



DECEMBER 18, 2018

Town Planner Presentation to Town Board

Development in Guilderland: A 2018 Overview

Role of Town Zoning Code, Comprehensive Plan and Neighborhood Studies

TOWN OF GUILDERLAND POPULATION STATISTICS

Population							
1980	1990	2000	2010	2020	2030	2040	2050
26,515	30,011	34,045	35,303	36,536	37,594	38,151	38,403
Source: 1980, 1990, 2000, & 2010 Census				Source: CDRPC Projections			

Age Cohorts							
Cohort	1990	2000	2010	2020	2030	2040	2050
Under 5	1,803	1,796	1,521	1,644	1,617	1,693	1,638
5 to 14	3,745	4,711	4,139	3,920	4,123	4,662	4,588
15 to 24	4,766	4,681	5,458	5,066	4,762	4,979	5,552
25 to 34	4,952	4,280	3,823	4,746	4,340	4,139	4,327
35 to 44	5,357	5,810	4,465	4,335	5,327	4,848	4,613
45 to 54	3,210	5,501	5,881	4,577	4,374	5,491	5,010
55 to 64	2,722	2,967	5,045	5,478	4,186	4,082	5,335
65 to 74	2,120	2,258	2,414	4,242	4,526	3,525	3,435
75 & Over	1,336	2,041	2,557	2,528	4,339	4,732	3,905
Total	30,011	34,045	35,303	36,536	37,594	38,151	38,403
Source: U.S. Dept. of Commerce, Bureau of the Census, & CDRPC Projections							

2010 TOTAL POPULATION = 35,303

Age Cohort 'Under 5' to '45 to 54' = 25,287 (71.6% OF THE POPULATION)

*Age Cohort '55 to 64' to '75 & Over' = 10,016 (28.4% OF THE POPULATION)

2020 PROJECTED POPULATION = 36,536

Age Cohort 'Under 5' to '45 to 54' = 24,288 (66.5% OF THE POPULATION)

*Age Cohort '55 to 64' to '75 and over' = 12,248 (33.5% OF THE POPULATION)

2030 PROJECTED POPULATION = 37,536

Age Cohort 'Under 5' to '45 to 54' = 24,548 (65.3% OF THE POPULATION)

*Age Cohort '55 to 54' to '75 and over' = 13,051 (34.7% OF THE POPULATION)

*Section 280-5 of Town Zoning Code defines 'Residential Facility, Independent Living' as a facility designed for residents over the age of 55.

TOWN OF GUILDERLAND HOUSING UNITS

Town of Guilderland

Albany County

Page 4 of 7

2012-2016 ACS Housing Unit Estimate by Structure

	Estimate	MOE
Total Units	15,159	378
Single Family	10,252	384
Two Family	766	189
Three to Four Family	726	174
Five or More Family	3,322	340
Mobile Homes & Other	93	41

Source: U.S. Dept. of Commerce, Bureau of the Census, 2012-2016 American Community Survey

11,111 SINGLE FAMILY UNITS = 73.3% OF TOTAL HOUSING UNITS

(single family, two family, mobile home)

4,048 MULTI-FAMILY HOUSING UNITS = 26.7% OF TOTAL HOUSING UNITS

(three, four and five family)

Section 280-5 of Town Zoning Code defines a multiple-family dwelling as a building or part thereof used as a residence by three or more families and containing three or more dwelling units.

Section 280-5 of Town Zoning Code defines a single-family dwelling as a building used as a residence by not more than one family, containing one dwelling unit only.

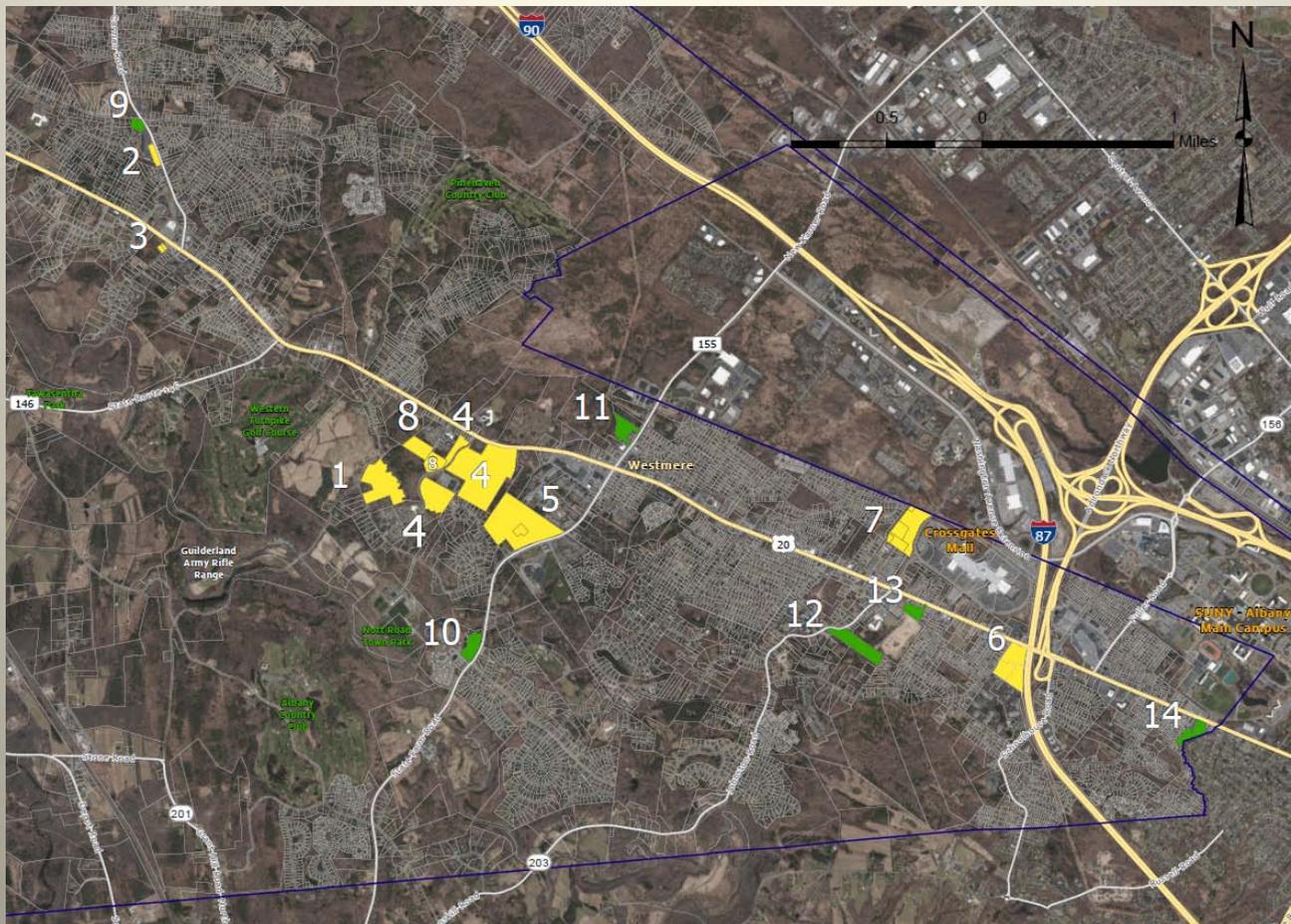
Section 280-5 of Town Zoning Code defines a townhouse dwelling as a 'single-family' dwelling unit which is one of a series of non-communicating dwelling units having a common wall between each adjacent dwelling unit with each dwelling unit having a private outside entrance and individual yard area, and may have open space, accessory structures and/or parking areas shared in common.

TOWN OF GUILDERLAND CURRENT RESIDENTIAL DEVELOPMENT ACTIVITY

	Development Name	Location	Type	Single Family Detached	Single Family Townhouse	Apartment Units	Senior
Proposed	Amedore Subdivision	2819 West Old State Road	Single Family Detached	2			
	Schafer Subdivision	2863 West Old State Road	Single Family Detached	3			
	Schafer Subdivision	7168 Route 158	Single Family Detached	5			
	Norman Vale Subdivision	6030 Nott Road	Single Family Detached	4			
	Girasole Unite, LLC Subdivision	3068 Furbeck Rd	Single Family Detached	2			
	Winding Brook Drive Townhomes PUD	Winding Brook Drive	Single Family Townhomes		52		
	Carman Ridge II	3800 Carman Road	Single-family Townhomes		16		
	Preserve at West Creek	6517/6521 Vosburgh Road	Single Family Townhomes		112		
	Winding Brook Commons PUD	Winding Brook Drive/Western Ave	Apartments/Townhomes		164	108	
	Hiawatha Trails	6051 State Farm Road	Senior Living - Independent				256
	Fuller Station Subdivision	Fuller Station Rd/W. Old State Road	Single Family Detached	58			
	Black Creek Estates	SR 146/Hurst Road	Single Family Detached	16			
	French's Hollow Subdivision	6312 French's Hollow Road	Single Family Detached	1			
	Great Oaks Office Park PUD	100, 200, 300 Great Oaks Blvd	Apartments			120	
	Crossgates Rapp Road Residential	Rapp Road	Apartments/Townhomes		30	192	
	Beacon Communities	Mercy Care Lane	Senior Living - Independent				64
		Total			91	374	420
Approved/Not Built	Carman Ridge I	3760 Carman Road	Single-family Townhomes		14		
	Coles Subdivision	3555 Lydius Street	Single Family Detached	3			
	Pine Bush Senior Living	20 New Karner Rd	Senior Living - Independent/Assisted				192
	Riitano Subdivision	6232 Johnston Road	Senior Living - Independent				72
	Schafer Subdivision	2794 west Old State Road	Single Family Detached	5			
	Breitenbach Subdivision	865 Township Road	Single Family Detached	1			
	Hudson Birch 678, LLC Subdivision	678 Altamont Voorheesville Road	Single Family Detached	2			
		Total			15	14	64
Under Construction	Klink Road Subdivision	Klink Road	Single Family Detached	4			
	1700 Residences	1700 Western Ave	Apartments			64	
	Promenade Senior Living	1228 Western Ave	Senior Living- Assisted				200
	The Summit at Mill Hill	SR 155/ Mill Hill	Senior Living - Independent				92
		Total			15	14	64
	TOTAL (proposed, approved, under construction)			106	388	484	876

- 1,854 total units proposed/approved/under construction (single-family, townhouse, apartment, senior)
- Single-family Detached/Single-family Townhouse = 26.6%
- Apartment = 26.1%
- Senior = 47.2%

SENIOR/TOWNHOME/APARTMENT PROJECTS – CURRENT STATUS



YELLOW = UNDER REVIEW

1. Winding Brook Drive Townhome PUD
2. Carman Ridge II
3. Preserve at West Creek Townhome
4. Winding Brook Commons PUD
5. Hiawatha Trails Independent Living Facility
6. Great Oaks Office Park PUD
7. Crossgates Mall/Rapp Road Apartments/Townhomes
8. Beacon Communities Intergenerational

GREEN = APPROVED

9. Carman Ridge I
10. Summit at Mill Hill
11. Pine Bush Senior Facility
12. Riitano Independent Living Facility
13. 1700 Residences Apartments
14. Promenade Senior Facility

CONCERNS EXPRESSED BY RESIDENTS RELATED TO CURRENT DEVELOPMENT ACTIVITY IN GUILDERLAND

Concern #1 - Apartments lower the value of single-family homes in neighborhood.

Concern #2 - Apartments overburden schools.

Concern #3 – Multi-family housing creates traffic congestion.

Concern #4 - Town not addressing cumulative impacts.

Concern #5 - Town approving projects too rapidly.

Concern #6 - Current plans are outdated and Town should pause development to create new plans.

Concern #7 - Town not doing enough to preserve open space.

Concern #8 - Town is granting special exceptions to developers.

Concern #1 – Apartments Lower the Value of Single-family Homes in Neighborhood

According to an article published in the August 2005 Journal of Planning Literature titled “Does Affordable Housing Detrimentally Affect Property Values?”, the report concluded:

- Market rate multi-family projects typically have no impact to a positive impact on property values.**
- Affordable housing projects (low income, Section 8) can have negative impacts on property values, but these impacts can be mitigated.**

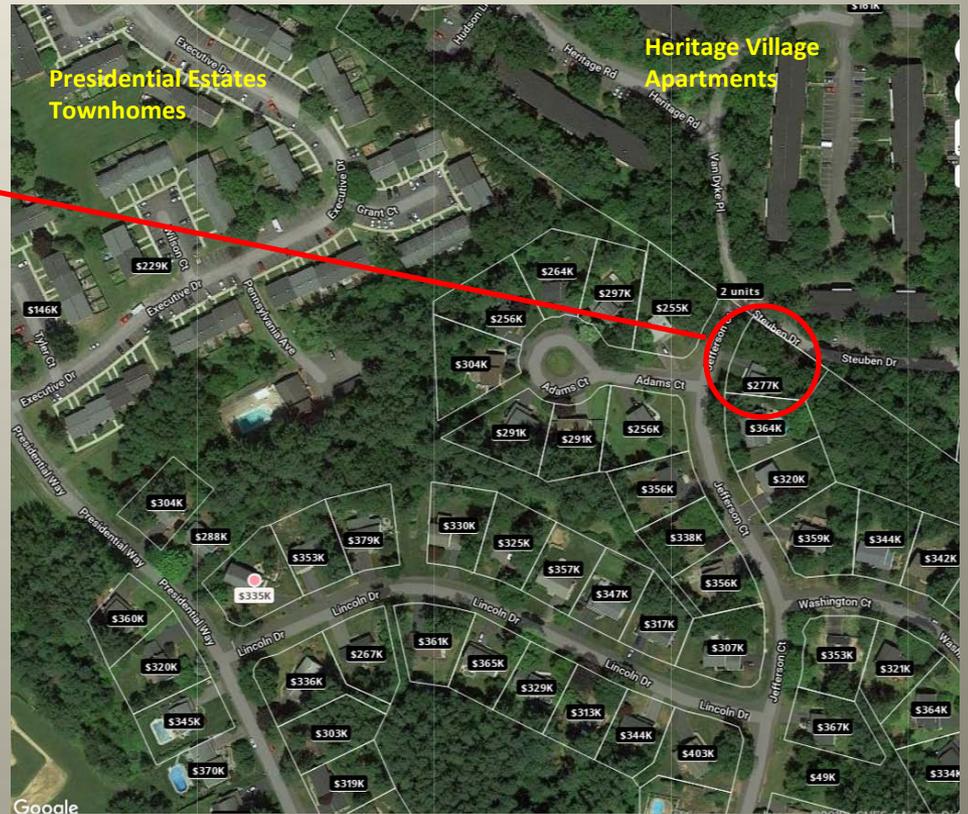
Potential negative impacts of affordable housing on nearby property values can be mitigated by:

- 1) Quality design and management**
- 2) Compatible with the host neighborhood**
- 3) Not concentrated among other affordable housing**

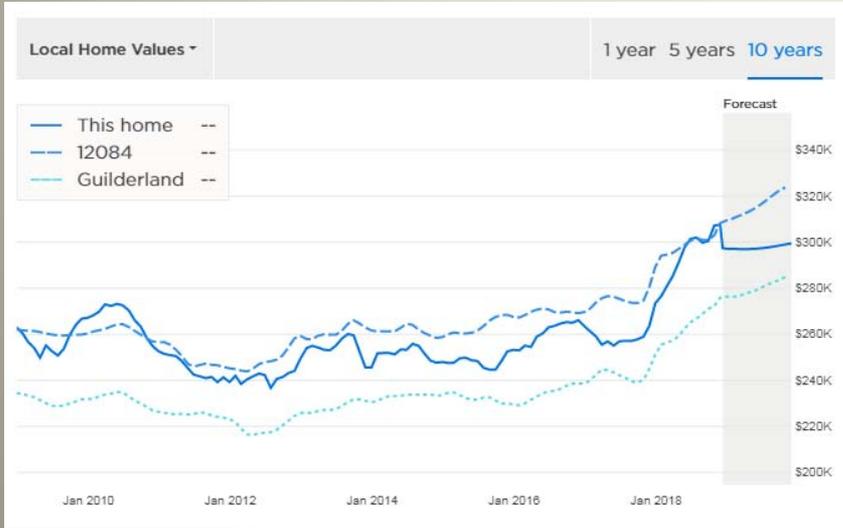
Concern #1



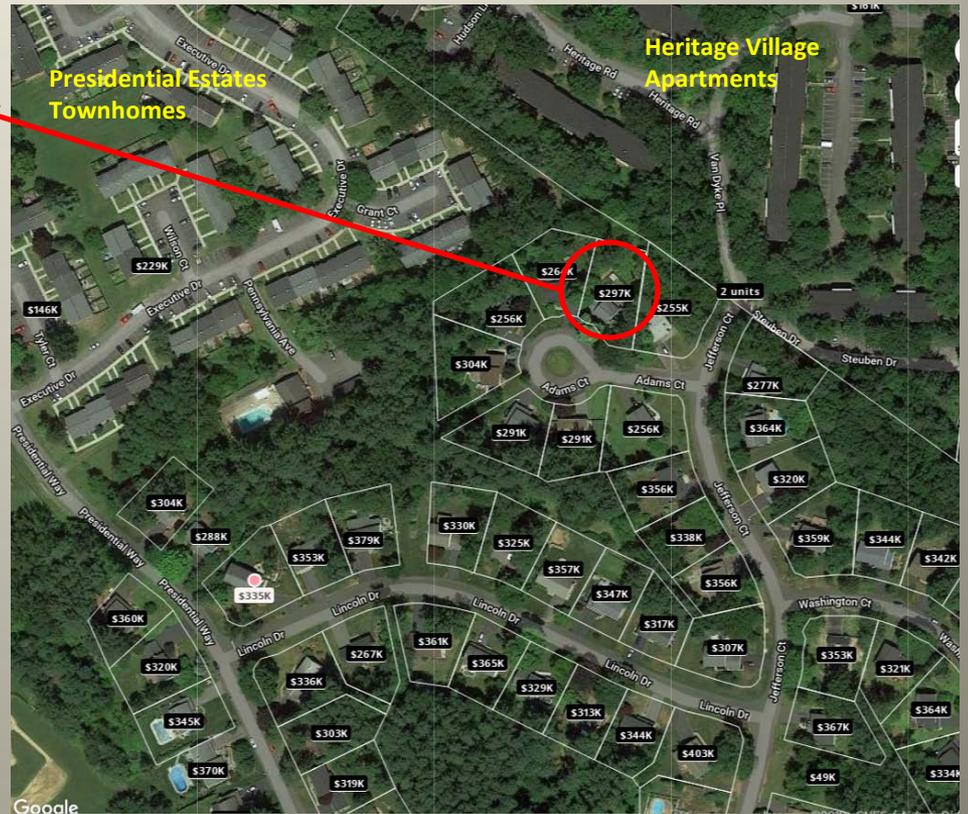
- 3bd/2.5ba, 1,456 sq. ft.
- Sold 12/1994 for \$118,000
- Sold 7/2012 for \$212,000
- Current Zestimate = \$277,125



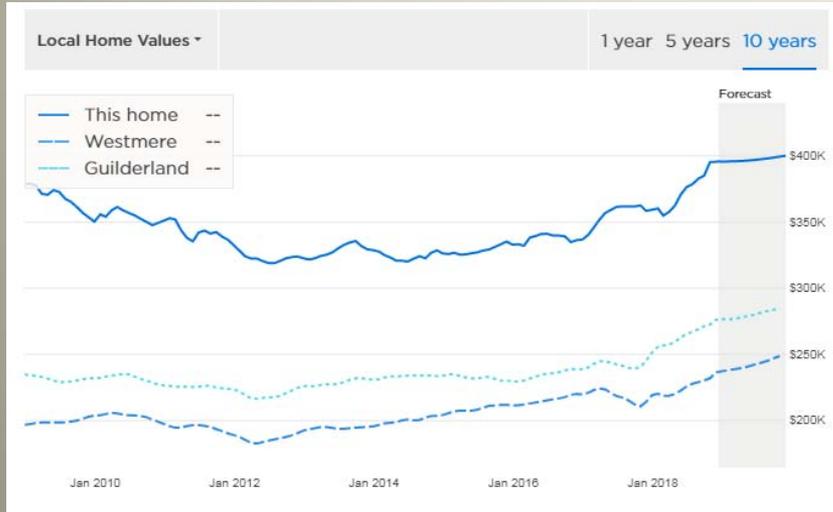
Concern #1



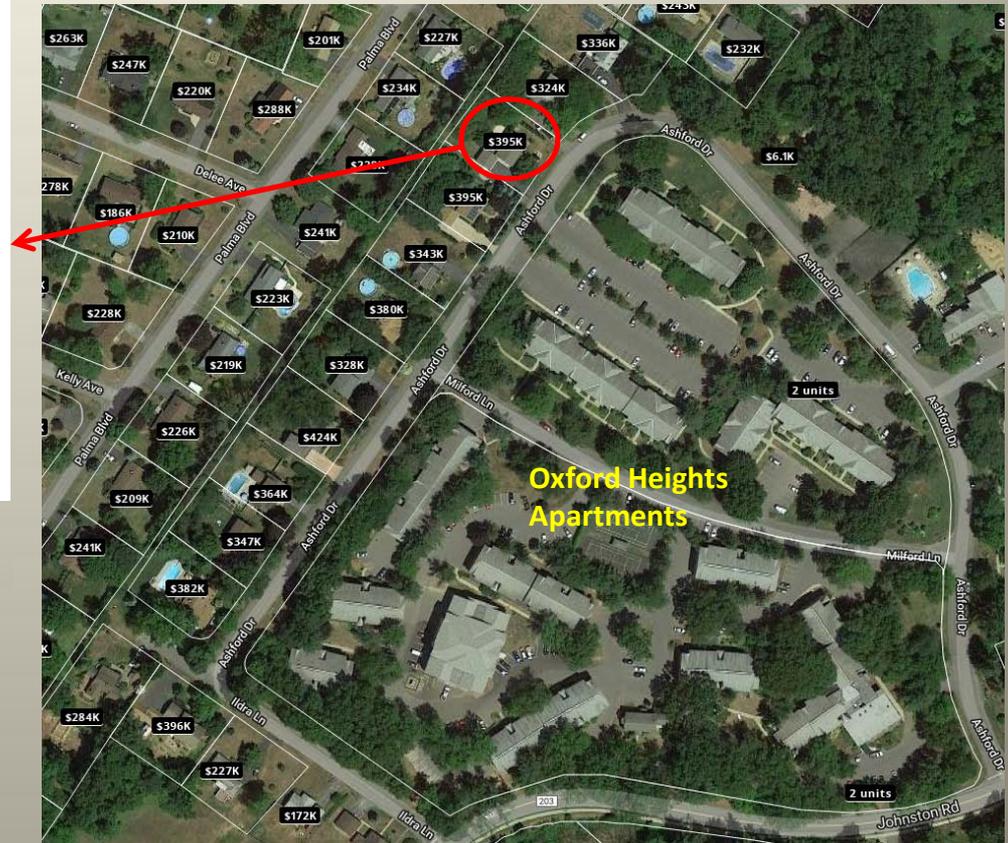
- 3bd/2.5ba, 1,833 sq. ft.
- Sold 3/2004 for \$235,000
- Current Zestimate = \$297,145



Concern #1



- 4bd/2.5ba, 2,478 sq. ft.
- Sold 10/2003 for \$260,500
- Current Zestimate = \$395,351



Concern #1



EFFECTS OF MIXED-INCOME, MULTI-FAMILY RENTAL HOUSING DEVELOPMENTS ON SINGLE-FAMILY HOUSING VALUES

HENRY O. POLLAKOWSKI
DAVID RITCHAY
ZOE WEINROBE

APRIL 2005

CENTER FOR REAL ESTATE
MASSACHUSETTS INSTITUTE OF TECHNOLOGY
77 MASSACHUSETTS AVENUE
BUILDING W31-310
CAMBRIDGE, MA 02139

Research Methodology

- Selected seven 40B developments in the Boston metropolitan area.
- 40B developments enable developers to obtain state-authorized permits in municipalities that are not in compliance with state affordability criteria (less than 10% of a municipality's housing stock is defined as affordable).
- Developers with 40B permits can build developments that override local zoning regulations. At least 20-25% of the units must be affordable.
- 40B developments were considered some of the most controversial and received strongest the opposition from adjacent single-family property owners.
- Selected projects that were very dissimilar in size, bulk, form and density from surrounding community. These projects would have most impact on home prices.
- Study analyzed home values for impact areas (single-family homes abutting developments) vs control areas (single-family homes at community/regional level)
- Study measured single-family home prices over time as 40B projects were announced, approved, occupied and integrated into the communities (20 year analysis period).
- Number of units for the seven project ranged from 24 units to 525 units.

Concern #1

Results

- Single family home values annual growth rates during the analysis period were similar for the impact areas and control areas.
- The introduction of large scale, high-density mixed income rental developments in single-family neighborhoods does not affect the value of surrounding single-family homes.

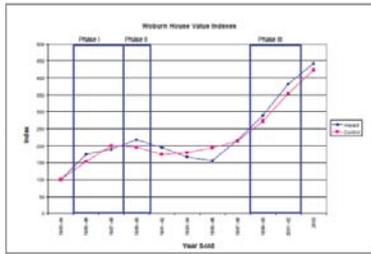
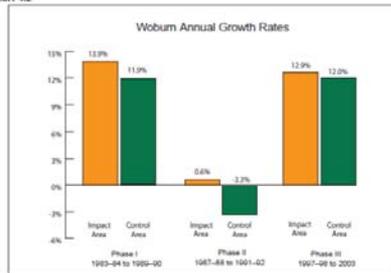


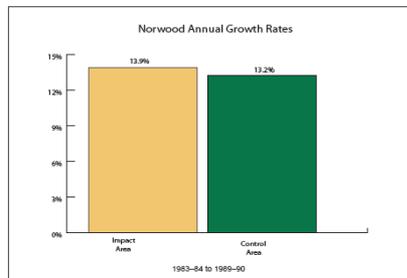
Chart 4.2



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Chart 4.6

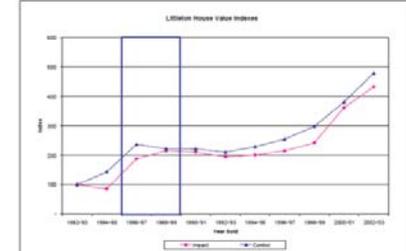
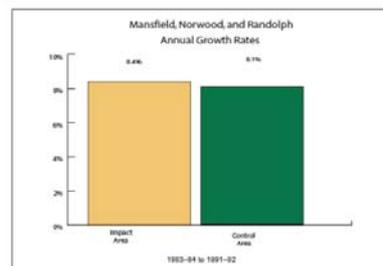


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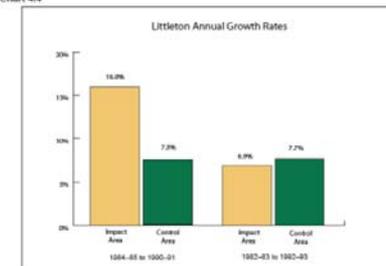
Chart 4.8



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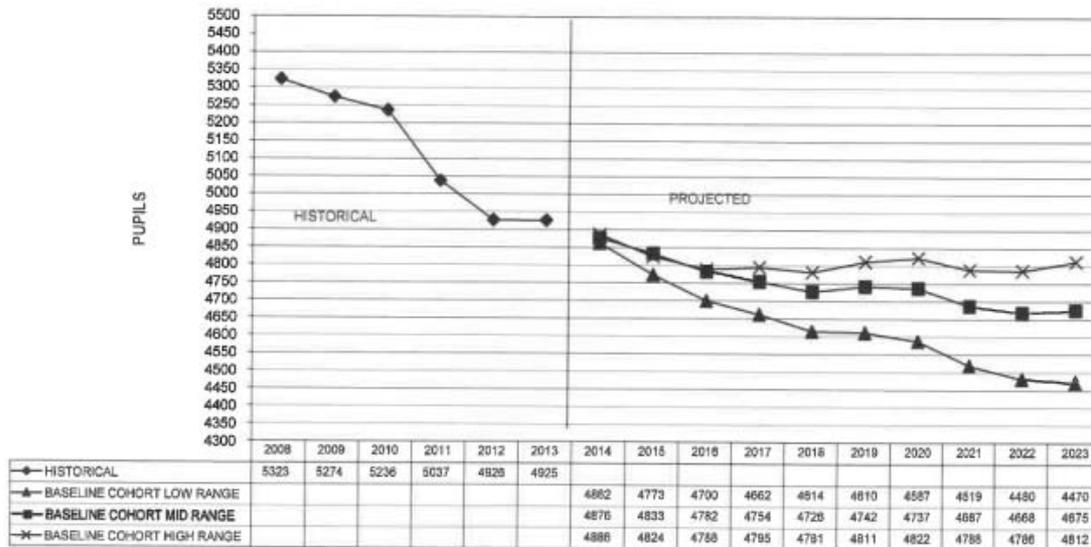


Chart 4.4



Concern #2 – Apartments Overburden Schools

GRADES K-12 ESTIMATED BASELINE COHORT
ENROLLMENT PROJECTIONS 2014-2023
 GUILDERLAND CSD



- 2017 student population = 4,768
- Low range, mid range and high range cohorts project the student population to continue to decline or level off through the year 2023.

Concern #2

Westmere Elementary Enrollment Projections for 2018-2029	K-5
2018-19	506
2019-20	521
2020-21	519
2021-22	546
2022-23	565
2023-24	577
2024-25	587
2025-26	597
2026-27	596
2027-28	596
2028-29	596

Guilderland Elementary Enrollment Projections for 2018-2029	K-5
2018-19	544
2019-20	568
2020-21	594
2021-22	622
2022-23	637
2023-24	658
2024-25	659
2025-26	659
2026-27	659
2027-28	660
2028-29	660

Concern #2

Student Generation Per Unit - Multi-Family vs. Single-Family

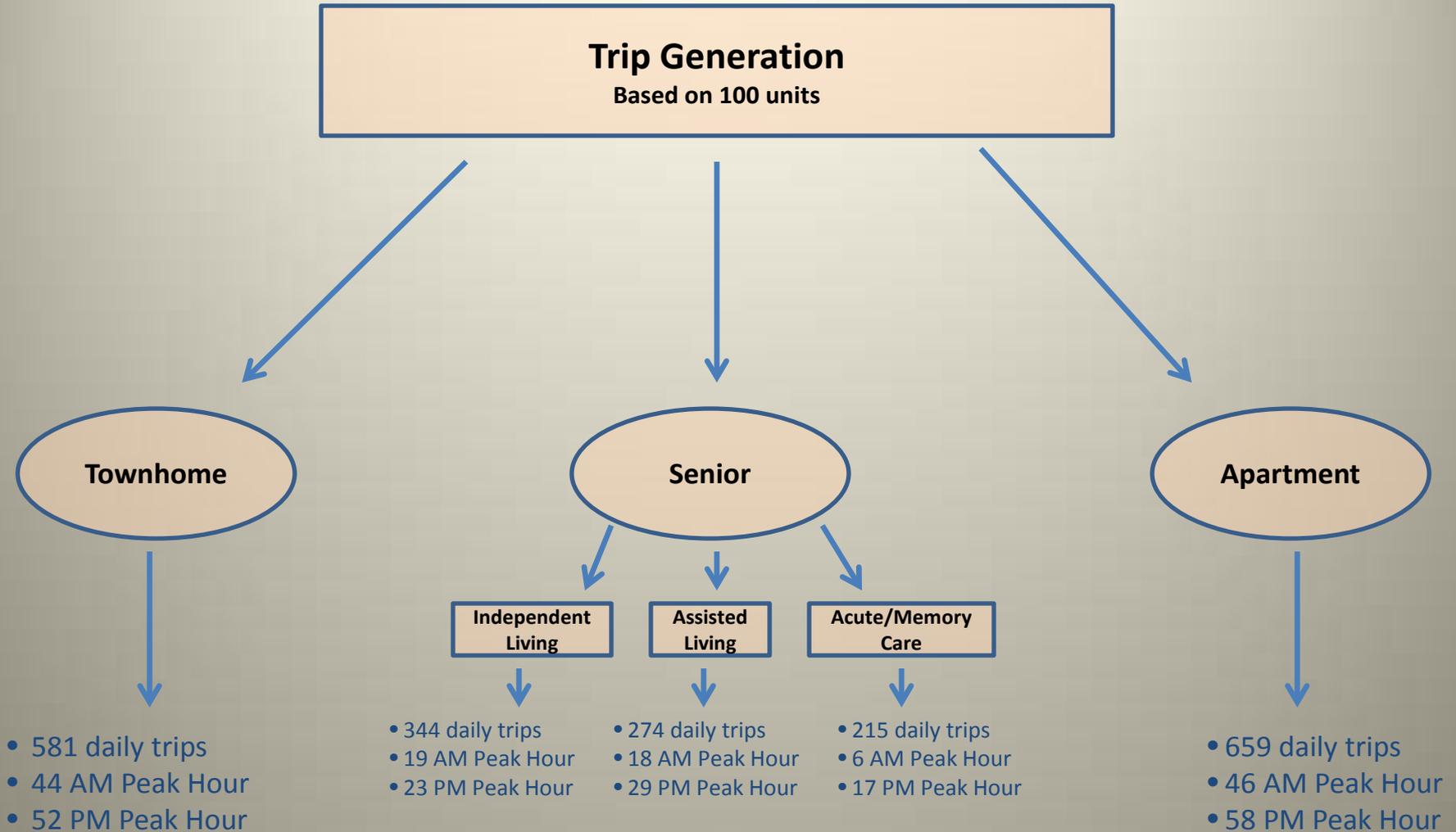
Rutgers Report	Multi-Family	0.36 students/unit
NAHB Study	Multi-Family	0.22 students/unit
Rutgers Report	Single-Family	0.87 students/unit
NAHB Study	Single-Family	0.615 students/unit

- On average multi-family developments with 100 units will generate **29** students
- On average single-family developments with 100 units will generate **74** students

Source:

- Rutgers Report statistics based on 2000 National Census.
- NAHB (National Association of Home Builders) Study based on statistics from 2010 to 2015 American Community Survey

Concern #3 – Multi-family Housing Creates Traffic Congestion



Single Family Homes – 952 daily trips; 75 AM Peak Hour and 100 PM Peak Hour

Concern #4 – Town Not Addressing Cumulative Impacts

Pause Development to Develop an Environmental Impact Statement (EIS)

Type 1 Actions meet thresholds listed in SEQR regulations; most stringent review.

Current projects have been declared Type 1 actions:

- **Winding Brook Commons PUD**
- **Hiawatha Trails Senior Living Facility**

SEQR Type 1 Actions may require preparation of an EIS.

- **Town Board, Planning Board and Zoning Boards may require an EIS during the SEQR review.**
- **A Board would first issue a SEQR “positive” declaration of potential significant environmental and cumulative impacts.**
- **A positive declaration requires an applicant to complete a Draft and Final EIS and identify potential project impacts and how those impacts can be mitigated.**

SEQR review items include: traffic, stormwater, wetlands, archaeological/historical/cultural, steep slopes, endangered/threatened species.

Concern #5 – Town Approving Projects Too Rapidly

PROJECT	SUBMITTED	APPROVED/UNDER REVIEW	TIME FOR REVIEW
Pine Bush Senior Living Facility	August 2015	May 2017	1 yr 9mo
Riitano Senior Living Facility	February 2017	June 2018	1yr 4 mo
1700 Residences	April 2012	February 2015	2 yrs 9 mo
Winding Brook Drive Townhome PUD	November 2017	Under Review	Ongoing 1 yr 1 mo
Hiawatha Trails Senior Living	December 2017	Under Review	Ongoing (1 yr)
Preserve at West Creek	January 2017	Under Review	Ongoing (1 yr 11 mo)
Winding Brook Commons PUD	May 2018	Under review	Ongoing (7 mo)

Concern #5

Agencies involved in Development Reviews:

1. NYS Department of Transportation – highway design, road/intersection improvements, capacity analysis and access
2. NYS Department of Environmental Conservation – State wetlands, stormwater
3. NYS Office of Parks recreation and Historic Preservation – historical, cultural, archaeological
4. Army Corps of Engineers – federal wetlands
5. Albany County Planning Board – General Municipal law referral, recommendations to Town
6. Guilderland Conservation Advisory Council – advisory opinions on subdivisions
7. Town designated Engineer – assist Town in reviewing stormwater design, traffic studies, infrastructure design
8. Geotechnical Engineering – steep slopes
9. Guilderland Land Use Advisory Committee – advisory opinions on rezone applications or amendments to the Zoning Code or Zoning map

Concern #6 – Current Plans are Outdated and Town Should Pause Development to create New Plans

Comprehensive Plan and Neighborhood Studies:

Town of Guilderland Comprehensive Plan – August 2001

- Creating neighborhood plans was a recommended action item in Comprehensive Plan.
- Comprehensive Plans are long range planning documents, typically looking 20 to 30 years into the future.

Neighborhood Studies:

1. McKownville Corridor Study – May 2003
 2. Fort Hunter/Carman Road Neighborhood Transportation Plan – December 2003
 3. Rural Guilderland: Open Space and Farmland Protection Plan – July 2005
 4. Guilderland Hamlet Neighborhood Plan – January 2007
 5. Route 20 Land Use and Transportation Study – November 2008
 6. Neighborhood Master Plan for the Guilderland Center Hamlet – March 2010
 7. Westmere Corridor Study – December 2016
 8. New Town Zoning Code - 2016
- On average it takes approximately 12 months to complete a neighborhood plan, with costs ranging from \$75,000 to \$100,000.

Concern #6

Town of Guilderland 2001 Comprehensive Plan - “Comprehensive Plans are designed to serve a community for 20 years. However, to meet the needs of a growing community they must be continually monitored and updated” – Plan Recommendations Section

- Community survey mailed to every household (12,007) with 3,000 being returned
- Phone surveys, focus group workshops, neighborhood meetings, community work sessions, advisory board meetings.
- 52% growth rate acceptable vs 42% growth occurring too quickly
- 57% discourage future business development in undeveloped areas
- 65% there is enough of single-family, apartments, condos and townhomes
- 60% there is not enough senior housing
- “Ensure that the Town’s zoning accommodates the need for housing diversity” – Growth Management Section
- “Encourage housing opportunities for the elderly, and those with disabilities, that will allow residents to remain in the Town despite their changing housing and care requirements” – Growth Management Section
- “Allow for a range of housing options in order to meet the diverse needs of residents” – Growth Management Section
- “Identify boundaries of existing, or locations for potential, mixed-use community centers or hamlets” – Town Character Section
- “Concentrate higher density development within densely populated areas such as Westmere/McKownville area, McCormack Corners and Fort Hunter. The higher density development is most suitable where public transportation is available, essential/non-essential services/products are available, and where pedestrian linkages to shopping, recreational and cultural resources are well developed” – Land Use Section

Concern #6

Guilderland Hamlet Neighborhood Plan - 2007

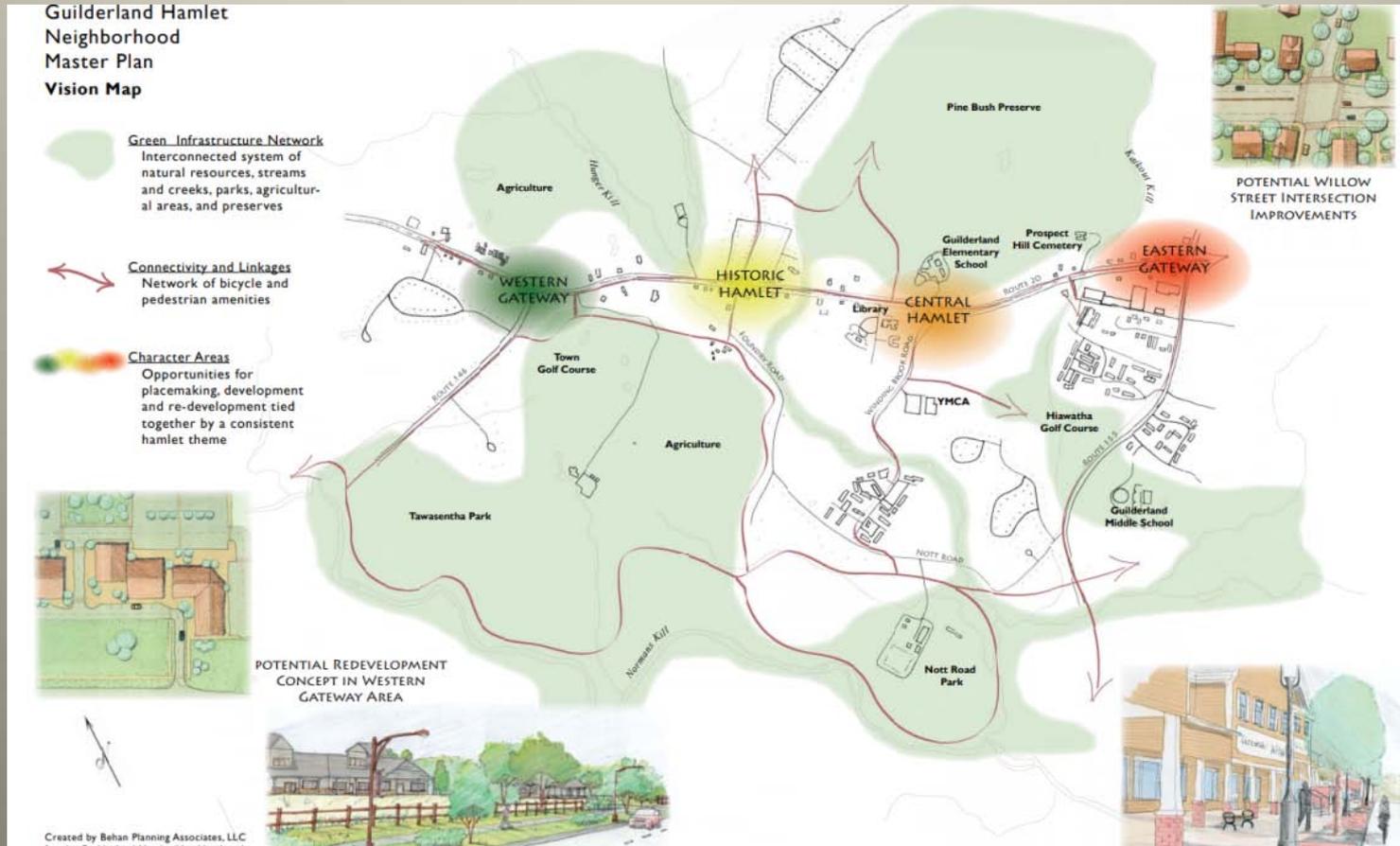
- Creation of neighborhood master plan is recommended in 2001 Comprehensive Plan.
- Objective was to create a neighborhood Master Plan that addressed access management, pedestrian facilities, streetscape improvements, natural/scenic topographical features, environmental features, architectural/site design and mixed uses.
- Community involvement in development of the plan included 2 public outreach meetings.
- Guilderland Hamlet Neighborhood Association was on the master plan advisory committee.
- Vision Plan focused on 3 themes:
 - (1) Green Infrastructure Network – interconnected system of natural resources, streams and creeks, parks, agricultural areas and preserves;
 - (2) Connectivity and Linkages – network of bicycle and pedestrian amenities; and
 - (3) Character Areas - opportunities for place making, development and redevelopment tied together by a consistent hamlet theme.

Concern #6 Guilderland Hamlet Neighborhood Plan - 2007

Four Character Areas: Eastern Gateway, Central Hamlet, Historic Hamlet, Western Gateway

Central Hamlet Recommendations:

- Use Glass Works Village PUD as a model for future development in the hamlet.
- Promote multi-modal connectivity through network of sidewalks, trails, and multi-use paths that link neighborhoods to community resources and shopping areas.
- Maintain and expand public and private open spaces. Reach out to property owners interested in conservation, including the Hiawatha Golf Course and active farmland properties.



Concern #6

Guiderland Hamlet Study Core Recommendations

Conclusion and Implementation Section

- Improve Pedestrian resources along Route 20. The pedestrian environment along Route 20 should be enhanced to include sidewalks from the eastern at Route 155 to the Western gateway and Route 146.
- Maintain and formalize a “green infrastructure” network of parks, preserves, farms, ecological resources and open spaces (Tawasentha Park, Gade Farm, Nott Road Park, Hiawatha Golf Course, Western Turnpike Golf Course, elementary and middle schools and Pine Bush Preserve)
- Link resources through a safe, non-motorized transportation network – residential, commercial, shopping, community facilities, etc.

Town Actions:

1. Town acquired foreclosed land behind Library for future multi-use trail (2017)
2. Town acquired part of private Mercy Care Lane to provide safe access for Library patrons to traffic signal (2018)
3. Route 20 sidewalk project links Hamilton Square to Library and Guiderland Elementary School (2019 construction)



Westmere Corridor Study (2017)

Eastern Segment, Central Segment and Western Segment

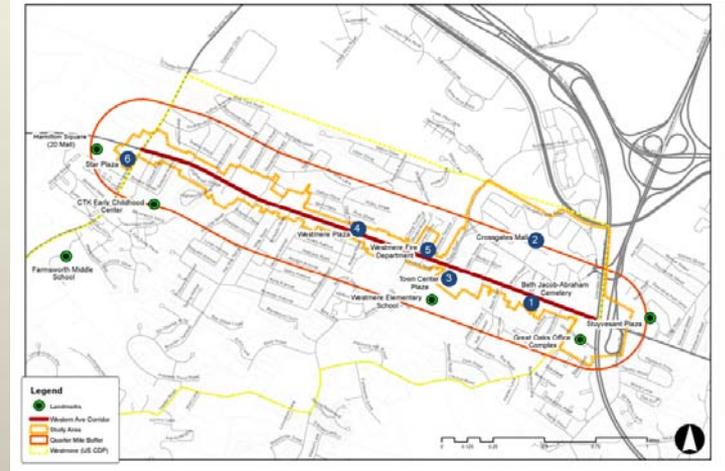
Eastern Segment Recommendations

- Create Transit Oriented Development Neighborhood.
- Provide mix of housing, shopping, entertainment and employment within ½ mile walking distance of transit center.
- Encourage higher density development – allows buildings heights up to 55'
- Encourage mixed-uses – incorporate commercial uses on ground floors of residential buildings

Town Actions

- Adoption of Section 280-18A of Town Zoning Code
- Encourage use of Crossgates Mall Ring Road and minimize impacts on Route 20
- Require pedestrian connectivity
- Require increased landscaping

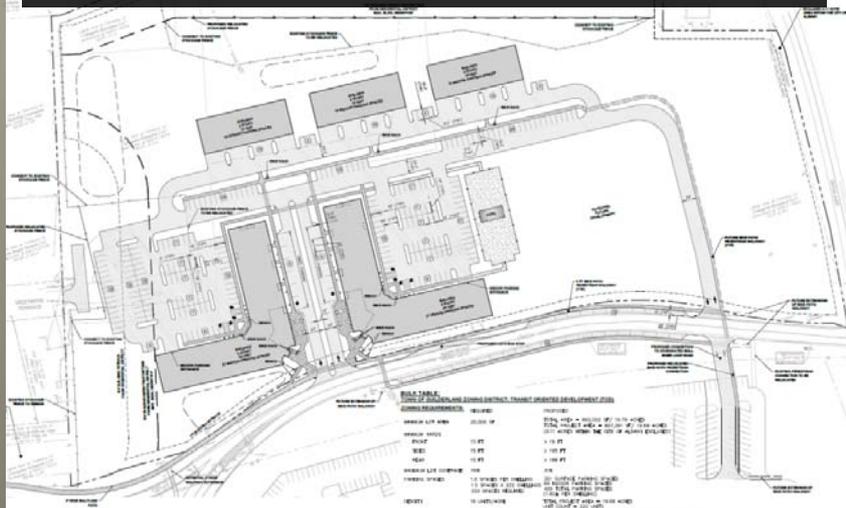
Westmere Corridor Study Area Boundary



TOD Boundary



Crossgates – Rapp Road Apartment/Townhome Site Plan



Concern #6

Guilderland Center Hamlet Master Plan

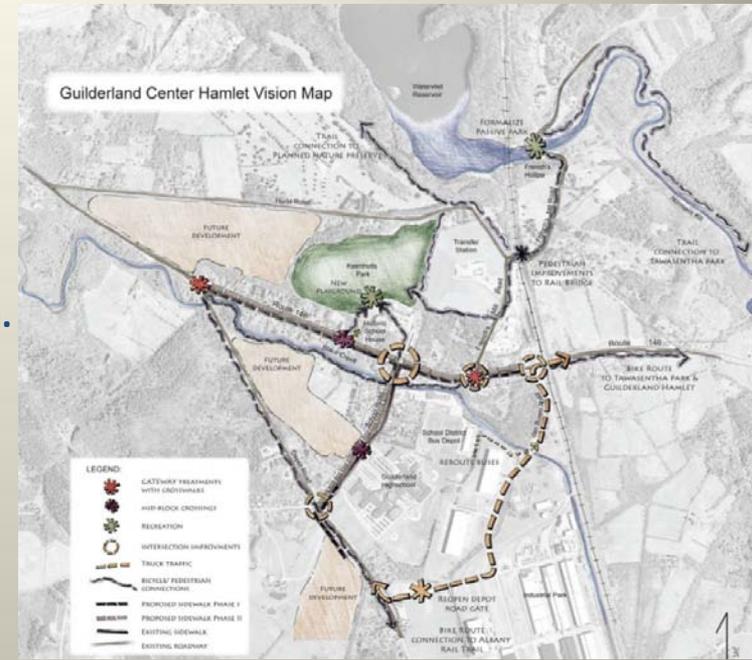
Vision Map

Recommendations:

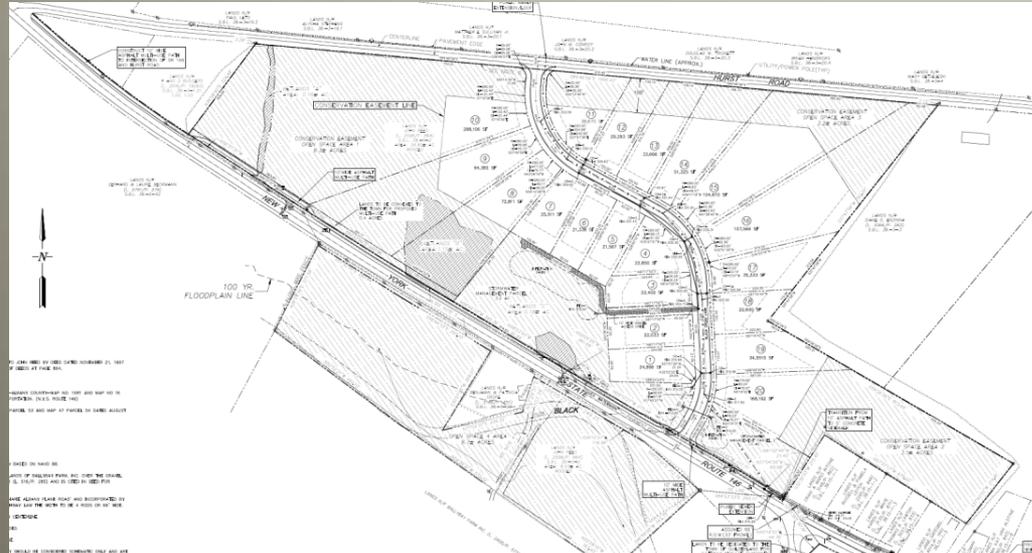
- New development should be utilize hamlet style designs – small lots, varied architecture that compliments the historic hamlet.
- New homes should be clustered in a traditional neighborhood style of development.
- Development should include an interconnected road system that links Hurst Road & Route 146, while discouraging cut through traffic.
- Preserve open space along Route 146 and periphery of the subdivision.

Town Action:

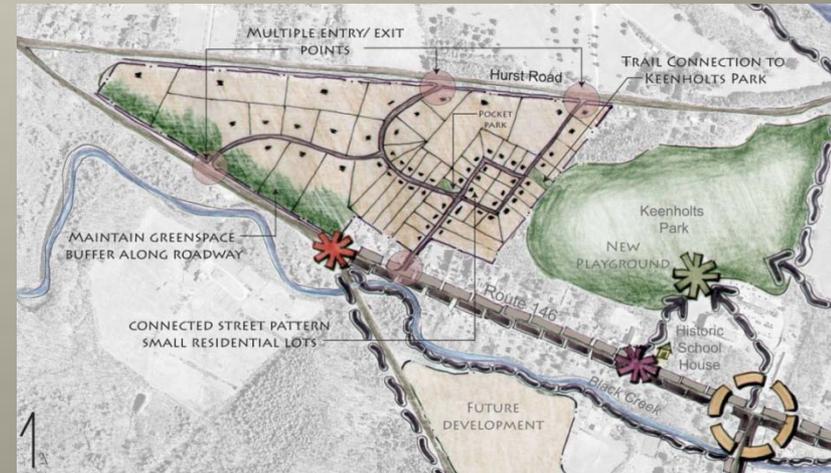
- Conservation subdivision currently being reviewed by Planning Board
- 100' buffer Hurst road, 240' buffer Route 146
- Conservation easement preserving 27.9 acres as open space
- Smaller lots clustered in center of site, curvilinear streets



Proposed Black Creek Estates Conservation Subdivision



Master Plan Recommendations – Hurst Road & Route 146



Concern #7 – Town Not doing Enough to Preserve Open Space

Residential Cluster/Conservation Subdivisions – Section 280-35 of Town Zoning Code

Purpose. Preserve open space areas for community recreation and enjoyment. Allows for design of subdivisions so that new homes are located in the landscape in a way that protects the natural resources and character of the Town.

- A minimum of 50% of the parent parcel shall remain as a permanently protected conservation area.
- A minimum of 50% of the site's total buildable land shall be included in the conservation area.
- Density bonuses based on % of land and contiguous open space preserved.
- **Black Creek Estates** – Total buildable area = 44.95+/- acres with 27.9 +/- acres proposed open space (62%)

Planned Unit Development (PUD) – Section 280-17 of Town Zoning Code

Purpose. Provides for flexible land use and design so that small to large scale neighborhoods can be developed that incorporate a variety of residential types and nonresidential uses. The PUD District shall include preservation of trees, natural topography and geologic features and efficient use of land.

- **Pine Bush Senior Living Facility** - 39.9 +/- acres of the 50.9 +/- acres preserved as open space (78.3%)
- **Winding Brook Drive Townhome** – 19.4 +/- acres of the 26.58 +/- acres preserved as forever wild (73%)
- **Winding Brook Commons** – 52.24 +/- acres of the 71.16 +/- acres preserved as green area (73.4%)

Open Space, Parks and Parkland Fees – Section 280-36 of Town Zoning Code

Purpose. Ensure that adequate accommodations are made for parks and parklands when residential subdivisions or multi-family residences are developed. That recreational needs of all citizens of the Town may be met by the by the use of the park fee system and the appropriate application of the open space section.

Parkland Reservation Fees

- Single-family, two-family, townhouse = \$1,800 per dwelling unit
- Multiple-family = \$500 per dwelling unit
- Mixed-use dwelling = \$500 per dwelling unit
- Residential facility independent living = \$300 per dwelling unit

Parkland fees are used by the Town exclusively for park, playground or other recreational purposes, including the acquisition of property.

Concern #7

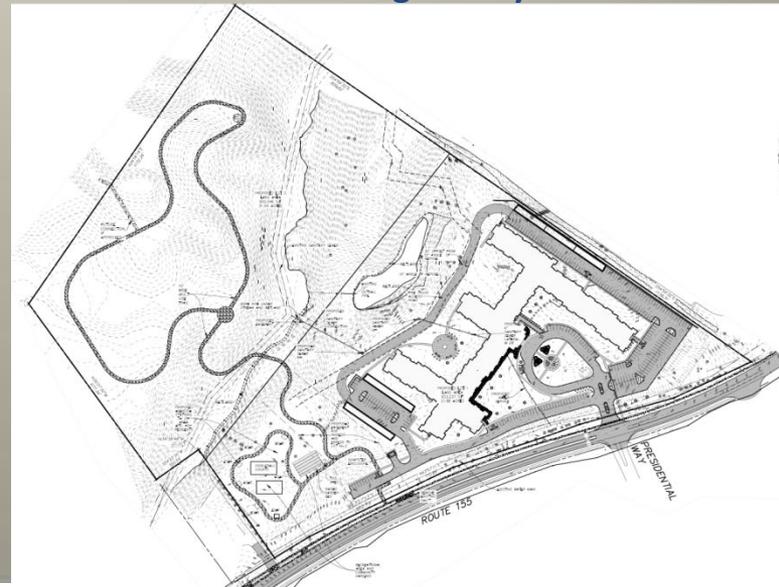
Guilderland Hamlet Neighborhood Plan

- In the neighborhood plan it states for the Hiawatha Trails Golf Course - “Work with landowner to maintain as recreation”.
- Landowners have development rights as prescribed in Town Zoning Law.
- Town cannot force a landowner to conserve land if they wish to develop.
- As part of the Hiawatha Trails Senior Living development 24.22 acres, or 55.27% of the site, will be conveyed to the Town and utilized as parkland with recreational trails.
- An additional 3+ acres will be utilized as recreation/community gardens area.
- 85% of the site will be retained as green space

Proposed Land Use Plan and Zoning Recommendations Map



Hiawatha Trails Senior Living Facility – Site Plan



Concern #7

Current Open Space Initiatives:

1. Vosburgh Trails (2017/2018)

- Land conveyed to Town as part of Twenty West Subdivision approval
- Town developed trails linking Vosburgh Road to Fuller Station Road, and eventually Watervliet Reservoir

2. Hudson Valley Greenway Grant (2017)

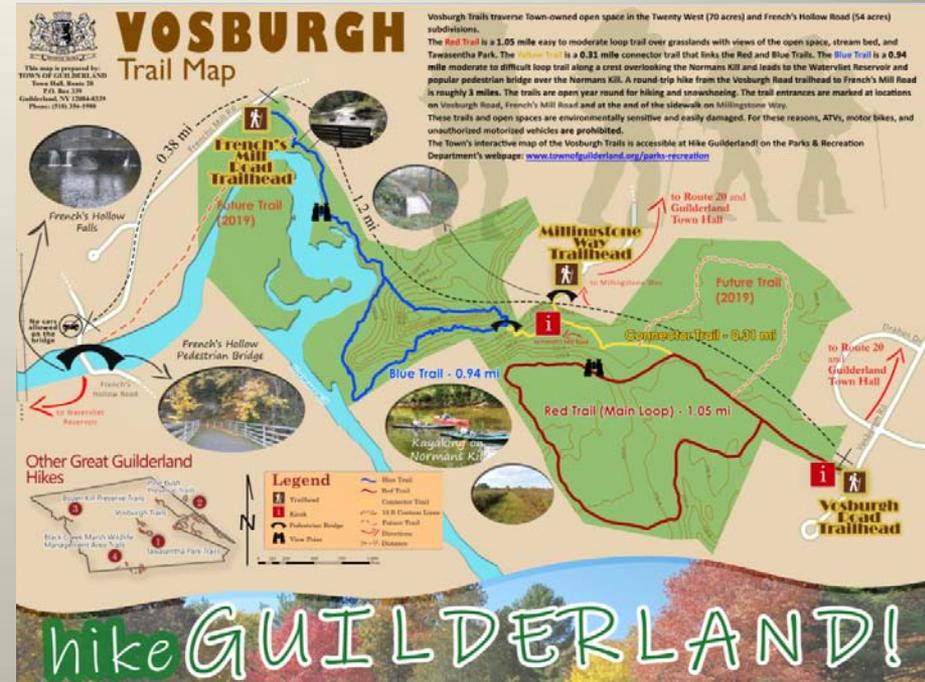
- \$7,500 grant awarded/\$7,500 Town match
- Creation of a pedestrian trail plan emphasizing connections between neighborhoods, community facilities and neighboring communities

3. CDTC/CDRPC – 2018 Technical Assistance Program

- Complete a trail network inventory
- \$9,780 awarded
- \$3,260 Town match

4. University at Albany – Urban and Regional Planning Graduate Studio Project – 2019 Spring Semester

- Trails/open space project – inventory open space/park properties, identify on-road/off-road connections, identify connections to residential, commercial, shopping, community facility uses.



Concern #7

- Open space/parkland data only includes Town owned land.
- Does not include 100's of acres of open space land owned by homeowner's associations, NYSDEC, Mohawk Hudson Land Conservancy and private landowner's by restrictive covenant's.

TOWN'S OPEN SPACE/PARKLAND (over 700 acres since 2001)

DiCaprio Farm by deed dated January 2001	101 acres
Town purchased 105 acres to establish DiCaprio Park (40 acres) with soccer, lacrosse, fishing pond, pavilion, and hiking trails. The Town signed an agreement with the Albany Pine Bush Commission to manage remaining land (61 acres) for multi-use trail network	
Western Turnpike Golf Course by deed dated January 2003	290 acres
Town purchased the 27-hole golf course to preserve open space and later added cross-country skiing and snowshoeing trails with linkage to Tawasentha Park (95 acres) and Winter Recreation Area (98 acres)	
Mrozek Parcel in January 2003	44 acres
Town dedicated Town-owned vacant property on Lydius Street to the Pine Bush Commission for preserve management.	
Winter Recreation-Tawasentha Park Pedestrian Bridge in 2007	
Town constructed a pedestrian bridge over the Normanskill Creek (\$260,000) to connect hiking, cross-country skiing and snowshoeing trails in the Winter Recreation Area's open space (98 acres) and Tawasentha Park (95 acres)	
Woodsfield Estates by deed dated December 2009	81 acres
Town acquired property as additional protected open space adjacent to DiCaprio Park and entered into an agreement with the Albany Pine Bush Commission for managing the property and extending the multi-use trail network	
McKownville Reservoir Park created by Town Board in 2009	8 acres
Town converted Town-owned land behind Stuyvesant Plaza to create McKownville Reservoir Park with a walking trail and benches around the reservoir	
Fusco Park in 2010	30 acres
Town signed a management agreement with the Pine Bush Commission to manage this vacant Town-owned property across the street from DiCaprio Park.	
Oxford Heights by deeds dated Nov. 2008 and Sept. 2016	14 acres
Town acquired protected open space in Westmere at Malpass & Krause Roads for a potential pocket park and linkage between residential neighborhoods and Middle School.	
Briarwood Commons by deed dated July 2016	1.8 acres
Torrin Court by deed dated April 2017	2.5 acres
Town-owned acquired protected open space off of E. Lydius Street for management by the Albany Pine Bush Commission	
Twenty West by deed dated July 2010	72 acres
French's Mill Road by deed dated January 2018	54 acres
Town established Vosburgh Trails (2018) with hiking and snowshoe trails linking residential developments to the Watervliet Reservoir and the bike/pedestrian bridge over Normanskill	
Elizabethfield Way by proposed deed dated Dec. 2018	14 acres
Town will acquire open space which will provide future trail linkage between Vosburgh Trails and Community Gardens	

Concern #8 – Town is Granting Special Exceptions to Developers

Three types of allowed uses in Town Zoning Law:
(1) Permitted Uses; (2) Site Plan Uses; and (3)
Special Uses

Special Uses

- Requires Special Use Permit approval pursuant to Section 280-52 of Town Zoning Code
- Zoning Board of Appeals is the lead agency
- Site Plan review by the Planning Board with recommendation to Zoning Board
- In permitting or amending a special use permit, the Zoning Board may impose, in addition to standards and requirements specified by zoning law, any recommendation made by the Planning Board in its site plan report and additional conditions the Zoning Board considers necessary.

§ 280-12	ZONING	§ 280-12
	(4) Family day-care home.	
	(5) Group family day-care home.	
	(6) Minor home occupation; see § 280-40, Supplemental regulations.	
	(7) Public building and park.	
	(8) Recreation, passive.	
	(9) Wildlife preserve and a preserve of scenic, historic and scientific areas.	
	C. Site plan uses. The following uses and their accessory uses are authorized by site plan approval under § 280-53:	
	(1) Bed-and-breakfast with a maximum of four guest rooms, provided that the property is eligible for or listed on the National Register of Historic Places and has a minimum area of one acre.	
	(2) Cemetery, provided that any burial, memorial plot or building shall be located a minimum of 100 feet from any residential lot line. Crematories shall be located only in cemeteries.	
	(3) Home occupation, see § 280-40, Supplemental regulations.	
	(4) Public utility.	
	D. Special uses. The following uses and their accessory uses are authorized by special use permit under § 280-52:	
	(1) Community center.	
	(2) Day-care center, provided that such center fronts on a state or county highway.	
	(3) Driving range on a minimum of 12 acres, provided no food or alcohol is offered for public consumption.	
	(4) Golf course.	
	(5) Nonprofit private school.	
	(6) Religious institution.	
	(7) Residential facility, independent-living.	
	(8) Residential care facility, assisted-living.	
	(9) Residential health care facility (nursing home).	
	(10) Special occasion facility, see § 280-40, Supplemental regulations.	
	E. Dimensional and site requirements. Dimensional and site requirements applicable to uses that are permitted or authorized in these districts are set forth in Article IV.	

Concern #8

Town Zoning Code prior to 1986 allowed nursing care homes in residential districts.

No change in allowed uses. Permitted with special use permit.

Nursing Care Homes

- Included in Town Zoning Code adopted March 15, 2003
- Permitted as a special use in residential single-family districts and multiple residence districts

Senior Uses permitted in Town Zoning Code adopted November 1, 2016

- Nursing Care Home use separated into 3 categories: (1) Residential Care Facility, Assisted Living; (2) Residential Facility, Independent Living; and (3) Residential Health Care Facility (Nursing Home)
- Permitted as a special use in residential single-family districts and multiple residence districts

1986 Town Zoning Code Definition

NURSING CARE HOMES — Any place or institution for the aged, infirm, senile, chronic or convalescent established to render, for compensation, domiciliary care, custody, treatment and/or lodging of three or more persons who require or receive special diet, assistance in feeding, dressing, walking, administering medicines, carrying out the treatment of a doctor licensed by the State of New York in any other ordinary daily activities of life; or are confined to bed or a chair. This category does not include institutions for the treatment of the mentally ill, hospitals, sanitariums, boardinghouses and the like.

2016 Town Zoning Code Definition

RESIDENTIAL CARE FACILITY, ASSISTED-LIVING — A facility approved by the State of New York which is designed for residents with physical, cognitive, or memory needs. The facility shall provide housing, on-site monitoring, case management services, and personal care services and/or home care services. The facility does not typically provide in-room cooking facilities and generally provides for congregate meals, and does not provide intensive medical or nursing services.

RESIDENTIAL DISTRICT — The following districts shall be considered residential districts: A, RA3, RA5, R40, R30, R20, R15, R10, MR, TH, PUD, and MH.

RESIDENTIAL FACILITY, INDEPENDENT-LIVING — A facility approved by the State of New York which is designed for residents over the age of 55 years and/or disabled residents to live without assistance. The facility shall provide dwelling units with individual kitchens and bathrooms and laundry, security and housekeeping services, and shall not provide or arrange for personal care services or home care services, or provide case management services for residents. A resident of the facility may obtain private personal care or home care services from a licensed or certified home care agency.

RESIDENTIAL HEALTH CARE FACILITY (NURSING HOME) — A facility approved by the State of New York which is designed for frail elderly and chronically disabled residents. The facility shall provide twenty-four-hour medical care, activities, supervision, and social services and may offer a wide range of medical-based services, including rehabilitation, occupational and physical therapy, and services to residents with special needs, chronic or life-threatening conditions.

Questions

Future Development Update – Early 2019