

TOWN OF MALTA

**Public Hearing on
Second Supplemental Generic Environmental Impact
Statement and Proposed PDD Amendments
as submitted by GLOBALFOUNDRIES US, Inc.**

LOCATION AND TIME:

March 25, 2013 at 6:50 p.m.

Malta Town Hall
2540 State Route 9
Malta, New York 12020

TOWN BOARD MEMBERS PRESENT:

Paul Sausville, Supervisor
Glenn Rockwood, Deputy Supervisor
Tara Thomas
Maggie Ruisi
Peter Klotz
John Hartzell

ALSO PRESENT:

Flo E. Sickels, Town Clerk
Thomas Peterson, Town Attorney
Anthony Tozzi, Building and Planning Director

**Karen E. Hand
Official Supreme Court Reporter
625 Sunny Lane, Ballston Spa, New York 12020**

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2 **MR. SAUSVILLE:** I want to welcome you all
3 formally to the hearing.

4 As I mentioned, Karen Hand is here to
5 take notes on your statements, so I guess the
6 first and only speaker is Carol Henry.

7 Carol, please come to the podium and give
8 us your feedback.

9 **MS. HENRY:** Good evening. My name is
10 Carol Henry. I'm here tonight representing the
11 LFTC Community Response Board.

12 Our comments, even though this is about
13 the, for the amendment, our comments are for the
14 Draft Supplemental Environmental Impact
15 Statement, so I'm hoping that they will be able
16 to be rolled forward to the next public hearing
17 because I can't attend the next hearing.

18 So, I do have a letter that I will be
19 handing over once I'm finished reading.

20 On behalf of the LFTC Community Response
21 Board, thank you for the opportunity to provide
22 comments on the Draft Supplemental Environmental
23 Impact Study submitted by GLOBALFOUNDRIES. The
24 Committee has reviewed the Supplemental
25 Environmental Impact Statement and wish to offer

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1 the following comments for consideration.

2 Under Noise Analysis. The committee
3 agrees that the construction noise was addressed
4 adequately in the previous SEIS and the
5 construction team quickly addressed concerns and
6 complaints during the construction period.
7 Significant noise problems developed during the
8 startup of the facility, and while
9 GLOBALFOUNDRIES has completed two mediation
10 projects and are designing a third project,
11 production noise still is a problem. The report
12 states that GLOBALFOUNDRIES will be incorporating
13 lessons learned from the previous project and
14 will be incorporating the modifications into the
15 new design. However, no detail is given, and it
16 must be noted that the modifications still have
17 not solved the problem.

18 Are they changing the CPS model, which is
19 the continuous power system? If so, are any used
20 locally so that we can go and visit the
21 installation?
22

23 What about the building structure
24 material (masonry as opposed to metal)? They're
25 still talking about using metal buildings and,

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2 during our meetings with GLOBALFOUNDRIES, they
3 had talked about masonry being a better sound
4 absorber.

5 More detail on the construction of the
6 building is needed.

7 Was consideration given to installing the
8 units underground, which was also mentioned
9 during our many meetings with GLOBALFOUNDRIES?

10 Has the topography been studied in the
11 new location? Stillwater neighborhoods may be
12 more directly impacted with the location of the
13 new electrical services building.

14 Has there been any computer modeling done
15 to anticipate potential impacts?

16 No changes are made to the noise
17 monitoring station and the established
18 thresholds. As noted in numerous meetings
19 regarding the CPS noise, the monitoring stations
20 are located on the property line edge and are
21 located in gullies. It has been demonstrated
22 that the noise reaches neighborhoods at its high
23 points.

24 Can the locations and thresholds be
25 modified to allow more flexibility to adjust for

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2 problem areas that may arise? We suggest that
3 testing be allowed for monitoring offsite at the
4 point of complaint as needed.

5 In addition, we applaud GLOBALFOUNDRIES
6 for measuring octave bands in its latest noise
7 monitoring reports since it better measured the
8 complaints heard within the neighborhood. The
9 band reading monitoring should be included in the
10 SEIS, as well as the establishment of compliance
11 thresholds for actions for acoustic and octave
12 bands and required action if the thresholds are
13 broken. Include a process for investigating,
14 measuring and mitigating noise. What is the
15 acceptable variance from 100 percent? What about
16 financial compensation for property value loss?

17 Under Traffic Analysis, the report
18 updated the overall traffic analysis through the
19 town as requested by the Town Board since the
20 original study did not reflect the current
21 traffic conditions and upgrades done. The CRB
22 feels that the analysis glosses over problem
23 areas and does not adequately address the impact
24 this growth has had on the community. General
25 questions on the data include:

**Karen E. Hand
Official Supreme Court Reporter
625 Sunny Lane, Ballston Spa, New York 12020**

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2 How did they determine AM and PM hours?
3 Peak PM should run for a longer period of time
4 since the end time does not accurately reflect
5 commuters coming home from the Albany and
6 Schenectady areas.

7 Do data counters have a time stamp or
8 just a total count within the specified time
9 period?

10 How are the percentages calculated for
11 trip distribution? The rate of use at Hermes
12 Road appears to be higher than what is stated.

13 Can shifts at the different buildings be
14 staggered to eliminate some of the stacking at
15 the various intersections at both peak and off
16 peak times? Page 15 of the Traffic Analysis
17 includes consideration of check points to
18 distribute construction traffic. Can the check
19 points be used to also distribute worker traffic?

20 The report defines Hermes Road as one of
21 the key entrances into the facility. Local
22 residents have long fought to exclude this road
23 as a main entrance to the tech campus. During
24 the initial Environmental Impact Statement, there
25 was discussion about keeping this entrance for

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2 emergency access only. While the CRB
3 acknowledges that access is needed for the
4 facilities along Hermes Road, it is suggested
5 that access be better controlled between GF and
6 the rest of the campus through the use of a
7 security gate or some other measure such as an
8 emergency barrier.

9 During the initial discussions for LFTC,
10 it was proposed that permanent barriers be
11 installed with access only for emergency
12 vehicles, and we ask that the Town consider this
13 option again. It would prevent commuter traffic
14 going along Hermes Road and Dunning Street.

15 The CRB acknowledges that development
16 around the area has had a large impact on the
17 traffic on Dunning/Plains Roads, but there needs
18 to be consideration for the protection of the
19 existing neighborhoods.

20 Mitigation measures are needed to steer
21 traffic to Stone Break Road and the Route 67
22 entrances and away from Hermes Road. Neighbors
23 have difficulty exiting local neighborhoods onto
24 Dunning and Plains, particularly in the evening
25 hours. Appendix H, page 103, mentions an

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2 alternate access to the NYSERDA from Route 9 such
3 that Dunning Street would no longer be the main
4 access point. These and other alternatives
5 should be explored.

6 GF is suggesting mitigation at various
7 roundabouts and street intersections to improve
8 traffic flow. Who would pay for these
9 improvements and who would be responsible for
10 maintenance? While the mitigation measures would
11 speed traffic through these intersections and
12 roundabouts, they appear to defeat the intentions
13 of the recent downtown district for a more
14 walkable town.

15 The DSEIS is light on mass transit
16 options. CDTA offered bus service in 2011, but
17 many feel that the line was installed too soon.
18 Targeted mass transit should be studied further.
19 Has a study been done to see where the workers
20 live? This type of study could be used to
21 develop targeted mass transit systems. It was
22 pointed out that many residents of Chapel Hill --
23 that's on East Line Road in Ballston -- work in
24 LFTC. If a shuttle service were set up from
25 Malta Mall, it would decrease the number of

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2 vehicles along Round Lake Road. This section of
3 Malta has also experienced tremendous growth and
4 increased traffic pressures because of the
5 development in the town and outlying towns.

6 The study reinforces the need for Exit
7 11A since many of the town's intersections are
8 reaching failing grades by DOT standards. Exit
9 11A will provide a more direct and faster route
10 into the campus and take pressure off of the
11 secondary roads. The process needs to start now.
12 There is a concern that if the Exit 11A trigger
13 is removed from the EIS and from the PDD, there
14 will be little political and economic pressure to
15 develop this interchange. Mitigation of the
16 roundabouts takes away the incentive.

17 Has there been a review of the facility
18 emergency plan for the evacuation of LFTC
19 personnel? Are vehicles directed away from the
20 residential areas, particularly in Luther Forest,
21 in order for safe evacuation of the surrounding
22 neighborhoods?

23 Visual Impact. GLOBALFOUNDRIES has
24 requested an increase in overall height from
25 110 feet to 125 feet for stacks and other -- and

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2 I cannot pronounce this word -- buildings. The
3 revised visual impact study better illustrates
4 the impact of view from the lake and Stillwater
5 neighborhoods; however, further detail is needed.
6 The other structures that could be on the roof go
7 anywhere from penthouses, rooftop units and other
8 mechanical equipment. And it's a lot different
9 than looking at a single stack.

10 Also, as seen from the other buildings,
11 stacks tend to be clustered together, so the
12 visual impact will be more pronounced. Also, as
13 written, the revised language would allow the
14 main building to be constructed to 110 feet, thus
15 making the main building visible at the current
16 tree line. Does the law allow for mitigation
17 fees to be imposed and for the money to be used
18 to improve other view sheds within the town?

19 Will the construction of the upgrades to
20 power and gas impact Dunning Street traffic?
21 GLOBALFOUNDRIES has recently been granted sales
22 tax relief through the County IDA. What is the
23 impact on the finances of the town and county?
24 What is the financial impact of additional
25 commuters and trucks on town and county roads?

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2 What about financial impact on the emergency
3 services?

4 Finally, the tables of the modeling data
5 on fluoride, chloride and hydrochloric acid data
6 discharge are very hard to read. We ask that the
7 data be formatted into a simpler table with
8 annual discharges -- current model, full build
9 model and DEC limits. We recommend that the
10 report state DEC monitoring locations and the
11 frequency in which the monitoring takes place.
12 We are particularly concerned with the chlorine
13 level which appears to be close to acceptable
14 levels.

15 We thank the Town Board for their
16 continued support of the CRB and look forward to
17 working with the Town and GLOBALFOUNDRIES to
18 develop a project that meets the needs and
19 concerns of all involved.

20 Sincerely, LFTC Community Response Board.

21 **MR. SAUSVILLE:** Thank you, Carol.

22 Carol, as she indicated, is Chair of the
23 Community Response Board. I think there's ten
24 members altogether on your Board?

25 **MS. HENRY:** There's about ten members.

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2 **MR. SAUSVILLE:** These are citizens that
3 meet with Carol and meet with the applicant to
4 address various issues.

5 Before I open this up for any last minute
6 public comments, I did overlook Matt, and I
7 wanted to give him an opportunity to kind of set
8 the stage as to why we're here tonight. We're a
9 little bit out of order, Matt, but it's never too
10 late for you to give us your remarks.

11 **MR. JONES:** Not at all. Thank you, Paul,
12 and members of the Board and members of the
13 public.

14 I'm Matthew J. Jones of the Jones Firm.
15 I'm the attorney for GLOBALFOUNDRIES, and I'm
16 pleased to have the opportunity to address you
17 this evening.

18 If there be no other public comment, I
19 know that you have seen these slides a dozen
20 times perhaps and probably don't have much desire
21 to see them again, so I'll forego or be as
22 exhaustive as you'd like in going through a
23 presentation.

24 Just one procedural element that I just
25 want to take a moment to clarify for the public

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2 and for the Board, and that is with respect to
3 the public hearing that is scheduled on this
4 evening's agenda. It's in connection with the
5 proposed PDD amendments, and under the Town's
6 local law, as you know, any change in the PDD
7 requires a public hearing and we're prepared this
8 evening to discuss the changes in that PDD.

9 As you may have seen in the newspaper,
10 the intent was also to have a public hearing this
11 evening on the SEQRA revised SSDEIS submitted by
12 GLOBALFOUNDRIES in support of the PDD amendment
13 application. This is the document which
14 constitutes the outline of the potential
15 environmental impacts flowing from a change in
16 the project from previous SEQRA records to what
17 is currently proposed by GLOBALFOUNDRIES.
18 However, the newspaper published the notice only
19 13 days before this hearing instead of the 14
20 days as required by law. Therefore, the SEQRA
21 portion of the public hearing has been re-noticed
22 for April 15, 2013 to ensure compliance with the
23 notice provisions.

24 However, if anyone is here to speak about
25 the PDD and wishes to speak about the SSDEIS,

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1 those comments will be received and will be
2 included in the record for SEQRA purposes.

3 So, with that procedural aspect just out
4 of the way, I'm pleased to talk about the PDD
5 amendment and show you the 15 slides or so.

6
7 **MR. SAUSVILLE:** I think it would be
8 helpful. The press is here and the students are
9 here and many citizens. I think it would be very
10 helpful for them to get a good firsthand grasp of
11 what's proposed.

12 **MR. JONES:** Sure. GLOBALFOUNDRIES is --
13 and I'll try to find a way to speak with
14 everyone -- is, as you'll see on the screens
15 above, in the situation that you see it on this
16 screen from some distance. And moving in closer,
17 you see what now is Administrative Building
18 No. 2, together with FAB 8.1 and the support
19 buildings and the central utility building and so
20 forth. That's how it looks today.

21 What we did in October of 2012, is we
22 came before the Planning Board and proposed and
23 sought approval for the Technology Development
24 Center or TDC. That was a project approved last
25 fall and when it's completed, it will look as we

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1 depicted it in this rendering here. The
2 construction on the TDC, as the Town Board is
3 well aware, is scheduled to begin any day now and
4 proceed from there over the summer months and
5 into the fall.
6

7 What drives this application and in this
8 SEQRA analysis, the SSDEIS, is what we have
9 proposed for 8.2, which is in the orange on this
10 slide, and that is what will become the third FAB
11 of the three that are approved in the legislation
12 of the Planned Development District.

13 So, FAB 8.1, and then the TDC being the
14 second FAB, as you have defined it in your law,
15 and 8.2 being the third.

16 When it's all completed, it will look as
17 this rendering depicts it. That's kind of the
18 mass and scale of it, but obviously the details
19 will be added during the process as we go
20 forward. But it is a significant addition to the
21 campus; the third of the three FABs permitted by
22 your legislation.

23 In order to do that, GLOBALFOUNDRIES has
24 asked that you consider four plan development
25 district amendments. Two of those are contained

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2 in the red line versions that you see before you.

3 The first of which is to allow the
4 fabrication footprint of the building to increase
5 from 525,000 square feet to 575,000 square feet.
6 So, that's the FAB in and of itself, the
7 footprint of that.

8 The second is to remove from the PDD the
9 maximum required requirement of 300,000 square
10 feet in clean room. We don't think that's a
11 metric that makes much sense anymore. We think
12 that the building size and its configuration is
13 the better approach. We are in the third and
14 final, as the law requires, of the three FABs, so
15 we don't think that that really makes much sense.

16 This FAB, as we envision it, FAB 8.2,
17 would be some 475,000 square feet of clean room,
18 compared with 300,000 square feet, which has been
19 constructed at 8.2 and 90,000 of clean room,
20 which is the Technology Development Center.

21 By comparison, so we have the one that we
22 originally contemplated, 8.1, 300,000 square
23 feet; the TDC when constructed of 90; and the
24 larger one at 8.2, some 475,000 square feet of
25 clean room. A total of 865,000, which is a

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2 little bit less than we contemplated when we came
3 before you in 2008; that being three equally
4 sized FABs of 300,000 square feet each.

5 So, that's the first two of the changes.

6 The third change is to allow for rooftop
7 appurtenances; in this case stacks, as we
8 contemplate them, to go up another 15 feet beyond
9 what is currently allowed by the law. We don't
10 propose any difference or change in the height of
11 the buildings, which would be 110 feet, similar
12 to the two buildings, 8.1, which is there now,
13 and the TDC, which will shortly be under
14 construction. But the stacks which will be on
15 top -- and you can see those currently on 8.1.
16 If you look fairly closely, you will see stacks
17 at various points along 8.1, and they will be in
18 TDC, as well.

19 On the rendering here for 8.2, you will
20 see them again on the sides of the building.
21 These we propose to extend 15 feet higher, and
22 there are good and sufficient engineering reasons
23 to do that, all having to do with air dispersion
24 on top of the building.

25 So that we think is a fairly nominal and

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1 insignificant change to PDD; that being the stack
2 being 15 feet higher than it is currently.
3

4 And we have provided for the Town Board a
5 visual impact study for its review under the
6 SSDEIS.

7 **MR. HARTZELL:** Matt, by air dispersion
8 you mean?

9 **MR. JONES:** That is -- the FAB obviously,
10 during the process, is producing emollients that
11 are dispersed into the air. So, when they come
12 up through the stacks, we want them to get up
13 into the atmosphere higher, so they're not
14 refiltered back into the FABs themselves.

15 So, the fourth change is the one for
16 which there is a traffic impact study, and that
17 is the removal of the requirement of Exit 11A;
18 that it be constructed prior to the issuance of a
19 certificate of occupancy for the third FAB. That
20 is something, as the Town Board is aware, there
21 are no current plans under way for construction
22 of Exit 11A.

23 So, because that is a condition for a CO
24 for any third FAB to be constructed at the site,
25 we have proposed alternate mitigation. And that

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1 mitigation involves improvements at a number of
2 intersections, including Exit 11A, the
3 intersection here at Route 67 and the bypass and
4 Route 9, Dunning Street here at the corner, the
5 main intersection in the town of Malta coming off
6 the Northway here at 67 and Route 9, and up on
7 Route 9 and Malta Avenue, and finally at East
8 Line Road and Route 67. So, those five
9 intersections with mitigation, with various
10 mitigation throughout, as we have detailed it in
11 the SSDEIS, we have proposed that as an alternate
12 or substitute mitigation for the construction of
13 11A.
14

15 So, that's the fourth of the four.

16 In summarizing, we don't change from the
17 clean room, we propose to eliminate the 300,000
18 square feet, and we propose a change in the
19 footprint of the FAB from 525,000 to 575,000. We
20 don't propose any change in the overall footprint
21 of the three FABs. So, they all remain within
22 980,000 square feet as that law was amended in
23 2008.

24 No change to the building height per se,
25 but a change in the appurtenances. Those are the

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2 stacks. And a change from Exit 11A to the
3 mitigation that we've offered up in that.

4 Those are the four.

5 With regard to the SEQRA public hearing
6 on the SSDEIS, we'll conduct that public hearing
7 a little bit later in April, and the reason for
8 all of this, and the environmental impact
9 statement that you have required when you adopted
10 your resolution on March 7th, has to do with the
11 fact that there are changes to the PDD that we're
12 proposing. And that is the reason for, and the
13 Town Board has accepted that reason, requiring
14 the production of the environmental impact
15 statement.

16 So, that's why we're doing this whole
17 process, to study those things which are
18 different in the proposed legislation that exists
19 under current law. And that's what that process
20 is about.

21 **MR. SAUSVILLE:** Thank you, Matt. We're
22 going to be wrapping up the public hearing in a
23 moment or two. We had just one person sign up to
24 speak. Is there anyone else that wishes to speak
25 at this point in time?

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SPECTATOR:: Yeah, I'd like to speak.

MR. SAUSVILLE: Norm, you're going to speak a little bit later. We're talking right now about the public hearing on the FAB 8.2 over in the Forest.

MS. MAROTTA: (Indicating).

MR. SAUSVILLE: Just go to the podium and state your name.

MS. MAROTTA: Hello, I'm Carol Marotta, 21 Pine Ridge Road in Stillwater. I am a member of Stillwater Planning Board; however, this evening I'm here representing myself.

As you know, I have been involved from the beginning. I want to thank Carol and the CRB for their awesome comments, and appreciate the inclusion of Stillwater's impact regarding the topography there. It's a very valid comment.

I'm going to just address the PDD amendment. The stacks and the height in the town of Stillwater, at our last Planning Board meeting when this was discussed, we did request, you know, a little more information on stack height. That if these stacks are going to be visible, and if higher stacks could possibly improve air

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2 quality for us, then we would like to have that
3 investigated. So, one of the amendments involves
4 the stack height, so there is some other
5 information that may be requested.

6 It is also tied into the alternatives for
7 the siting of FAB 8.2. The applicant has said
8 that they want to keep it there, so that it's in
9 a straight line, rather than in more of a fan
10 formation. However, if the siting were returned
11 to the original fan type siting, rather than in
12 the straight line, it would pull FAB 8.2 away
13 from the edge of the property where the property
14 drops off into pretty substantial ravines.
15 That's the reason why the FAB and the stacks are
16 visible from Saratoga Lake is because of the
17 topography. If you push it back, the visual
18 impacts will disappear. So, I think that the
19 alternatives should be at least examined to see
20 if it is doable.

21 The explanation is that it's the easiest
22 and least expensive. So, I'm not sure that
23 that's really a valid concern.

24 Matt, wondered if you had the new
25 enlargements for the visual impact from Riley

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2 Cove and Snake Hill? I think that might be
3 helpful for the audience to see because at the
4 last presentation they were not available. You
5 just had little bubbles, and so that would be
6 helpful. Because this whole issue ties in with
7 the PDD amendment. Whether you grant that
8 height, it's kind of then locked into the current
9 suggestions.

10 Regarding the traffic mitigation, I also
11 feel that it would not be the right move to give
12 up on 11A. Once it's out of documentation, it's
13 pretty much "out of sight, out of mind" and not
14 part of the mix. I truly believe that when this
15 LFTC was designed, that was put in there for a
16 very good reason -- to get the traffic directly
17 to the site and to keep it off the local roads.
18 Some of the options for spreading the traffic
19 around instead of Exit 11A, I think those of us
20 who drive these roads know that they're not
21 really adequate solutions because we are going to
22 have additional development.

23 With LFTC, the GLOBALFOUNDRIES will be
24 drawing more people and we can't give all
25 capacity to 8.2. It's not the right thing to do,

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2 and it's going to make it much more difficult for
3 the Town of Malta, Stillwater, Ballston,
4 everyone, to deal with the traffic.

5 So, yeah, it may not get built for ten
6 years, but I think we still have to keep it in
7 the mix and have movement toward it. Whether
8 it's designing it, going ahead with getting the
9 property, whatever is required for longterm
10 planning. I think it would be very shortsighted
11 to just put in turning lanes and, you know, add
12 extra turns.

13 So, I think traffic was something that
14 really needs to be readdressed, as well as the
15 height issue.

16 Matt, do you have those slides, going
17 back to --

18 **MR. JONES:** They're actually in the
19 revised SSDEIS. I don't have slides of them,
20 but --

21 **MS. MAROTTA:** Oh, okay.

22 **MR. JONES:** -- but in the books that the
23 Town Board has.

24 **MS. MAROTTA:** Okay. Well, definitely
25 take a look. I do appreciate the revisions to

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2 the visual analysis, as well as some traffic
3 further upgraded. So, I did make comments on the
4 SDEIS, and I will make sure I get a copy of it.

5 **BOARD MEMBER:** Your comment about the
6 visual impact going away if you adjust the
7 position of the building? What's the basis for
8 that? Was there some visual impact model?

9 **MS. MAROTTA:** Oh, yeah. If you could put
10 up the first picture, it shows like a real
11 thingy.

12 Okay, yeah, that first one. This one
13 right here. This is like a superimposed on our
14 environment. It's kind of off. The pictures in
15 the book actually show this part in more detail.
16 And there's a big drainage ravine here
17 (indicating) and it kind of forks off.

18 There's actually state wetlands over here
19 (indicating). The property falls off this way,
20 and it kind of parallels Cold Spring Road in the
21 Town of Stillwater.

22 So, by siting this pushed up here,
23 whereas if it were pulled back here (indicating),
24 it avoids this. You can see how this plane --
25 this is Saratoga Glen, and this is Saratoga Ridge

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2 and here's 9P (indicating). So, those are
3 Stillwater neighborhoods and, as Carol mentioned,
4 they will be more significantly impacted.

5 **MR. SAUSVILLE:** Carol, is there any more
6 that you wanted to show?

7 **MS. MAROTTA:** No, that's it.

8 **MR. SAUSVILLE:** Any other folks that wish
9 to make a statement?

10 If not, I will chose the public hearing
11 and just state that it's 20 minutes after seven.
12 I will adjourn our special meeting.

13 (Whereupon there was a motion made and
14 seconded to adjourn the special meeting of the
15 Town Board.)

TOWN OF MALTA

**Public Hearing on
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Statement and Proposed PDD Amendments
as submitted by GLOBALFOUNDRIES US, Inc.**

LOCATION AND TIME:

April 15, 2013 at 7:00 p.m.

Malta Town Hall
2540 State Route 9
Malta, New York 12020

TOWN BOARD MEMBERS PRESENT:

Paul Sausville, Supervisor
Glenn Rockwood, Deputy Supervisor
Tara Thomas
Maggie Ruisi
Peter Klotz
John Hartzell

ALSO PRESENT:

Flo E. Sickels, Town Clerk

**Karen E. Hand
Official Supreme Court Reporter
625 Sunny Lane, Ballston Spa, New York 12020**

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2 **MR. SAUSVILLE:** The next matter before
3 the Town Board is the public hearing. We have
4 Karen Hand here. She's a court stenographer.

5 This is the second hearing that we've had
6 on the topic. The other one was held, I believe,
7 March 25th.

8 We've had one public hearing and this is
9 the second one that will open up in a minute or
10 so. And then there's also an opportunity for
11 written comments that will close April 26th, is
12 that right, Matt, the written comment period?

13 **MR. JONES:** Yes, sir.

14 **THE COURT:** With that, I'll open up.
15 It's a public hearing, and we'll ask Matt Jones
16 if he would summarize a little bit where we are
17 with the project and set the stage for the
18 hearing comments.

19 **MR. JONES:** Surely. I am Matthew J.
20 Jones. I'm an attorney with The Jones Firm in
21 Saratoga Springs, and I represent the applicant,
22 GLOBALFOUNDRIES, represented here tonight by
23 Steve Groseclose and -- just you and I?

24 **MS. HOLTZBERGER:** We're right here.

25 **MR. JONES:** There's John Muncy of C.T.

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2 Male, Wendy Holtsberger of Creighton Manning, and
3 Art Caplan behind them from M&W. Did I miss
4 anybody?

5 So, this is the public hearing on the
6 SSDEIS tonight scheduled by the Town Board
7 pursuant to Town Board resolution, and its
8 function is to address that document, the Second
9 Supplemental Draft Environmental Impact
10 Statement, that the Town Board reviewed and found
11 complete at a Town Board meeting roughly 30 days
12 or so ago. It is that bound volume of material
13 that provides the environmental analysis for the
14 four PDD amendments that the applicant has
15 requested.

16 Succinctly stated, those four amendments,
17 two of which relate to the metrics of the
18 building that are proposed at the site, and that
19 is that we propose for Fab 8.2 a footprint that
20 would be larger than is currently permitted by
21 the law, the local law, the PDD in the town of
22 Malta, which currently constrains the footprint
23 for the FAB to 525,000 square feet, and we
24 propose FAB 8.2 to be as much as 575,000 square
25 feet in footprint.

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2 In addition, the FAB will be larger for
3 cleanroom than the law currently allows.

4 The 8.1, which is the first fully
5 constructed FAB in the campus, has a cleanroom
6 space of roughly 300,000 square feet, and that's
7 the maximum permitted under the 2008 PDD
8 amendments.

9 The second one, which is now under
10 construction, the Technology Development Center
11 or TDC, is a smaller FAB. Its square footage
12 totals roughly 90,000 square feet of the 300,000
13 permitted.

14 But the third, 8.2, will approach 475,000
15 square feet of cleanroom space. So that will be
16 larger than the 300,000.

17 Arithmetically, when you add up the
18 cleanroom space for the three FABs, they are less
19 than the 900,000 that's permitted by the
20 legislation, but the third one is larger than the
21 300,000. So, a change in the cleanroom space and
22 the size, the footprint of the FAB.

23 Those first two, and then the third one
24 would be the building height, which is now
25 permitted at 110 feet in LFTC, in the Luther

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2 Forest Technology Campus, and we propose in 8.2
3 to preserve that for the building height itself,
4 but to allow roof top appurtenances, or in this
5 case stacks which are on top of the roof, to
6 extend up another 15 feet to 125 feet.

7 So, that requires an amendment to the
8 local law and that's needed for the construction
9 of 8.2.

10 The fourth and final amendment has to do
11 with Exit 11A, which is currently a requirement
12 in the local law in the PDD. Exit 11A is
13 required upon one of two things happening; one of
14 which is the construction, actually the issuance
15 of a certificate of occupancy for the third FAB,
16 and that would be, if constructed, 8.2.

17 So, before a CO could be issued for 8.2,
18 Exit 11A would have to be constructed.

19 Our client, GLOBALFOUNDRIES, has asked
20 for the Town Board to review and take action on
21 the PDD amendments by June 30th, with the
22 expectation that all the zoning would be in place
23 that would allow them to move forward with site
24 plan approval and a building permit.

25 As you know, the GLOBALFOUNDRIES has not

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2 committed to advancing the project at this point,
3 but they have asked that all of those tools be
4 ready to go should that announcement come.

5 Exit 11A is a much, much, much longer
6 process for planning and ultimate construction,
7 and it's very unlikely that those things could
8 ever marry up. So, we've asked that Exit 11A be
9 removed as a condition for the occupancy of the
10 third FAB and, in its place, that the Town Board
11 permit the construction of some eight mitigation,
12 or some six traffic mitigation measures at
13 various intersections: Exit 11A, the
14 intersection on Route 9 of the bypass here out at
15 Dunning Street, at Malta Avenue Extension and at
16 Eastline Road. So, some traffic mitigation, to
17 use a term of art, under SEQRA to bring those
18 intersections and so that they would meet the
19 standards set by DOT and alleviate the need for
20 Exit 11A.

21 So, succinctly put, those four amendments
22 to the PDD are what the environmental analysis is
23 all about and that's the process that we're in
24 now.

25 When we conclude the public hearing,

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2 there is an additional time for the public to
3 submit written comments.

4 I think that fairly summarizes.

5 **MR. PLAINTIFF:** Very good, Matt. Thank
6 you very much.

7 This is a public hearing, it's not a Q
8 and A, or anything of that nature. If you have
9 made statements earlier at the earlier public
10 hearing, it's not necessary that you repeat
11 yourself. If you have submitted written
12 comments, those are already part of the record,
13 and that's not necessary to resubmit those, as
14 well.

15 But if you'd like to make a statement
16 tonight, please come to the podium, identify
17 yourself, your address, and give us your
18 comments.

19 Anybody wish to start?

20 **MR. SMITH:** Yes, I do. I'm Mike Smith.
21 I'm not from Malta, I'm from Burnt Hills,
22 ten miles away. Moved here 36 years ago because
23 Burnt Hills was a nice place, quiet. Route 50 --
24 I have an auto shop there -- twice a day,
25 horrendous. I came from St. Lawrence County, but

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2 I lived on Long Island, too, so I've seen both,
3 and I hate that one from Long Island.

4 We have septic systems, we don't have
5 sewers. It's going to cost millions. They're
6 going to flood us right out because the influx of
7 people coming here, most of them people, those
8 4000 or so hired, they're all outside people.
9 I'm not prejudice against any people, but they
10 all are going to have brand new housing, and it's
11 not going to be much green left. And I just hate
12 to see it happen.

13 I'm adamantly opposed to these huge
14 things. Maybe I'm getting old, but I just hate
15 to see it happen for my grandchildren. I think
16 they're going to get pushed out. They're going
17 to have to move out of Burnt Hills, and I just, I
18 can't help it. I just don't like the idea of
19 GLOBALFOUNDRIES from day one, and that's all I
20 can say about it. Thanks.

21 **MR. SAUSVILLE:** Any more public comments?
22 I think the microphone might be off.

23 **MS. LAWRENZ:** Hi, my name is Cathy
24 Lawrenz, I'm from Manning Cove, and my question
25 is, is the 11A exit totally off the books if this

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1 is passed or can be considered in the future?
2 Because the traffic has gotten very heavy in this
3 area. I no longer use this Price Chopper, so I
4 think the merchants might be concerned about, you
5 know, after all is said and done, how busy it's
6 going to be here.
7

8 Is that totally off the books?

9 **MR. SAUSVILLE:** I think that was
10 explained a little bit earlier by Mr. Jones.
11 It's not off the table. It's just not something
12 that's going to happen in the next immediate
13 future, let me put it that way. There's going to
14 be a process, a study of the feasibility.

15 **MS. LAWRENZ:** Is there a process whereby
16 if the Town feels they need it, they can discuss
17 it with GLOBALFOUNDRIES, or how does that work?

18 **MR. SAUSVILLE:** The recommendation is
19 that there be a process to discuss that with
20 GLOBALFOUNDRIES.

21 **MS. LAWRENZ:** Okay. Then my second issue
22 is with the height of the building. I live on
23 the lake. A lot of the folks on the lake aren't
24 here in town right now, so they haven't had a
25 chance to comment on this, but I really, I pay an

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1 awful lot of money in taxes, and I don't want to
2 see a factory or stacks, and I would hope that
3 that would be part of the consideration. There's
4 many people on the lake that I'm sure will be
5 concerned with it, as well.
6

7 That's what I would like to add.

8 **MR. SAUSVILLE:** Thank you. Other people
9 that would like to make a statement?

10 **MR. GOTTMANN:** My name is Steve Gottmann,
11 I live at 22 Highland Drive in Malta, also on the
12 lake.

13 As it is now, from sitting out on my
14 deck, I can see the stack from -- not the actual
15 stack, but the plume when the factory is running,
16 and I don't see how a small stack is going to
17 make a difference to the effect that it has
18 visually on me.

19 I'm also in support of the project and
20 GLOBALFOUNDRIES, and I appreciate the Town's
21 efforts to accommodate them, and I think that
22 the, as I see it, the major issue is the traffic
23 mitigation and, you know, I'm looking forward to
24 hearing greater information regarding that.

25 But one of the things that I view it as

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1 is there's two sides to this. Everybody
2 complains about the traffic, but we've just been
3 through an extensive moratorium in the Town and
4 came up with a new downtown and, you know,
5 complete streets planned and all this stuff, and
6 traffic is what's necessary to drive business.
7 Now, we want to do that in a positive way, and I
8 know the town is working towards that, but the
9 worst thing that we can have is an empty FAB and
10 empty buildings. And I appreciate the efforts to
11 promote growth and opportunity here for the
12 residents and the children in the future in the
13 Town of Malta.

14 Thank you for your time, I appreciate it.

15 **MR. SAUSVILLE:** Thank you. Are there
16 other people that would like to make a statement?

17 If there's no one else -- yes, sir, come
18 right up.

19 **MR. BARSHIED:** Good evening. I'm Bob
20 Barsheid. I'm Chairman of the Planning Board in
21 the Town of Stillwater. I'm also a retired
22 engineer, so I have 40 years of practicing
23 experience.

24 It's been a pleasure to work with Malta
25

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2 on this project for a long time and, similar to
3 the Malta Planning Board, the Stillwater Planning
4 Board voted unanimously to recommend approval of
5 this project. Now, that doesn't mean a blanket
6 approval.

7 I have submitted some written questions,
8 environmental in nature, and from the Town of
9 Stillwater's perspective, they relate more
10 heavily to air contamination than traffic.

11 However, a couple of things I would say
12 is, we live in a heavily regulated state, and DEC
13 looks over the shoulder of everything, and I have
14 some confidence in their environmental reviews of
15 this.

16 And I'd like to close in saying that
17 GLOBALFOUNDRIES has always been responsible and
18 they have been responsive to our questions, and
19 they have not come to the table saying, you know,
20 that we will have no impacts. They will. But
21 they have worked hard to address them, and I know
22 that the Town of Stillwater is happy to have
23 them, but they're happier to have them if they do
24 things correctly, and I believe that they will.
25 Thank you.

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MR. SAUSVILLE: Thank you, Bob.

Any other people that would like to make a statement?

SPECTATOR: (Indicating).

MR. SAUSVILLE: Yes, ma'am.

SPECTATOR: I have a question. For written comments, where should they be submitted?

MR. SAUSVILLE: You can send the written comments right to our Town Clerk at the Town Hall here, and that should make it.

SPECTATOR: Thank you.

MR. SAUSVILLE: Anything else?

(No response).

If not, I'll close the public hearing at 7:25 p.m., and the record does remain open, as I mentioned, until April 26th, so if you have some comments you wish to submit once you get home and you think about it a little bit more, it's never too late to send them in, as long as it's before the 26th.

MR. HARTZELL: Would it be appropriate to just take a minute of silence? We had some folks unfortunately victimized in Boston today. Maybe we do well to just silently reflect on the tragic

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2 loss.

3 *(Whereupon a moment of silence was*
4 *observed.)*

5 **MR. SAUSVILLE:** Thank you everybody and
6 drive safely on the way home, and we'll see you
7 soon.

8 *(Whereupon the hearing was closed.)*
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