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Albany chief planner resigns

*City says he assisted in suit
against it, Common Council*

By Steve Hughes

Albany

Chris Spencer, the city's commissioner of planning and development, quietly resigned last Wednesday.

His resignation came after the Common Council's leadership sent a letter to Mayor Kathy Sheehan complaining about Spencer's role in a lawsuit against the city and the council.

The Times Union obtained a draft copy of the letter, which asked Sheehan to investigate the issue and take any appropriate actions.

"It is completely unacceptable for a city employee to assist an opposing party in a lawsuit, especially without discussing it with our attorneys who are defending the lawsuit. In addition, it is egregious that the corporation counsel's office enabled it," the letter states.

The Times Union has not been able to reach Spencer for comment. He worked for the city as its chief planner since September 2014.

Spencer signed an affidavit filed in January on behalf of a developer who sued the

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city and the Common Council last year in an attempt to overturn zoning regulations that thwarted their plans to build a blood plasma collection center in the Hannaford Plaza on Central Avenue.

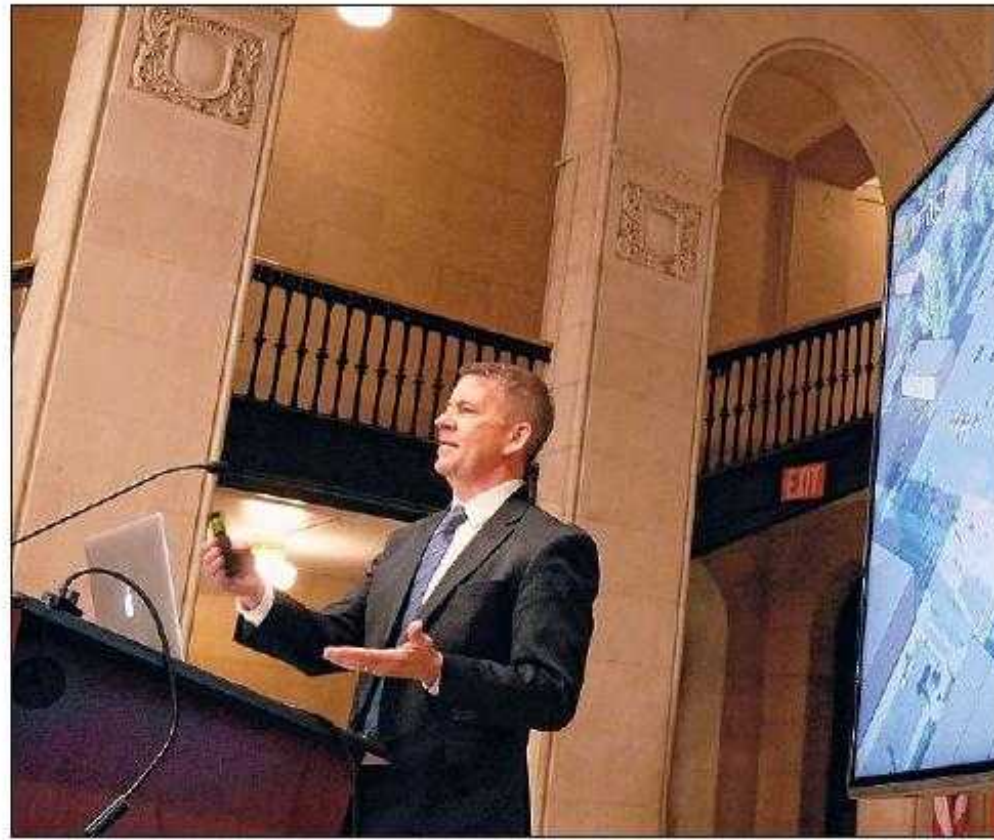
In the affidavit, which was notarized by an employee in the city corporation counsel's office, Spencer offered a rebuttal to an affidavit Councilman Mike O'Brien filed on how some zoning amendments were made.

A spokesman for Sheehan refused to say whether the mayor knew Spencer was signing the affidavit before it was submitted or why specifically he resigned.

"We are grateful for his many years of service to our city and his stewardship of ReZone Albany, the purchase of our streetlights and a variety of other projects that have transformed Albany," spokesman David Galin said in a statement.

Council members had expressed frustration during Spencer's tenure, saying he failed to respond to messages and emails and did not show up to meetings the council had asked him to attend. In the draft letter, council leaders said they believed Spencer had strayed from his role of guiding sustainable development in the city and being neutral in critiques.

"His actions show extreme bias toward this developer over the city and the Common Council. His actions also show an unwillingness to follow our laws, which is unaccept-



Paul Buckowski / Times Union

Chris Spencer, who had served as director of planning for the city of Albany since September 2014, has resigned.

able," the letter states.

Council members clashed with Spencer on other projects over the years, including a planned apartment complex on Western Avenue and a proposed building on New Scotland Avenue across from St. Peter's Hospital.

Councilwoman Ginnie Farrell, the majority leader and one of the three leaders who signed the letter to Sheehan, said she couldn't say if the letter was the reason Spencer stepped down, but added the council had spoken with Sheehan before about their issues.

"Council members, myself included, have felt frustration with Commissioner Chris Spencer's leadership over the years, which council leadership has shared with the mayor's office," she said.

The blood plasma collection center proposal prompted a fight among the council, Sheehan's administration and the developer. The proposal

was opposed by O'Brien and the Upper Washington Avenue neighborhood association.

After the Common Council created new zoning rules that effectively prevented the center from opening in that location and overrode Sheehan's subsequent veto of them, the developer sued the city and the council. Sheehan noted in her veto of the new zoning rules that it would likely lead to a lawsuit. In two separate rulings, Albany County Judge Peter Lynch ruled in favor of the council.

O'Brien, who introduced the zoning changes that pushed the project out of its planned site, said council members and residents had grown frustrated with Spencer and the city's Planning Board when it came to input on proposed projects.

"They have to open up and listen to the community members, who very often have a valid point to make," he said.

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