

TOWN OF GUILDERLAND

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MEMORANDUM

TO: Peter G. Barber, Supervisor
& Town Board

FROM: Kenneth Kovalchik, AICP, Town Planner

Date: November 29, 2022

SUBJ: **Town Board Consideration of Acceptance of the Albany Country Club's Country Hamlet Application**

Albany Country Club – Proposed Country Hamlet Summary

The Albany Country Club ("Applicant") filed a formal application for a proposed Country Hamlet development. The Albany Country Club encompasses approximately 860 acres of land, of which 779 acres +/- is located in the Rural Agricultural (RA3) District and 81.3 acres +/- is located in the Single-Family Residential (R20) District. The lands located in the R20 District is the site of the former Weatherfield Phase IV Planned Unit Development (PUD), which previously permitted the development of 24 townhome units and 33 single-family lots. The PUD's Phase IV approval for the development of the townhome and single-family lots has since expired. In October 2019 the Albany Country Club requested the Town Board's approval of a withdrawal of the PUD zoning for Weatherfield Phase IV. The zoning reverted back to the original R20 zoning, which existed prior to the approval of the Weatherfield PUD in 1973. As part of the proposed Country Hamlet, the Applicant is proposing to offer the lands located within the R20 District (81.3 acres) to the Town for town park purposes.

The following is a summary of the proposed Albany Country Club Country Hamlet Development:

A total of 254 Units are proposed within a development area consisting of approximately 192 acres, with a breakdown as follows:

- 88 single-family lots (26.9 acres)
- 116 townhome units (22.8 acres)
- 50 multi-family units (4.3 acres)

While the development envelope consists of 192 acres, approximately 121.1 acres of land within the development envelope (63% of the development site) will be deed restricted open space.

Open Space Summary

The Applicant is proposing the following as proposed open space associated with the Country Hamlet application:

1. 203 acres of deed restricted open space land located between the area of the country club/golf course and Normanskill.
2. The Applicant is proposing to convey 5.4 acres of land that abuts Nott Road Park to the Town for park purposes.
3. The Applicant is proposing to convey 81.3 acres of land (former Weatherfield Phase IV) to the Town for town park purposes.
4. The Applicant is proposing to deed restrict 121.1 acres of land within the development area.

In total there would be 410.8 acres of land protected as open space, via deed restrictions or through conveyances to the town for town park purposes.

Review Process for Country Hamlet Applications

The requirements for the Country Hamlet District are outlined in §280-14 of Town Code. Pursuant to §280-14.E of Town Code, Country Hamlets follow the review process in the same manner as a Planned Unit Development as outlined in §280-17 of Town Code. The Town Board is the lead agency with the Planning Board providing site plan review and recommendations to the Town Board.

SEQR Type I Action, Coordinated Review and Determining Significance

Pursuant to §617.4 of the State Environmental Quality Review Act the proposed Albany Country Club Country Hamlet proposal meets the following criteria for being listed as a Type I Action:

1. Construction of new residential units of 200 units or greater to be connected to community or public water and sewerage systems.
2. The adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district.

As lead agency, and if the Town Board accepts the application, the Board should classify the action as Type I at your December 6th meeting. This will allow the Board to conduct a SEQR coordinated review, required for all Type I Actions, including but not limited with the following agencies:

- NYS Department of Environmental Conservation
- NYS Department of Transportation
- NYS Office of Parks, Recreation and Historic Preservation
- US Army Corps of Engineers
- Voorheesville School District
- Town of New Scotland
- Albany County Planning Board

- Albany County Department of Public Works

With any Type I Action the lead agency must determine the significance of the action. To require an Environmental Impact Statement (EIS) for a proposed action, the lead agency must determine that the action may include the potential for at least one significant adverse environmental impact. To determine that an EIS will not be required for an action, the lead agency must determine either that there will be no adverse environmental impacts or that the identified adverse environmental impacts will not be significant.

The Town Planner recommends the Town Board not to take any action on determining significance at the December 6th meeting, if the application is accepted. The Board should wait until the SEQR coordinated review has been completed, consider any comments from the agencies included in the coordinated review, wait for the report from the Planning Board as discussed below and wait for comments from the Town Designated Engineer that will be appointed by the Town Board to assist the Town in review of the application, as discussed below.

Planning Board Sketch Plan Review

If the Town Board accepts the application the next step in the review process would be for the Town Board to refer the application to the Planning Board for sketch plan review. The Planning Board will review the plan and provide a report back to the Town Board. The referral to the Planning Board could occur simultaneously as the SEQR coordinated review. Once the SEQR coordinated review is completed and the Planning Board provides their sketch plan report to the Town Board, the Town Board would conduct a public hearing on the application. It is at this time the Town Board shall determine the appropriate land use intensity and dwelling unit density.

Rural Guilderland: Open Space and Farmland Protection Plan

The Albany Country Club property is located within the study area for the Rural Guilderland: Open Space and Farmland Protection Plan ("Plan"). The Plan provided a number of recommendations and strategies intended to provide the town with short- and long-term options to assist the community to implement its vision for rural Guilderland. The following recommendations/strategies from the Plan relate to and could be implemented by the proposed Albany Country Club Country Hamlet development, including but not limited to:

1. Enhance the Town's Strategy to Protect Drinking Water Quality

Recommendations included:

- Continued protection of sensitive environmental areas (floodplains, wetlands, steep slopes) through existing buffer regulations.
- Enhancement of municipal stream and watershed regulations, including larger setbacks from streams.
- Implementation of stormwater management requirements and standards.

Town Planner Comments:

Preserving lands adjacent to the Normans Kill is good planning when it comes to watershed protection.

2. **Protect Significant Natural Resource Areas**

Recommendations included:

- **Conservation of large tracts of woodlands.** A particular focus of these efforts should be the targeting of large, unbroken tracts of wooded areas and stream corridors.
- **Protection of scenic, wooded hills and ridges** from significant development.
- **Maintenance of wildlife habitat.**

Town Planner Comments:

“The Normans Kill and its tributaries constitute one of the largest and most important watersheds in the Capital District. While most of the main stream corridor is relatively undeveloped, recent trends suggest that certain areas are under increasing development pressure, which may seriously impact the creek in terms of water quality, bank stability, habitat diversity and recreational opportunities.”¹ As proposed, there would be 400+ acres preserved as open space, with a 200-acre tract directly abutting the Normans Kill and 81 acres along a ridge adjacent to Relyea Road and western portion of the Weatherfield community.

Preserving lands adjacent to the Normans Kill is critical when it comes to watershed protection. There is approximately 650 acres of land under various forms of protection from development, extending from the Watervliet Reservoir to NYS Route 155 along the Normans Kill riparian corridor, including the Vosburgh Trails, Tawasentha Park, Wormer Road conservation easement, Nott Road Park, and NY State rifle range lands. If the Albany Country Club Country Hamlet project is accepted and eventually approved the town will add another 400+ acres of land to the Town's conservation/preservation efforts to protect this watershed.

3. **Utilize a Conservation Design Approach for Siting All New Types of Development**

Recommendations included:

- Protecting scenic views will help maintain important water resources, provide for usable open space and generally ensure that development considers the natural environment as the key component to site layout.

Town Planner Comments:

The preservation of the 200+ acres abutting the Normans Kill will preserve the views from Nott Road, Route 155 and Grant Hill Road. Preserving the 81 acres on Relyea Road will preserve the views from Grant Hill Road, Depot Road, Relyea Road and view from the Helderberg Escarpment.

4. **Establish Flexible Density Standards to Respect Landowner Equity**

Recommendations included:

¹ Normans Kill Riparian Corridor Study - 2007

- In general, individual project densities are less of a concern than the overall reduction of development intensity across rural Guilderland.
- In those parts of town with sewer, water and roadway infrastructure in place, a higher level of density can be allowed as a trade-off for the provision of other public amenities such as open space, parks and other community needs.
- Projects that protect community-identified resources on the site (such as views and wildlife habitats) would be allowed a higher overall density compared with projects that did not make similar efforts.

Town Planner Comments:

The proposed development envelope consists of 192 acres with 254 units proposed. Approximately 121.1 acres of land within the development envelope (63% of the development site) will be deed restricted open space. An additional 289.7 acres is proposed as open space outside of the proposed development area. In total there would be 410.8 acres of land protected as open space, via deed restrictions or through conveyances to the town for town park purposes.

5. Enhance Human Connections to the Land

Recommendations Included:

- Provide for enhanced **community/pedestrian connections** throughout rural Guilderland.
- Enhance **low-impact recreation** opportunities, particularly those that do not adversely impact or require significant modification to the natural environment.

Town Planner Comments:

"In order to preserve important habitat and species diversity, prevent erosion, landslides, and flooding, and protect water quality, it appears the best use of the riparian corridor is for passive recreation such as kayaking/canoeing, hiking, fishing and wildlife observation."² The development plans show a proposed 25' wide pedestrian linkage through Area C (203-acre open space area) linking Nott Road Park and the Normans Kill to Wormer Road. From Wormer Road the trail will continue through the open space of the proposed development area extending to Relyea Road and the proposed 81 acres proposed to be conveyed to the town for town park purposes. The development plans also note a future boat launch, to be installed by the NYSDEC, is to be developed in Nott Road Park providing access to the Normans Kill.

6. Establish Land Conservation Goals

Recommendations included:

- Permanent protection of a portion of the town's "big woods" and/or natural areas.
- Medium term goals in the Plan indicated the protection of 500 acres of "big woods" and natural areas (cumulative acreage within rural Guilderland).

² Normans Kill Riparian Corridor Study - 2007

Town Planner Comments:

In total there would be 410.8 acres of land protected as open space, via deed restrictions or through conveyances to the town for town park purposes. As comparison, Tawasentha Park is 95 acres, with the adjacent winter recreation area and community gardens consisting of 97 acres (192 acres total). The open space associated with the proposed Albany Country Club project, if approved, would be more than double the size of Tawasentha Park, the Town's most heavily used park system.

Town Designated Engineer

The Albany Country Club Country Hamlet proposal is a large and complex project that will require detailed reviews on items such as stormwater design, water and sewer infrastructure design, traffic impacts and mitigation, and pedestrian improvements. The Town Board and Planning Board should use the services of a Town Designated Engineer (TDE) to assist in the review of this application. The Town Planner recommends using the services of CHA Consulting, Inc. CHA has provided TDE services to the town on large projects such as the Winding Brook Drive Planned Unit Development, Beacon Communities Intergenerational Community on Mercy Care Lane and Winding Brook Commons Planned Unit Development at the intersection of Winding Brook Drive/Western Avenue to name a few development project examples. CHA has also provided TDE services on sidewalk projects, most recently the Route 20 sidewalk project from Mercy Care Lane to Devonshire Boulevard completed in 2022.

Town Planner Recommendations

The Town Planner recommends the Town Board accept the Albany Country Club Country Hamlet application based on the following:

1. The proposal reflects a good balance between allowing higher density development while at the same time preserving large acreage as open space along a major riparian corridor and critical wildlife habitat area, one of the primary recommendations/strategies listed in the Rural Guilderland: Open Space and Farmland Protection Plan.
2. The proposal would further expand the town's goals of establishing an on-road/off-road linked system of trails linking Nott Road Park to the trailhead for the Helderberg Hudson Rail Trail in Voorheesville, via the 81-acre parcel on Relyea Road proposed to be conveyed to the Town for town park purposes, and a primary trail connection recommendation in the 2020 Guilderland Bicycle and Pedestrian Connectivity Study.
3. The proposal could allow an opportunity to implement pedestrian improvements on Wormer Road and Relyea Road, currently used by many bicyclists, walkers and runners. Options for pedestrian improvements should be considered and analyzed if the application is accepted considering there will be increased traffic and pedestrian use on these roads associated with the proposed Country Hamlet development.

4. The proposal would further the town's goals of preserving large tracts of land within the Normans Kill watershed and natural resource areas surrounding the watershed, which are primary strategies/recommendations in the Rural Guilderland: Open Space and Farmland Protection Plan and Normans Kill Riparian Corridor Study.