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Town Board  
Town of Guilderland  
P.O. Box 339  
Guilderland, NY 12084

**Re: Carbone Letter Response – 1700 Planned Unit Development**

Dear Supervisor Runion & Town Board,

This is written in response to a letter dated October 17, 2011 from Mr. Aaron Carbone, who resides at 4 Joseph Terrace, regarding the subject project. It should be noted, although it is not especially relevant, that Mr. Carbone's property does not share a common property line with the subject parcel. Mr. Carbone states that his concerns are shared by his neighbors in the "Hamlet of Westmere".

Mr. Carbone's primary concerns appear to be school impact by population, traffic impact, stormwater and property values. We will address these concerns herein.

- 1. Mr. Carbone states that the primary means of ingress and egress will be through the school property, and that "speeding emergency vehicles and heavy trucks and equipment" will be dangerous.**

The proposed development, formerly designed to contain 248 rental units, has been reduced to 210 units of rental housing. In addition, and this is most significant in terms of addressing Mr. Carbone's concerns, the access through the school property has been eliminated. The primary entrance to the site is, and has always been, directly from Western Avenue, to the east of the existing 1700 Western Avenue apartments. A secondary means of access (in and out) is to the north of the proposed mixed-use facility at the northwesterly corner of the site, through Town Center. This is a gated apartment complex, with security features and access limited to residents and approved visitors, and access will only be obtained at the Western Avenue and Town Center locations.

With regard to speeding emergency vehicles, it should certainly not be a common occurrence for any emergency vehicles to be entering the property, not any more than the neighboring streets or other adjacent properties. Representatives of the owner and engineer have met with Westmere Fire Department to review emergency access from Western Avenue. As for construction vehicles, that ends when the project construction is complete. There is a limited build-out period for a project of this type, generally around 2-3 years. A multiple-lot subdivision, of single family or duplex homes, especially in today's real estate market, could take a decade or two to build out. The likelihood of construction vehicles arriving and departing routinely, from April through November, annually for 10-20 years, is not a reality.



- 2. Mr. Carbone claims that the “financial burden” for the school district, especially the elementary school, will increase, and the cost of educating additional children will outweigh any tax benefit from the proposed development. The letter goes on to say that, based on 2010 Census data for the Town of Guilderland, 19.3% of households contain a child under the age of 18. This would, in turn, “generate on average 48 school-age children”.**

It is not our intent to dispute the census data, and at first look, Mr. Carbone’s data appears reasonable. However, Ingalls & Associates has prepared and submitted a detailed report to the Town of Guilderland entitled, “Fiscal Impact Analysis: An Assessment of the Fiscal Impact of the Completion of 1700 PUD”. This report is a comprehensive analysis of the fiscal impact of the proposed development, including projected tax benefits for both the School and the Town. This report also provides Capital District Regional Planning Commission (“CDRPC”) data indicating that there would be approximately .03 school-age children per multiple dwelling unit in The 1700 PUD. If this property was developed as single-family residences, there would be .81 school-age children generated per single-family dwelling.

Utilizing the CDRPC average student per unit factors described above, it is estimated that there would be approximately 7 school-age children residing in The 1700 PUD completed as proposed. Conversely, there would be 29 school-age children if this project were to become single-family homes. It makes logical sense that larger homes, on private lots, may contain larger families and consequently a higher percentage of school-age children.

The composition of the proposed apartment complex does not lend itself well to families with school-age children, but rather young professionals or older “empty nesters”. This is a gated community with amenities catering primarily to adults – walking paths, a clubhouse, a lap pool, etc. Many of the proposed apartments are one-bedroom units that do not typically see occupancy by children. The targeted clientele for these apartment units are single professionals, couples and seniors, those who work in or near the community and can use public or alternate means of transportation.

The tax benefits are described in detail in the submitted report to the Town. To summarize the report conclusion, the proposed 1700 PUD is expected to provide a net annual tax benefit to the Town of Guilderland of approximately \$103,673 if developed as proposed, in comparison to a net annual tax benefit of only \$54,456 if developed as single-family homes.

The tax benefit to the Guilderland Central School District, if developed as proposed, would result in approximately \$126,226 excess school tax revenues over expenditures. Conversely, if the subject property were developed for the use by-right of single-family subdivision it would result in a net loss to the GCSD of approximately \$142,291 (expenditure exceeding revenue).

- 3. Mr. Carbone asserts that Western Avenue (SR 20) is overburdened and inaccessible to pedestrian and bicycle traffic, and will have a significant increase in traffic**



**resulting from the development. He also states that traffic will be passing through school grounds at peak traffic times.**

It is important to note, again, that the access through the school property has been eliminated. The primary entrance to the site is, and has always been, directly from Western Avenue.

Ingalls & Associates has prepared a traffic study for the proposed development. This traffic study has been reviewed and accepted by NYSDOT and ACDPW and is a part of the application process. Without going into technical detail regarding the process, a series of measurements were made at and near the project site and analyzed to determine traffic impact. The conclusion from the Ingalls study is as follows:

“Overall, there are no significant degradations in Level of Service to the existing adjacent intersections studied as a result of this development, and each movement will continue to operate with acceptable delays. The additional traffic volumes, when analyzed as a percentage basis, are minimal in comparison to the overall traffic flow observed at the studied intersections.”

We trust that the Town will accept this professional analysis with the concurrence of NYSDOT and ACDPW. ACDPW has gone on record to comment that the project exhibits “smart growth” concepts with regard to location, pedestrian access and public transportation, and is supported by the agency. NYSDOT plans to support the development of this project, directly and indirectly, with the construction of a new CDTA bus stop on Western Avenue at Town Center, and proposes to construct new sidewalks along both north and south lines of Western Avenue during 2014 and 2015.

- 4. Mr. Carbone states that the proposed development will “create a substantial increase in storm and waste water pollution that the present infrastructure is incapable of accommodating”. He also comments that the site’s wetlands will be “destroyed”, and that the homes lining the border of the Joseph Terrace stormwater system will be detrimentally impacted by stormwater running through their property. He also states that the SPDES permit is marked “pending” and that there is no SWPPP provided to date.**

Once the Town Board decides that the proposed PRD development is acceptable with the approved zone change, final technical design will be completed and reviewed by the Planning Board. This technical design will analyze stormwater quality and quantity, drainage flow patterns, topography, existing drainage structure capacities and the effects of proposed infrastructure. The design will incorporate “green” infrastructure, in accordance with NYSDEC regulations, and will also incorporate one or several traditional stormwater treatment and retention/detention facilities in order to avoid impacts to existing infrastructure and adjoining properties. The final design process will include permit applications, detailed site plans, stormwater plans, erosion & sediment control plans, and a technical plan (SWPPP) for the project.



The final project design will be in accordance with all applicable NYSDEC stormwater management Design Manual standards and SPDES General Permit GP-10-01 for Stormwater Discharges from a Construction Activity. These are mandatory requirements which address both quality and quantity of the site stormwater. Additionally, the Federal Wetlands have been avoided to the maximum extent practicable, and the USACOE has reviewed the project and will issue any necessary authorizations.

**5. Mr. Carbone expresses concern that the proposed development will have a negative effect on property values in the neighborhood, specifically by “spoiling the nature of the community”.**

The applicant has been responsive in redesigning the project, including clustering the proposed buildings away from the existing residential development on Joseph Terrace, moving the closest apartment buildings at least 230 feet from the rear lot lines of existing residences on Joseph Terrace, and providing appropriate screening and landscaping. While it is certainly not within our scope of expertise to determine property values or the effect of development on said values, it does bear mentioning that there are at least two other apartment complexes adjoining the subject parcel, and several other apartment complexes, not to mention Crossgates Mall, Crossgates Commons, Stuyvesant Plaza and numerous other commercial occupancies within a mile of the subject parcel. A multi-family residential project in this location can be considered “infill development”, essentially the utilization of a vacant parcel surrounded by many urban occupied parcels, and appears to be an excellent match for the neighborhood. The school, shopping and work opportunities are within easy walking, bicycling distance and public transportation is readily available. We believe, with the concurrence of local and county Agencies, that the proposed development is “smart growth” and fits the neighboring environment, with little or no impact on the adjoining neighborhood.

Respectfully,  
**Ingalls & Associates, LLP**

A handwritten signature in black ink, appearing to read "David F. Ingalls, Jr.", written in a cursive style.

David F. Ingalls, Jr., PE  
Principal