

TOWN OF GUILDERLAND

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MEMORANDUM

TO: Stephen J. Feeney, Chairman
& Town Planning Board

FROM: Kenneth Kovalchik, AICP, Town Planner

DATE: September 4, 2025

SUBJ: Concept Plan Review for a 14 Lot Cluster Subdivision – Fuller Station Road East
Subdivision – 6900 Fuller Station Road – LIC Properties, LLC

Background

The applicant is proposing a 14-lot cluster subdivision (13 residential lots and one open space lot) on 53.35 acres of land located in the R40 District. The subdivision also includes the parcel with tax id# 27.00-1-27. The open space lot is 28.13 acres in size (52% of the project site). Proposed residential lots range in size from 30,898 square feet (0.7 acres) to 193,423 square feet (4.44 acres). Lot size in cluster subdivisions in the R40 District can be reduced from 40,000 square feet to 15,000 square feet. Lot widths can be reduced from 200' in a conventional subdivision to 80' in a cluster subdivision.

The plans show watercourses on the site and delineated wetlands. The watercourse on the site flows directly to the Watervliet Reservoir and requires a 250' setback from the watercourse. The 250' setback is shown on the plans. The plans also show the 100' buffer area to the delineated wetlands.

The applicant is proposing a cluster subdivision. A conventional subdivision layout must be included to demonstrate the number of buildable lots per the R40 District standards. The conventional layout plan proposes 14 residential lots. Two Town roads would need to be constructed with the conventional layout, a loop road with 10 lots and a cul de sac road with 3 lots. Two stormwater basins would be required with the conventional layout. Due to the amount of new town roads necessary for the conventional layout, there would be greater amounts of land disturbance associated with the conventional layout.

The applicant is not requesting any density bonuses with the cluster subdivision layout. The cluster subdivision plan proposes 13 residential lots and one open space lot consisting of 28.13 acres. No new Town roads would need to be constructed with the cluster subdivision layout. All

lots would be directly accessed from Fuller Station Road. Lots 12 and 13 would share a driveway. Per comments from the Town Highway Superintendent, the current open drainage along the east side of Fuller Station Road would be improved and a closed drainage system with culverts would be installed.

Pursuant to Section 280-35 of Town Zoning Law, a minimum of 50% of the parent parcel shall remain as permanently protected open space. The open space lot is 28.13 acres in size (52% of the project site). A minimum of 50% of the site's total buildable land shall be included in the conservation area. At least 50% of the conservation area shall be contiguous, with no portion less than 100 feet wide. The Planning Board may require that at least 2/3 of the conservation area/open space be suitable for active recreation. The applicant should highlight and note on the plans the percentage of buildable land within the open space area.

NYS Freshwater Wetlands

The applicant provided a "Wetland Delineation Map" dated April 24, 2025 prepared by Gilbert VanGuilder Land Surveyor. A representative from NYSDEC signed the plans on June 11, 2025 verifying the wetland boundary and 100' adjacent area. The delineated wetland boundary is valid for a period of 5 years and will expire on June 10, 2030.

US Army Corps of Engineers Federal Wetlands

The US Army Corps of Engineers reviewed the subdivision plans and, in a letter, dated July 9, 2025 none of the work associated with the subdivision will include discharge of fill material into any waters of the US, nor any activities would be conducted in a manner that is within the jurisdiction of this office, and/or is not a regulated activity under jurisdiction of this office.

NYS Office of Parks, Recreation and Historic Preservation

Question 12b in the Environmental Assessment Form included in the application is marked "Yes" for the project site, or any portion of it, located in or adjacent to an archaeological sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory.

In a letter dated July 17, 2025 the NYS Office of Parks, Recreation and Historic Preservation recommends the preparation of a Phase IA/IB archaeological survey. A Phase IA/IB survey is designed to determine the presence or absence of archaeological sites or other cultural resources in the project's Area of Potential Effects (APE).

Albany County Planning Board (ACPB)

Considering the parcel is adjacent to a County designated agricultural district, the application will be referred to the Albany County Planning Board to be reviewed at their September 18th meeting.

Guilderland Conservation Advisory Council (GCAC)

The Guilderland Conservation Advisory Council will review the application at their September 8th meeting and conduct a site visit on September 13th.

Town Planner Comments:

1. The length of the driveways to the dwellings on Lots 12 and 13 is approximately 700' and 750'. The driveways will need to be designed to be in compliance with Appendix D of the NYS Fire Code. A cross section detail of the shared driveway is included on the cluster subdivision plan.
2. On the cluster subdivision plan the applicant should highlight and note on the plans the percentage of buildable land within the open space area.
3. The Angle of Repose Plan should be updated to show the repose line and 30' safe slope setback line in relation to any proposed dwellings near the safe slope setback.