

Section I

Introduction

The following is a Final Generic Environmental Impact Statement (FGEIS) for the Town of Guilderland Comprehensive Plan 2000, pursuant to the State Environmental Quality Review Act (SEQR). The purpose of this FGEIS is to respond to comments provided by the public during the SEQR comment period on the Draft Generic Environmental Impact Statement (DGEIS) that is contained within the Draft Comprehensive Plan 2000.

A. Project Background

The Town of Guilderland is a suburban community located to the west of the City of Albany. The Town has many different land uses and is influenced by many regional entities. Its popularity as a residential community is directly linked to its proximity to Albany and regional/state-wide crossroads that provide quick and easy access to the Capital District and beyond. Regional access has encouraged the development of regional shopping centers that help to provide a strong tax base but also inject traffic into the local road network. Guilderland contains portions of the Albany Pine Bush Preserve and the Helderberg Escarpment, both very important ecological and geological features of statewide significance. The Town also contains the Watervliet Reservoir that serves the Town and the City of Watervliet. These are only some of the major features that influence and are influenced by land use in the Town. As the steward of all these resources comes

the responsibility to plan for their use and conservation to ensure Guilderland remains a desirable community to live, work and play. This is not a simple task. Fortunately, the Town is comprised of many individuals who are willing to dedicate their time and expertise for the betterment of the community.

The Town has managed its resources and growth for years using practical planning tools such as zoning, subdivision regulations, site plan review, and many other local laws and policies. These are effective and essential tools. However, they must be continually monitored and amended to meet current needs and to reflect new opportunities. To begin this process, communities often conduct comprehensive planning. This is the process by which a community establishes the programs and actions that lead to a desired vision for the future. As defined by Town Law (§ 272-a.2(a)), a comprehensive plan is the:

...materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive materials that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the town located outside the limits of any incorporated village or city.

Comprehensive planning is the first step in an on-going process. The purpose of the Comprehensive Plan is to inventory the Town's resources based on existing data and to identify what additional data might be required to implement certain aspects of the plan; develop the framework to address future land use and other community issues through community outreach and formulation of a vision and goals and objectives; development of a series of recommendations and policies consistent with the goals and objectives; and to identify the steps necessary to implement the plan recommendations. Quite simply, the comprehensive plan is the information organizer. Although specific recommendations are provided that

can be immediately translated into action, other means of achieving certain goals will require further detailed study.

The Town of Guilderland began the comprehensive planning process in June of 1999. It was the Town's desire to make this planning process as open as possible to allow public input each step of the way. Looking back over the past two years, the Town certainly achieved their goal. It may very well be that the Town set a precedent for public outreach during a comprehensive planning process. The Town took advantage of every media possible to get the word out to the community. They utilized public cable access to broadcast meetings. They conducted a town-wide survey. They held neighborhood meetings. They also used a new, grass-roots approach to community dialogue called "Study Circles," a highly organized yet low keyed process of discussing community issues. The Town completed the first draft of the Comprehensive Plan in May of 2000. However, as the public commented further on the document, it became clear that some additional revisions would be necessary before the Town Board could declare the draft officially complete. The plan was revised through additional public review and comment and was determined complete as a draft plan and draft Generic Environmental Impact Statement in March 2001. At this same time, the Town issued a Positive Declaration and declared itself Lead Agency for the adoption of the Comprehensive Plan. This began the SEQR comment period. A SEQR public hearing was held over three evenings during April and May 2001 (April 3, April 17, and May 15). The comment period closed May 28, 2001.

Document Organization and Summary

The FGEIS is divided into three major sections, an introduction, responses to substantive comments raised during the comment period and Appendices that include written comments, the record public hearing, and revised chapters of the Comprehensive Plan. The Introduction is provided to summarize the actions which have led to the preparation of the FGEIS, describe the general organization of the document, and discuss future actions that may occur following the filing of the is FGEIS. Section II, Response to Public Comment provides a summary of similar questions or concerns followed by the response. Pursuant to 6 NYCRR 617.14(l) this FGEIS includes the DGEIS by reference (Clough, Harbour & Associates LLP, March 2001).

The response to comments on a DGEIS contained within a comprehensive plan is somewhat more complex than that provided in a final EIS for a site specific project. Many comments received during the comment period were not environmental or SEQR related. However, many comments on the recommendations of the Comprehensive Plan have environmental implications. It becomes difficult to distinguish that which is only SEQR related.

In an effort to respond to the many excellent comments received during the comment period, this FGEIS has been structured to first identify and address those comments that are specifically SEQR related. The remaining planning comments are addressed by highlighting the changes to plan recommendations. Since this planning process has been an evolution of ideas captured in numerous revisions to the text of the Comprehensive Plan, the appropriate way of addressing planning comments raised during the SEQR comment period is to highlight the revisions that have been made to the draft Plan as a result of these comments. Therefore, all the revisions made to the Plan have been incorporated into Appendix D of the FGEIS.

Each of the comments made during the SEQR comment period were discussed during two televised meetings of the Comprehensive Plan Revision Committee (appointed by the Town Board to complete revisions to the Plan). All written correspondence received during the comment period as well as the public

hearing record were provided for the Committee's review and discussion. This included comments on the Draft Plan made by members of the Comprehensive Plan Advisory Board and the Revision Task Force during a televised joint meeting. A table was created that identifies the Draft Plan recommendations for the major issues, comments raised during the joint meeting, and the recommended approach for addressing the comments. This table is provided in Appendix C.

Upon completion of the Plan revisions, the Comprehensive Plan Revision Committee held a public hearing. Based on this hearing, some additional text revisions were made that did not impact the meaning and intent of the recommendations. These revisions are included in the Chapters provided in Appendix D.

Comments were presented on numerous issues during the public hearings and in written form. The only specific SEQR comment was related to the suitability of the GEIS to address future actions. It is agreed that most future actions will require further SEQR action since many of these actions will involve specific land use decisions that were not addressed in the Comprehensive Plan. An example is the adoption of a neighborhood master plan.

The Draft Comprehensive Plan was a thoroughly reviewed and refined document by the time it was determined complete for SEQR purposes. It has undergone further revision as identified in Appendix D, but the majority of the revisions were made to clarify the major ideas and actions. Prioritization of the Action Plan was also very important. None of the revisions substantially impacts environmental concerns. This is primarily due to the fact that the recommendations and action plan items call for additional study to address potential future land use. Land use policy is yet to be developed for certain areas, such as Rural Guilderland, and cannot be done so until the additional studies are complete. The implications of the policy that develops from the additional study/planning may have environmental impacts. This would be addressed at the time the plans are considered for adoption by the Town. The revised recommendations and action

items (Appendix D) remain consistent with the Town's vision and the goals and objectives developed from that vision.

On some issues the Town remains polarized. The provision of water and sewer may be the single most important issue that can have significant impacts on land use, community character, and the natural environment. The March 2001 Draft Plan called for a study of the need for water in Rural Guilderland and recommended that sewer not be extended beyond current boundaries, not precluding sewer in the distant future but emphasizing current treatment capacity issues. Based on further comment, it was determined that policy for the extension of utilities should be established in the Town in the short term and to do so would also require more detailed land use planning in Rural Guilderland to consider all the uses and issues of this sparsely developed area. This action will likely benefit the community by identify where future development is suitable and what areas should be protected. Early planning for Rural Guilderland will also help the Town to prepare for opportunities to purchase development rights and preserve large tracks of land through voluntary, incentive-based means. This is also an example of how the Plan revisions have taken action plan components from the March 2001 Draft Plan and repackaged them to clarify the intent of the action and to clearly identify a path for the Town to proceed.

In summary, the Comprehensive Plan (both the March 2001 and the current revised version) is a mitigation document for the many issues that have arisen in the Town since the last comprehensive planning and zoning work was completed. The recommendations and action items will help the Town to refocus on a common vision, begin to address current issues that trouble the community, and prepare for anticipated future development and associated impacts.

Future Actions

Following the filing of this FGEIS, there will be a ten-day period provided for agencies and the public to consider the FGEIS. Comments on the FGEIS may be submitted by agencies and the general public, however, this not an official comment period. Such comments may be considered by the Town during preparation of the Findings Statement but the Town is not obligated to respond to these comments.

Pursuant to 6 NYCRR 617.15(c)(1), no further SEQR compliance is required if subsequent proposed actions will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS or Findings Statement. An amended findings must be prepared if a subsequent proposed action was adequately addressed in the GEIS but was not addressed or was not adequately addressed in the Findings Statement for the GEIS.

A Negative Declaration must be prepared if a subsequent proposed action was not adequately addressed in the GEIS and the subsequent action will not result in any significant environmental impacts. A supplement to the FGEIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the GEIS and the subsequent action may have one or more significant adverse environmental impacts.

The Town will need to evaluate each action relative to its significance. Many of the recommended actions may involve significant land use changes that were not specifically addressed in the GEIS for the Comprehensive Plan. This, in itself would warrant further SEQR action in the form of a full Environmental Assessment Form and, if necessary, an EIS. The adoption of a Rural Guilderland Plan and all its associated components recommended in Chapter IV is an example of an action that would likely warrant further SEQR review.

Not all of the recommendations and action plan tasks are subject to SEQR. For example, initiation of dialogue with other municipalities and agencies, the study of water quality issues in Rural Guilderland, and other similar planning or engineering studies that do not require formal action (i.e., adoption) by a board are specifically exempt from SEQR.

To clarify the process of identifying those actions that may require further SEQR review it is recommended that all actions by the Town Board, Planning Board, or Zoning Board relative to the implementation of the Comprehensive Plan that would involve the adoption of land use plans and policies or modifications of zoning and subdivision regulations and local laws should be reviewed pursuant to SEQR through the preparation of a full Environmental Assessment Form (EAF). If, upon review of the EAF, it is determined that the action will have no significant impact, a Negative Declaration can be issued, thus ending the SEQR process. If it appears that significant impact may occur and the impact and associated mitigation cannot be sufficiently addressed in parts 2 and 3 of the EAF, an EIS should be prepared. The EIS should take full advantage of the documentation already provided in the GEIS for this Comprehensive Plan. Evaluation of the significance of any action relative to SEQR should include a thorough evaluation by the Lead Agency (in most cases the Town Board for the adoption of plans and other local regulatory amendments) of the consistency of the proposed land use plan or legislation with the recommendations of this Comprehensive Plan.