

Pyramid Counsel: Permit Rules Met

By **STEPHEN GOLDSTEIN**
Gazette Reporter

GUILDERLAND — The chief lawyer for the Pyramid Crossgates Co. asserts his client now is entitled to the 11 state permits it seeks for a regional shopping center because Pyramid has provided all necessary information for those permits.

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"We strongly believe that the complete record establishes clearly at this juncture that no further evidence is required with respect to any substantive and significant issue," Donald S. Snider wrote Friday to Robert F. Flacke, commissioner of the state Department of Environmental Conservation.

Flacke must decide by tomorrow whether to reopen the public hearing on the permits, turn down the applications or ask for still more information. The public hearing last year produced more than 17,000 pages of testimony during more than 80 sessions. Last Nov. 28, Flacke gave Pyramid six more months to answer his questions about air quality issues in the proposed \$85 million project.

The predicted air quality at the intersection of Western Avenue and Schoolhouse Road was one of those remaining issues. In his letter, Snider noted that

eastbound traffic on Western Avenue would stop at a traffic light where southbound traffic comes off the Northway, thus reducing the predicted air pollution results at Schoolhouse Road, farther east.

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He also points out the Schoolhouse Road measurements should be recorded on the south side, not the north side, of the Mechanics Exchange Savings Bank because the bank uses an entrance on the south side and intends to use the north entrance only for emergencies. Pollution predictions, Snider cited in the state regulations, should be measured where people are likely to be exposed to air pollution.

Considering the changes that the state DOT has said it could make, the Crossgates project could meet air pollution standards, he added.

Snider, in his letter, also asserted there was no need for more public hearings, citing a revised section of state regulations: "Mere expression of opposition to a project or unsupported" conclusions about violations of the regulations or "adverse environmental impact" are insufficient grounds for holding a public hearing on the permit applications."