

# McKownville focuses on p

## Residents 'lost pride' with reservoir phase-out

By TOM FRIEDMAN  
Staff Writer

Hugh Prytherch recalls how McKownville residents lost pride in 1973 when declining quality forced them to stop taking water from the McKownville Reservoir, which the Crossgates Pyramid Co. now wants to supply its proposed \$85 million Crossgates shopping mall.

"It was our community's water supply, and we had our own water treatment plant next to it on Western Avenue," the 77-year-old former president of the McKownville Improvement Association said last week.

But that wasn't all the residents lost when they stopped using the reservoir located below Stuyvesant Plaza in eastern Gunderland.

"It was always great to tell others how the water came from a spring in the Pine Bush," Prytherch said.

Others, like John Esler, also an active member of the McKownville Improvement Association and the McKownville Water Advisory, maintains he still is proud of the reservoir and its surroundings.

"It is really the only green piece of land that is publicly owned and controlled in entire eastern end of Gunderland. I would hope someday that our children can swim there and that drinking is possible,"

And, Esler noted, interest in the reservoir was reaffirmed in 1977 when McKownville residents voted overwhelmingly not to join the Westmere

Water District, allowing them to maintain control of the reservoir.

Those are some of the reasons the McKownville Improvement Association cited when it asked the state Department of Environmental Conservation two weeks ago to consider the consequences of allowing Pyramid Crossgates Co. to build its proposed mall on the water's source.

At issue, department officials said last week, is whether or not the developers will need to apply for a state Pollution Discharge Elimination System permit. And, according to the company's draft environmental impact statement, "The project could alter the headwaters of the Krumkill, removing its natural channel upstream of P-256, the McKownville Reservoir."

James Vlasto, a New York City-based spokesman for the Syracuse-based company said of the McKownville Improvement Association's request: "We are not surprised or concerned about the request. These things come up, and we expect them. I'm sure the DEC will decide in an amicable way."

But Edward Miller of the department's permit division said last week that department officials are taking the request seriously and will not re-schedule a public hearing on the mall until the issue is resolved.

"It's a very complex question that requires an answer from people with different expertise," Miller said. "We are considering carefully because it

isn't right to require a permit just because a party of interest asked for one."

Miller said the permits are routinely required when it appears a body of water used for recreation or drinking might be polluted by runoff located within its watershed.

"The permit, if issued, would set limits, or what we call parameters on pollution," said Marc Pellegrino, an attorney with the department's Region 4 office.

McKownville Improvement Association members argued at a Dec. 14 session called to schedule the public hearing that the reservoir is still classified by the state Department of Health as a municipal water supply.

That classification, they said, should establish enough justification to require the developers to apply for a permit.

But county and state Health Department official disagree over whether the reservoir has been preserved by state law since residents stopped using it.

"Watershed rules and regulations are considered moot for the McKownville Reservoir," said Richard Svenson of the Albany County Department of Health environmental health division.

Watershed rules prohibit pollution "of any kind" to flow into bodies of water that might be used by the public, said Michael Weinstein, a state Health Department attorney said last week. The rules are administered by the health department.

# ermit need, master plan

## Newly elected board members split on building moratorium

By TOM FRIEDMAN  
Staff Writer

Virginia Horan, newly elected Democratic Guilderland town board member, said Sunday she would call for a halt of construction in the western Albany suburb for eight months so a review of the town's master plan could be made.

Horan said she decided to make public her proposal before taking office Jan. 1 after newly elected Republican John Smircich announced his plans for a similar master plan review last week.

Smircich said Sunday that although he supported Horan's call for a master plan review, he opposed a construction halt because it would be bad for the town.

The two were elected in November on Crossgates platforms that promised to stop building of the \$85 million Crossgates mall in the town's Pine Bush area.

Under her resolution, Horan said, she would ask the town planning board with the assistance of a citizen's advisory committee to review the 10-year-old master plan, an outline of growth for the town.

She said the town needs a review "because the master plan of 1969 is not a current document primarily because roads needed for the development of the town were not built and, traffic on Guilderland's main artery, Route 20, has reached its limit in noise and air

pollution." The mall proposal calls for use of Route 20 as a main avenue for exit and entry.

Horan also cites the the town's need to find more water sources and ending of federal money for sewer construction as reasons for the review.

Smircich said he wanted the town board to hold public hearings on the master plan and the town planning board to reconsider it, with a special emphasis on the Pine Bush section where the \$85 million Crossgates mall has been proposed.

"I don't know if halting all construction in town would be legal," Smircich said Sunday. "And even if it was, I wouldn't support it. We can review our master plan without preventing growth. Why should a developer not related to Crossgates have to hold back?"

"I don't think his approach guarantees to constituents that the Crossgates project will be stop as he has portrayed," Horan said. She added the state Department of Environmental Conservation could make a decision on building permits before Smircich's proposed review was implemented.

Horan said she originally had hoped she and Smircich work together in their fight against the mall.

"I truly hoped that we could come out with a compromise resolution between us, and then get a third vote from [town supervisor Carl] Walters," she said.



HUGH PRYTHERCH

Svenson said he based his opinion on a 1973 county Health Department recommendation that McKownville residents discontinue use of the reservoir and hook up to the Westmere Water District, which buys water from the Watervliet Reservoir.

"Basically, it was the felt the filtration plant was antiquated and the water quality was getting to the point that treatment facility wouldn't treat it," he said of the recommendation.

But Weinstein of the state Health Department believes Svenson's interpretation of the watershed rules and regulations may be wrong.