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March 20, 2014

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

**Re: Response to Public Comments
1700 Planned Unit Development**

Dear Supervisor Runion & Town Board,

This letter is written in response to public comments made at the May 23, 2012 Guilderland Planning Board meeting, and the recent March 4, 2014 Town Board meeting, regarding the subject project.

Several neighbors from Joseph Terrace, Alton Road, Patricia Lane, and Western Avenue voiced their concerns with the project as currently proposed. The Planning Board and Town Board also commented on the proposed development.

Traffic

Comment: Neighbors claimed the area is heavily congested already, and that the 400 additional cars associated with the proposed project will make it impossible to get into or out of the adjacent neighborhood. Regardless of the traffic study that was completed and approved by NYSDOT & ACDPW demonstrating otherwise, the neighbors believe there will be continued traffic congestion and accidents as a result of the proposed project.

Response: As evidenced by the traffic study prepared by Ingalls & Associates, LLP and approved by NYSDOT and ACDPW, traffic generated from the proposed PUD development will not cause a drop in the existing level of service on Western Avenue and adjacent neighborhood streets. The estimated additional traffic is very minor when compared to the existing Average Daily Traffic (ADT) count along Western Avenue, and should not adversely affect the current traffic activity in the area. The Traffic Study concludes, "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."

Comment: Concern was raised relative to pedestrian safety associated with funneling traffic from the 1700 PUD apartments through Town Center and in front of Price Chopper.

Response: As a result of the elimination of the access through the Guilderland School property, traffic calming measures and pedestrian safety improvements have been evaluated and designed

for incorporation into the adjacent Price Chopper plaza and Town Center. Detailed Site Plans, including these traffic calming measures (new curbed islands, signage, stop bars and cross-walks) to insure pedestrian safety, will be included with future submittals to the Planning Board. However, the majority of the traffic will continue to access the proposed development directly from the existing driveway to Western Avenue. Likewise, the exiting traffic will primarily travel easterly from the existing 1700 driveway at Western Avenue.

Comment: Neighbors claimed the project had inadequate driveway access.

Response: There are three access points for the project, which are the existing 1700 driveway and a new and existing access at Town Center Plaza, each of which is designed to handle traffic flows from the anticipated occupancy of the project. Driveway access should not be a concern for the neighbors, as this project is not proposed for direct connection to the adjacent neighborhood. The Traffic Study concludes, "Analysis of existing site access driveways indicates that all will operate at acceptable Levels of Service with little queuing on the primary street."

Stormwater

Comment: The neighbors believe the existing wetlands on site will be filled, and water will pool onto adjoining residential properties.

Response: While a very minor portion of the on-site wetlands (0.10 + acres) will be impacted with the proposed development, the impact will be mitigated through preservation of remaining wetlands or on-site by the creation of additional man-made wetlands adjacent to the existing wetland areas. As stated below, all stormwater flows generated from the site will be analyzed and managed on-site in accordance with NYSDEC and Town Standards, resulting in no increase in runoff flows from the proposed development.

Comment: Concern was raised that the proposed development will cause additional runoff and flooding of the adjacent neighborhood, as the subject site is higher in elevation than surrounding properties.

Response: NYS stormwater regulations prohibit any increase in stormwater discharge rates from a site as the result of a development project. Stormwater flows will be managed so as to provide an equal or overall decrease in discharge from the site. All stormwater designs will be in accordance with NYSDEC Stormwater Design Manual, including Chapter 5, "Green Infrastructure", involving water quality treatment as well quantity controls.

Comment: Additional concern was raised with the project's effects on the constantly flowing underground stream within Joseph Terrace.

Response: There is no evidence that indicates the presence of an underground stream on the development parcel or within the adjacent Joseph Terrace development. However, we are aware that there is a drainage swale that flows easterly from the Wolanin property to a culvert

and associated closed (piped drainage system) that flows through the Joseph Terrace neighborhood. As stated previously, a drainage analysis will be completed and all stormwater systems will be designed in accordance with NYSDEC and Town standards, in order to manage runoff with no offsite increase in flow, and provide proper water quality treatment.

Visual

Concern was raised that the large buildings associated with the proposed apartments will be visible from the adjoining neighborhood.

Response: The new apartment buildings will be smaller than the existing 1700 Designer apartments on the adjacent property. The buildings will be screened by earth berming and substantial tree plantings along the easterly side of the property adjacent to Joseph Terrace. In addition, the setback to any of the proposed apartment buildings from the rear property lines along Joseph Terrace is in excess of 200 feet. Reference is made to the visual rendering contained within the project power point presentation.

Additional photos showing the existing natural vegetation to be retained at the rear of the site near Newman Road has been included in the power point presentation. The retention of this vegetation will screen the smaller 10 unit apartment buildings, which have a minimum setback of 100 feet from the closest property line. The elimination of the emergency connection to Newman Road will aid in the retention of existing on-site vegetation.

Fire Service

Comment: Neighbors questioned whether fire trucks could fully access the project along "narrow, tight roads" within the PUD complex.

Response: The internal roads are designed in accordance with standards of engineering practice and will be reviewed by the Westmere Fire Department for width, radius and grade requirements so as to allow emergency vehicle access. A review letter dated 10/12/2011 from the Westmere FD Chief was received by this office, and the recommendations made will be incorporated into the project. Likewise, the owner and engineer have recently met with the Westmere Fire Department to review the project and verify emergency access points from Western Avenue without the need to have access from Newman Road.

Comment: Additional concern was raised relative to a car fire within the proposed parking garage.

Response: The apartments are required to have sprinkler systems in accordance with NYS building code. Each building will have a 2-1/2" FD connection and sprinklered garage. The basement parking garages will be concrete construction (floors, walls and ceilings) and will be ventilated. The garage spaces will be much safer than a standard residential, unsprinklered, wood-framed garage.

Water

Comment: Concern was raised relative to the existence of adequate water flow/pressure for the proposed development. Neighbors claim they have an existing problem with low water pressure.

Response: Discussion with the Town of Guilderland Water and Wastewater Superintendent indicate there is adequate pressure and supply for this project. Flow test information supplied by the Town of Guilderland at a nearby hydrant indicates available flows of approximately 2500 GPM @ 46 psi residual pressure with static pressure of 68 psi.

Apartment Clientele

Comment: While the project sponsor claims the clientele will be upscale with similar tenants as the surrounding neighborhood, commenters were concerned that the sponsor would rent to young adults who will throw parties.

Response: Based on their experience, the applicant has stated that the larger, upscale apartments will attract quality renters, including young professionals as well as “empty nesters.”

Schools

Comment: Concern was raised relative to the number of students and the impact on nearby schools. Residents do not believe the census data regarding projection of only 7 to 8 students.

Response: The publically available Census data from the CDRPC indicates that newer residential apartment housing in Albany County contains an average of 0.03 children, of ages 5-18, per unit. This indicates 7 children in 210 housing units. Conversely, single-family dwellings contain an average of 0.81 children per dwelling in that age range, 27 times the density of apartments. We have no reason to doubt this publically available information based on actual Census data.

Density/Zoning

Comment: Many residents claimed they bought their property considering the current single family zoning of the subject property, and that the proposed project is too dense and the buildings are too close.

Response: We have reduced the density of the project from 248 units down to 210 units. This provides a unit density of 9.83 units per acre, and greenspace of nearly 65%. In addition, the buildings have been moved significantly away from the existing single-family homes on Joseph Terrace. A minimum of 100 feet is required; the project has gone through multiple design alternatives and now provides nearly 230 feet as a setback to the closest buildings.

Comment: Neighbors claim the area already has an abundance of multi-family units in Wood Lake and Regency Park.

Response: Based on experience and market research, the applicant has determined that there is a demand for new multi-family apartments.

Pedestrian Connectivity/Transportation

Comment: Neighbors were concerned that the proposed 12,000 square foot office/retail building is gated and not open to the public.

Response: The access to the site itself is gated. The office building is open to the public. The parking to the north and east of the building is reserved for the apartment tenants.

Comment: Neighbors want improvements to the CDTA bus stop, as well as improved sidewalks.

Response: Plans have been put forth by NYSDOT for construction of a new CDTA bus stop/shelter on Western Avenue at Town Center, and sidewalks along the north and south lines of Western Avenue. The construction of the bus stop and sidewalks is slated for 2014 and 2015. Preliminary and final plans for this project will be reviewed by the Town Planning Board and will address changes and improvements to pedestrian facilities, including bus stop and sidewalks.

Planning Board Concerns:

Comment: Members of the Planning Board were unsure why the project was being presented again, as they had issued a Positive Recommendation to the Town Board for the project in October of 2011.

Response: Since the Concept Site Plans were modified after the October 2011 presentation and a new application filed, it was decided by Town Staff that an update to the Planning would be in order. As discussed above, the main site plan changes involved clustering the proposed building development away from the neighboring properties with resulting increased setbacks, reduced density and changes in access.

Comment: The Planning Board recommended improvements to the CDTA bus stop and sidewalks.

Response: NYSDOT is planning construction of a new CDTA bus stop and sidewalks on Western Avenue in 2014 and 2015 (See above response regarding this comment).

Comment: Members were concerned about pedestrian safety at Price Chopper.

Response: Design of traffic calming measures to insure pedestrian safety have been designed and will be finalized with the Planning Board during detailed Site Plan review (see response in Traffic comments above).

Comment: The Planning Board wanted to ensure the project included units that are handicap accessible per applicable regulations.

Response: Federal requirements will be followed to insure that the ground floor units will be handicap-accessible.

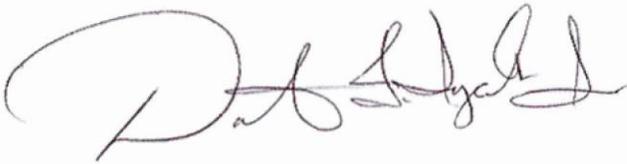
Comment: The Planning Board questioned the number of stories and site grading around the buildings. They would like the sponsor and his engineer to finalize the architecture of the building and final site grading relative to the proposed parking underneath the apartment buildings. Members would like to see a detailed site design including wetlands, stormwater, etc. in the future.

Response: Detailed engineered Site Plans and Grading Plans will be provided for future Planning Board approval once the proposed Zone Change is approved.

Conclusion of Meeting:

At the May 12, 2012 Planning Board meeting, members of the Board voted 5 to 1 in favor of providing a Positive Recommendation to the Town Board for the project.

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