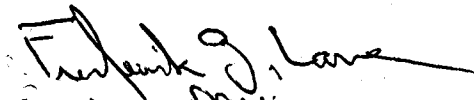
Yes, we were lucky to have that expanse of wild scrub, where neighbors could meet and picnic and children could run free. I haven't been back there in a while, but I hope the kids of today's McKownville still have the same opportunities that we had growing up and playing in the outdoors like kids are supposed to do. It was a wonderful time and a wonderful place to play.

And thanks, Don, for all your efforts and for the efforts of the KcKownville residents who are helping to keep this area for the generations here, and the generations yet to come. This is really a place of McKownville history!

With best regards,

John K. Esler 

This letter is notarized and I swear that what is written herein was written by me – John Esler – and is accurate to the best of my memory.


Notary Public
9/13/13
FREDERICK G. LANE, Notary Public
My Commission Expires August 19, 2014

August 30, 2014

Donald Reeb, President
McKownville Improvement Association
5 Norwood Street
McKownville, NY 12203

Dear Don,

Re: Use of the McKownville Reservoir as a park.

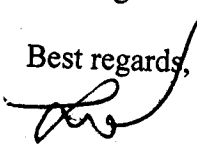
I was asked to describe my recreational experiences at the McKownville Reservoir, located on Western Avenue in McKownville, adjacent to and south of Stuyvesant Plaza.

My family and I lived on Providence Street (off Fuller Road) in McKownville between 1973 and 1990. Our house was a short distance by foot from the McKownville Reservoir. We seldom used the reservoir land for recreational use because much of the land was overgrown and maintained in a wild state, but we did go there on a few occasions in the winter for ice skating on the reservoir. In fact, for some years the Town of Guilderland posted a sign at the reservoir indicating whether or not the ice was safe for skating.

I was a correspondent for the Altamont Enterprise from 1980 to 1986, reporting on affairs in and around McKownville. In my column published on Thursday, January 19, 1984, I included a report of a visit to the Reservoir on January 15, 1984 with my son Nathan, then age 7. The sign that day indicated that the ice was safe. We were one of four groups, totaling eight people, who visited the ice while we were there.

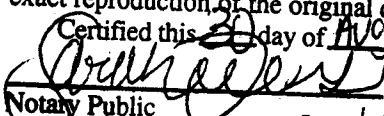
A transcript of my column is attached: the original may be found in the online archives of the Altamont Enterprise (<http://historicnewspapers.guilpl.org>, search on "altamont-enterprise-0048.pdf"). In the transcript of the column, the description of the visit to the McKownville Reservoir is under the third heading.

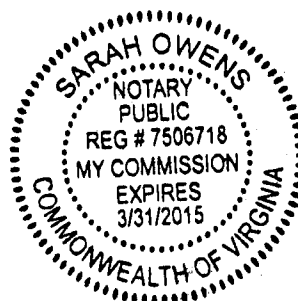
Best regards,


Lindsay N. Childs
4018 Caddington Drive
Midlothian, VA 23113

Chesterfield County
Commonwealth of Virginia

I certify this to be a complete, full, true and exact reproduction of the original document.

Certified this 20 day of Aug 2013

Notary Public
My commission expires: 03/31/2015



McKownville: News And Comment

The Altamont Enterprise, Thursday, January 19, 1984

By LINDSAY CHILDS

The Pyramid Crossgates Co. has submitted a revised request for signs along Western and Washington Aves. for the 10-theatre cinema complex at the Crossgates Mall.

The Zoning Board in December denied a variance for 18 by 22 foot cinema signs at the Western and Washington Ave. entrances to the Crossgates Mall, permitting instead a 4 by 22 foot "Crossgates Mall" sign at those locations.

Pyramid has returned with a new request for signs for its cinemas. The new proposal offers somewhat smaller signs, but the new signs would contain the same information as those previously proposed, namely, a listing of all 10 of the movies being shown.

The request comes before the Town Zoning Board on Wednesday, Feb. 1.

Proposed Civic Center

This coming Monday the plans for the proposed SUNY/Albany County Civic Center are scheduled to be unveiled.

The McKownville Improvement Association's concerns about the proposed Fuller Road site, noted in this column two weeks ago, reached the mass media last week with a story in the Times-Union and a Channel 10 interview with Association officer Dorothy Ellinwood.

The second semester at the university begins this coming Monday as well. The Stuyvesant Plaza merchants will be happy to

see them back, and drivers along Fuller Road will find themselves competing with quite a few more pedestrians than they have seen since the winter's first big snowstorm. As usual, the sidewalk between Mercer St. and Executive Park Drive is buried. So until, if ever, the responsibility over the clearing of that sidewalk is resolved, please be on the look out for pedestrians on the highway on Fuller Road.

Two Restaurants

The latest estimate for the opening of Friday's, McKownville's newest restaurant, is the first week in February. Friday's has started advertising for staff.

We finally visited Coco's recently. We may have been the last holdouts in the Capital District, to judge by the business they have attracted. We tried their salad bar, washed down by some Newman's Albany Amber. The Amber came in an impressively large glass and tasted authentic. The salad bar had lots of items to choose from, and it wasn't hard to find enough things to fill us up. Our table had a lovely view of scenic downtown McKownville.

More exciting (and expensive) was our recent visit to Oceans Eleven, on Western Ave. near Gipp Road. While Coco's and Friday's are competing for a market of more or less informal dining, with a menu which mixes hamburgers, potato skins, Mexican items, and surf and turf — something for every appetite — Oceans Eleven is competing in the elegant full-course culinary experience category.

Our party of nine ordered such items as steak au poivre, braised fresh swordfish, veal francese, veal marsala and chicken piccata. All the dishes have sauces of various kinds, and perhaps not untypical was the swordfish, which came smothered in a sauce containing black peppercorns, tomato, Bermuda onions, capers, anchovies and white wine. The sauce was rather spicy and very flavorful, and whether the fish was swordfish or halibut or any other whitefish hardly would have mattered.

Everyone was pleased with the visit to Oceans Eleven, and the consumer of the steak au poivre was more than satisfied, calling his dish the finest steak he had eaten in a restaurant in years. The setting is very nice, and rather astonishing if you had previously visited that building when it was a food warehouse outlet or a hardware store.

The restaurant business is made to order for gamblers, and Oceans Eleven is playing for high stakes. But so far it is on a roll.

Ice Skating

The ice skating sign went up at the McKownville Reservoir shortly after New Year's, just, in time to announce that the ice was not safe because of the thaw. But by last weekend the cold weather had made the ice safe again, so last Sunday Nathan and his dad walked over to check it out.

We found that while a rather large stretch of the reservoir had been plowed after the big snowfall, the four inches of snow which fell two days before was mostly still on the ice, and only a small section was clear. So we walked back home, picked up a shovel and a scoop, and went back to do some clearing.

Shortly, Tricia and her brother and father arrived. Tricia, aged maybe 5, had just inherited a pair of single-runner skates and was on the ice trying them out for the first time. While her dad (with no skates) walked along, holding her hand, her brother saw that Nathan had brought two hockey sticks and a puck, and so the two boys, Tricia's brother without skates, Nathan with, began shooting goals on each other. Then their friend Mr. Walker arrived, with his son, both skateless, and right away pitched in with the clearing. Mr. Walker took the scoop, Nathan's dad the shovel, and the two of them did a passable imitation of a Zamboni, clearing off quite a lot of ice. The three boys by then were rotating the two hockey sticks.

After a while, Tricia decided she could do quite well without her hand being held. So the scoop became a goalie stick, the handle of the shovel became another stick, and the three men and three boys played an erratic game of freewheeling hockey, six players with two pairs of skates,, two real hockey sticks (one of which broke early into the game), and two makeshift substitutes.

After a while Mr. Walker took a tumble which dampened his enthusiasm just a bit, and Tricia lost her balance and fell, and decided she didn't want to skate by herself anymore. Then a single woman came by, put on a pair of figure skates and tried out some figures, turns, backward movements, while the sun dropped behind the pump house and the spotlights mysteriously came on.

In a few minutes, Tricia's entourage had to leave, the woman completed her exercises and departed, and after a few rushes back and forth down the ice passing the puck pack and forth, we called it an afternoon, leaving the ice empty for the day.

The condition of the ice in the areas we cleared off was rather rough and slow, very nice for hockey players without skates but not ideal for skating. Someone suggested that it would be nice if the fire department were to hose the area down some evening, maybe on Mondays when it is out on maneuvers anyway.

But even as it was, the ice was good fun. Nathan, who is used to skating indoors and can be highly critical of poor outdoor ice, had no complaints. And imitating a Zamboni makes for a good workout.

A Noisy Town?

We ran across the Phillips family recently. They will be remembered as veterans of the Crossgates opposition effort -- Mary as treasurer of Concerned Citizens Against Crossgates, and Bruce as an individual party-in-interest at the 1980 state environmental hearings on the Crossgates project. A year or so after the hearings, they moved from Warren St., the second house in from Fuller Road in McKownville, to a cul-de-sac in Delmar, where they have limited their activism to volunteering at Elsmere School and carefully avoiding noticing matters controversial and political. Or so they say.

In comparing their old and new locations, one of the qualities they singled out was noise. Their new location, they say, is much quieter than their former location in McKownville. Their McKownville home was 150 feet from Fuller Road, 1500 feet from Western Ave., a scant half mile from the Northway and Thruway, and perhaps four miles from Albany County Airport. Their new residence is at least a mile from Delaware Ave., two miles from the Thruway, and a half hour's drive from the airport.

Undeniably, McKownville has a higher noise level than a quiet suburb ought to have. But how noisy is McKownville, really?

We recently obtained a copy of a Guilderland Noise Survey which helps answer that question. The survey was prepared last summer by Don Rittner, the town's natural resources manager and Conservation Advisory Council member, and Barbara Allen of the Division of Air, State Department of Environmental Conservation, with the assistance of Earl and Marion Tanis and Dean Harding of the Conservation Advisory Council.

The authors selected 20 sites around the Town of Guilderland and measured the levels of noise during six visits to each site in 1982 and 1983. The sites were chosen to represent all parts of the town and all types of land use.

Noise is measured in A-weighted decibels, abbreviated dB(A). This is a measurement of sound level which weighs different frequencies by a relationship which approximates the sensitivity of the human ear. Thus the A-weighted decibel measures approximately the relative "noisiness" or "annoyance" of noise to people. The survey was done with a standard sound level meter loaned from the Department of Environmental Conservation which measured noise levels in A-weighted decibels.

Decibels are measured on a scale from 0 to over 110 dB(A). Audible sound levels range from the rustling of leaves, which has a level of around 20 dB(A)s, to a chain saw at the operator's ear, which has a noise level of around 110dB(A).

In terms of the effect of noise levels on humans, the report indicates that sleep interference occurs with sound levels of 45 dB(A) or more; outdoor noise in residential areas is noticeable when it exceeds 55 dB(A). Interference with speech occurs with levels of 65 dB(A) or more; and hearing damage begins with long-term exposure to levels of 78 dB(A) or more. As a comparison, a vacuum cleaner from 5 feet away has a level of 80dB(A) and a lawn mower is about 100 dB(A) at the operator's ear.

Each of the 20 sites was visited six times, and at each visit the surveyors made 50- readings at 10 second intervals. The sound level exceeded by 10 percent of the 50 readings, or so-called L-10 -noise level, was determined for each visit. The six L-10 levels were then averaged, to get an overall noise level for each location.

Guilderland turns out to be rather noisy for a suburb. The federal Environmental Protection Agency recommends an average level of at most 55 decibels for outdoors in residential areas. Of the 20 locations, 14 had a noise level which exceeded 55 dB(A) at least 10 percent of the time. The Federal Highway Administration design noise level is an L-10 of 70 dB(A). One site studied by the survey exceeded that level.

In order of level of L-10 noise,, here are the 20 locations:

The residence at 2209 Western Ave., home of Grace Weatherby, former chairman of the Guilderland Conservation Advisory Council, had a noise level of 71 dB(A).

—Three sites near Northeastern Industrial Park, one at the entrance, one near the junction of Depot and Stone Roads, and one at the corner of French's Mill Road and

Route 146 in Guilderland Center, all had a noise level of 67 dB(A).

—A knoll by the State University entrance onto Western Ave. in McKownville, and a location on Whispering Pines Way just off Carman Road, both, had a noise level of 65 dB(A).

—The intersection of Old State Road and Kings Road, near the Thruway and next to the newest section of preserved Albany Pine Bush, had a level of 64 dB (A).

—A house on Morningside Drive near Town Hall, a location along Carman Road, and the intersection of Route 146 and School Road in Guilderland Center all had a level of 63dB(A).

—Lydius St. near Carman Road had a level of 62 dB(A); a location at Maple Ave. and Western Ave. in the Village of Altamont, not far from the Enterprise office, had a level' of 61 dB(A.); and the alley behind a house on the corner of Glenwood St. and Western Ave. in McKownville had a level of 60 dB(A).

—A dirt road by the First National Bank of Scotia's branch near the junction of Route 155 and Western Ave. had a level of 56 dB(A), and the intersection of Old State Road and Miller Road, just west of the railroad, had a level of 55dB(A).

The five quietest locations measured by the survey were at Turnpike Lane, off Gipp Road in Westmere, 53 dB(A); the intersection of Settle's Hill Road and Lainhart Road, also 53 dB(A); the intersection of Gardner Road and Voorheesville Road .(Route 156) between Altamont and Indian Ladder Orchards, 52 dB(A); the north end of Gabriel Terrace, just adjacent to the southwest corner of the

Crossgates site, also 52 dB(A); and the intersection of Route 155 and Dr: Shaw Road, 50 dB(A). That last location had the lowest L-10 reading on any one visit, 42dB(A), at 2:29 p.m. on Nov. 14, 1982, a Sunday. By contrast, the highest L-10 reading on any visit occurred at Grace Weatherby's house, 74 dB(A), at 3:35p.m last June 6, a Monday.

The Gabriel Terrace location was also monitored for noise by the consultants for the Pyramid Crossgates Co. in 1978 and found to have an L-10 noise level of 56 dB(A). So the Crossgates results and the results of this newer survey are reasonably close.

The survey is a bit problematical, in that it reports L-10 noise levels, that level of noise which is exceeded 10 percent of the time. But the survey compares those noise levels with the EPA recommendation of 55 dB(A), which is an average noise level, rather than a highest 10 percent noise level.

However, it is safe to assume that when the L-10 noise level is above 60 dB(A), especially along highways, then the L-50 or average noise level is above 55 dB(A). For example, the Crossgates noise monitoring in the vicinity of the Crossgates site showed that L-50, or average noise levels, were between 2 and 6 dB(A) below the L-10 levels, and L-90 levels, levels exceeded 90 percent of the time, were between 5 and 13 dB(A) below the L-10 levels.

Thus for those locations along Western Ave. and Carman Road which had L-10 readings in the low 60s or above, the noise level at those locations probably exceeds the EPA recommendation most of the time. We were unable to examine the raw data to confirm this.

And of course, Grace Weatherby's home on Western Ave. suffers from so much noise that it violates the Federal Highway Administration's L-10 standard.

What Can Be Done?

The report concludes by recommending that "future planning in the town should take into consideration those actions which may increase noise levels in residential areas," and "The town should consider adopting a noise ordinance and enforcing it."

These two recommendations address very different noise sources. A noise ordinance would address controllable sources of excess noise, such as vehicles with defective mufflers,, horns, political campaign vehicles with loudspeakers, barking dogs, outdoor radios, squealing tires, and power mowers before 8 a.m. But the relatively high noise levels found in the Town of Guilderland are primarily caused by heavy traffic along Western Ave., Carman Road and the Thruway, truck traffic heading to and from the Northeastern Industrial Park, and airplane noise. These noise sources are part of the ambience of living in Guilderland.

The main value of the noise survey is to document to the town that it is noisier than it ought to be, and some consideration for minimizing noise levels ought to be included in planning for new subdivisions.

But for those who find their locations noisy, wish to do something, and find that cutting a ditch across Western Avenue or sending the air pilots union out on strike are unfeasible solutions, we have found a possible remedy. The newest Hammacher Schlemmer & Co. catalog includes a 6 by 7 by 9 inch box called the Environmental Sound Machine. For \$132.50 plus tax, you can purchase a machine which electronically

synthesizes four naturally soothing sounds to mask unwanted noise which disturbs sleep and interferes with privacy or concentration. The sounds are called "Rainfall," which can be adjusted between gentle to driving intensity; "Surf I," a gentle rhythmic breaking wave pattern; "Surf II," a random pattern adjustable for rate and range of waves; and "Waterfall," adjustable from light to heavy rushing water. For home, office or travel, the catalog notes.

Or you can move to Dr. Shaw Road.

August 5, 2013

Hi, Don!

You asked if I remembered the ponds behind Stuyvesant Plaza and the answer to that question is "Yes!"

I remember many weekends in the winter walking to the ponds with four or five of my sisters and a brother or two. We played many games of hockey on the areas some kind person had shoveled, and spent hours just sliding on the ice.

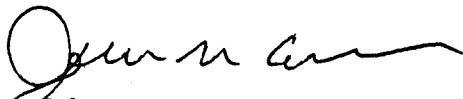
We were not a wealthy family, and none of us had skates of our own. There were a few pairs we all shared. I learned at a young age that I am the worst skater in the world, and was more than happy to forgo my turn with the skates.

It was a place we could play safely, with many of the other kids in the neighborhood. We often brought our dog along, because nothing is funnier than a dog on ice.

I also remember fishing there in the summer, and even catching a few "Sunnies." My younger brother and I would explore the woods and the other pond beyond. That pond no longer exists.

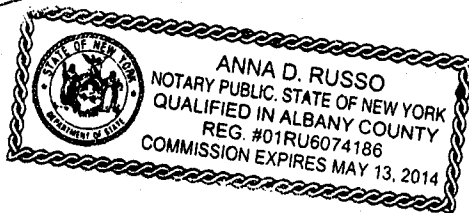
I'm certain that we enjoyed the park land for many years, from about 1957 to around 1965.

Thanks for asking! It was a nice stroll down memory lane.


John M. Carr

ON THIS 9th DAY OF Sept, 2013, BEFORE ME PERSONALLY CAME
John M. Carr
TO ME PERSONALLY KNOWN TO BE THE PERSON DESCRIBED IN
AND WHO EXECUTED THE FOREGOING DOCUMENT


NOTARY PUBLIC



To: File

From: Donald J. Reeb, president McKownville Improvement Association

Date: August 25, 2013

Subject: McKownville Park

The McKownville Reservoir area was used as a park for many years, according to friends and neighbors, before my family moved to McKownville in 1969.

My family returned to our home in McKownville (5 Norwood Street) in 1974 from a year working overseas. The children were then three and five years old. We used the park-reservoir area as it had been used---we ice-skated and enjoyed the land area around the pond. We all learned to ice skate on the Park's pond. About 1978 my family got a dog and together we often took walks through the Park. There are photos of me in a canoe on the pond, taken about 1990.


I remember leading a walking tour of the park area for a community group in the 1990's and using the area for frequent walks, during the 1970's and early 1980's and other times before and after 2006 when the State of New York made a grant for the betterment of the park area.

After Town Supervisor Carl Walters had the area designated a park in 1978, the area continued to be used as a park. "Ice safe for skating" signs provided by the Town appeared along with a "warming hut". A spray fountain was placed in the center of the pond and the fountain "played" daily during the warmer months. Then when the Crossgates-Pyramid shopping mall was approved in the 1980's, storm waters were dumped into the McKownville park pond and the pond became less usable for ice-skating due to Crossgates caused surges of waters into the pond. With the lack of ice-skating, the portions of parkland to the north of the pond were mowed less often though the east end was park like and continued to be used as such. I remember seeing people fishing in the pond at various times during the 1980's, 1990's and early 2000's. The State Department of Environmental Conservation continued to check on the water quality in the pond (it was a Class A "drinking water" pond) and it continued to stock the pond while neighbors continued to use the Park, especially the areas that were maintained and permitted easier walking.

Then about 1998 or so, the Town again began to mow the entire area and I would more often see kids riding their bikes through the park area. Neighbors were seen walking throughout the park area and employees who worked in Stuyvesant Plaza and other nearby buildings were seen leisurely walking the grounds.

The McKownville Reservoir Park area---the pond and grounds surrounding the pond---was used as a park for years prior to 1969 (according to my neighbors). And (by my observation) from 1969 to present the land and pond was used as a park, though more of it in some years than others.

This letter is notarized and I swear that what is written herein was written by me—Donald J. Reeb—and is accurate to the best of my memory.


ALEXANDER P. DALKE
Notary Public in the State of New York
Qualified in Westchester County No. 010461-2425
My Commission Expires June 28, 2014

