

Court holds ruling on Pine Bush

11/9/79 By TOM FRIEDMAN
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A state Supreme Court judge reserved decision Thursday on a case that may determine the future of a multi-million dollar housing development in the Pine Bush area of Albany.

Judge Edward S. Conway said he needed time to study arguments presented by an attorney representing the City of Albany.

The case involves members of an Albany environmental group, Save The Pine Bush Inc., the Albany County League of Women's Voters and the City of Albany Planning Board.

The environmental group members and the league are attempting to halt building of a 171 single-family housing development proposed by Gerald Goldie on 80 acres near Route 155 and Washington Avenue Extension known as "Pine Circle."

The environmental group also has a suit pending in state Supreme Court against the planning board for approval of another Goldie development known as "The Dunes" and one owned by Gulf Management Co. of Jacksonville, Fla. known as "Pinehurst." Both are located in the Pine Bush.

The suits contend the board failed to comply with the 1976 state Environmental Quality Review Act when it approved the developments. Under the act, they contend, the board should have required developers to write an environmental impact statement and should have held public hearings.

The board judged the development didn't warrant such procedure, city officials say.

In Tuesday's hearing in state Supreme Court, an attorney for the groups defended their right to challenge the board's decision. The city has argued that the group failed to follow state law regarding appeals when they filed their suit in September.

Lewis Oliver told Judge Edward S. Conway and Assistant City Corporation Counsel Paul M. Collins that the city has played "a shell game" with his clients, and consequently they had been unable to learn the project was approved. The date of approval is crucial to the group's suit.