



Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

March 26, 2020

Kenneth Kovalchik, AICP
Guilderland Town Planner
Town Hall, PO Box 339
Guilderland, NY 12084-0339
(via email only)

Re: ACE/DEC/SEQR
Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects
Western Avenue and Crossgates Road, Guilderland, Albany County
19PR01578

Dear Mr. Kovalchik:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation's Division for Historic Preservation (Division) as part of your ongoing SEQR process for this project. These comments are those of the Division and relate only to Historic/Cultural resources.

Our office previously reviewed and provided comments on Site 1 of this project. The recently submitted Draft Environmental Impact Statement (DEIS) was the first time that our office has seen the addition of Sites 2 (Costco) and 3 (Potential Mixed-Use) to the development project that we previously commented on.

Within the DEIS, Section 3.1 notes that all three sites will require Stormwater Pollution Prevention Plans (SWPPP). The approval of such plans require review under Section 14.09 of New York State Parks, Recreation and Historic Preservation Law (PRHPL) by the New York State Department of Environmental Conservation in consultation with our office.

We also note that Section 2.6.2 states that Site 2 (Costco) will require coverage under a United States Army Corps of Engineers (ACE) Nationwide Permit (39). As you know, this would involve a review under Section 106 of the National Historic Preservation Act (NHPA). At this point in time these statutory reviews have not been initiated with our office by the applicant or the involved permitting agencies.

In reviewing Section 6.0 of the DEIS we found that our letter of March 11, 2019 was referenced. The excerpted portion states that the Division found that the development at Site 1 *"will not impact cultural resources in or eligible for inclusion in the State and National Registers of Historic places."*

Please be aware that this letter, which was included in the DEIS Appendix D, was superseded by our letter dated April 11, 2019 to Mr. Feeney (attached). This letter stated, *"it has become clear that the relentless traffic associated with the steady commercial growth now surrounding the Rapp Road Historic District has reached a level of adverse impact. The use of this intact and evocative section of Rapp Road by commuters and shoppers as a short-cut is now having a*

profound, direct and negative impact on the serene rural qualities that the first settlers sought as their refuge from the city of Albany."

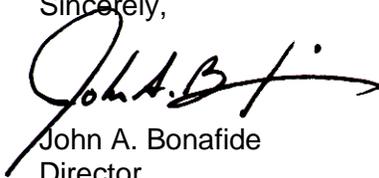
Unfortunately, this significant update to our comments and potential impacts on historic resources associated with the Site 1 development were not referenced in the DEIS. The expansion of the original housing project to include development on Sites 2 and 3 adds to our previously identified concerns relating to traffic impacts on the Rapp Road Historic District.

In reviewing the DEIS Section 3.5.3 (Mitigative Measures), our office continues to support alternatives that will eliminate the use of Rapp Road (within the Historic District) as a bypass for non-residential traffic. The significant expansion of the original project, as presented to this office for comment, reinforces our concerns over the negative impacts that this increased non-resident traffic will have on the district and its unique character.

By way of this letter we are notifying both the NYS Department of Environmental Conservation and the U.S. Army Corps of Engineers of our concerns and questions regarding the coordination of the reviews noted above.

If you have any questions regarding these comments, please contact me at john.bonafide@parks.ny.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Bonafide", with a long horizontal flourish extending to the right.

John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Historic Preservation Officer

cc: John Connell, ACE *(via email)*
Charles E. Vandrei, DEC APO *(via email)*
Stephen J. Feeney, Chair, Guilderland Planning Board *(via email)*
Dominic Rigosu, Chair, Albany County Planning Board *(via email)*
Beverly Basquez *(via email)*

att: April 15, 2019 Letter – J. Bonafide to S. Feeney w/attachment



Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Acting Commissioner

April 15, 2019

Stephen J. Feeney
Chair, Planning Board
Town of Guilderland
P.O. Box 339
Guilderland, NY 12084
(via email)

Re: SEQRA/DEC
Rapp Road Development, LLC/New Apartment Complex/Townhomes
Rapp Road, Guilderland, Albany County
19PR01578

Dear Mr. Feeney:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). As you know, our office provided the attached letter to the Town of Guilderland Planning Office on March 11 as part of their SEQR review.

Since that time, I have spoken with members of the Rapp Road community regarding concerns relating to existing and future traffic congestion in the National Register listed historic district.

The district was designated to the Nation's list of properties worthy of preservation in 2002. This distinction was based on the unique history associated with this important neighborhood, which evolved out of the Great Migration of the early 20th century. The neighborhood was the product of sharecroppers from Shubuta, Mississippi who were relocated to New York by Rev. Louis W. Parson. Originally settled in the city of Albany near Rev. Parson's church, the community found urban life difficult and unfamiliar to their predominantly rural agrarian experience in the South. Thus, the community relocated to what at the time was an isolated rural pine barren west of the city. What they established there replicated more closely the rural lifeways that these first sellers were accustomed to. The homes and community buildings they erected, the seemingly random layout of the land and lots along the narrow and then rural Rapp Road remains evident today in the historic district. This unchanged setting within the district remains a highly significant part of the historic integrity of this listed district.

At the time of the designation this setting had been somewhat compromised by the construction of Crossgates Shopping Mall in the 1980s and to a lesser extent the Daughters of Sarah Nursing Home complex. The addition of the Atria and the expansions at Crossgates Commons have also impacted the physical setting of the district. Today mature vegetation and open space setbacks still largely buffer the core of the Historic District from these modern visual intrusions. However, the traffic associated with these developments continues to increase and to directly affect the historic district.

Per the regulations that guide the New York State Historic Preservation Law (NYPRHPL §14.09), an adverse impact on a listed historic property is found when a project is likely to cause the *"introduction of visual, audible or atmospheric elements which are out of character with the property or alter its setting."* (9 NYCRR Part 428.7(a)(3)) Such impacts can also be cumulative

in nature, growing and evolving over time until they reach a point where they jeopardize the historic character of a place.

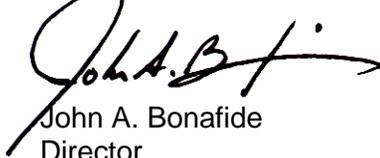
In speaking with community members, it has become clear that the relentless traffic associated with the steady commercial growth now surrounding the Rapp Road Historic District has reached a level of adverse impact. The use of this intact and evocative section of Rapp Road by commuters and shoppers as a short-cut is now having a profound, direct and negative impact on the serene rural qualities that the first settlers sought as their refuge from the city of Albany.

In reevaluating our comments to the Guilderland Planning Board, we now recommend that the potential cumulative traffic impacts from this newly proposed development be fully assessed. This evaluation should look at the expanded traffic counts anticipated with the proposed high-density housing project. We also strongly recommend that the existing high volume of non-local residential traffic that floods this unique and historic neighborhood be addressed and dramatically reduced through all methods available.

By way of this letter, we are alerting the New York State Department of Environmental Conservation that any Section 14.09 review conducted for this undertaking will require a significantly more rigorous assessment of traffic impacts to the Rapp Road District. This letter is also being submitted to the Town of Guilderland as an update to our previous SEQR comments.

If I can be of any further assistance, I can be reached at john.bonafide@parks.ny.gov or (518) 268-2166.

Sincerely,



John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Historic Preservation Officer

cc: Dominic Rigosu, A.I.A. *(via email)*
Kenneth Kovalchik, Guilderland Town Planner *(via email)*
Ms. Beverly Basquez *(via email)*
Charles E. Vandrei, NYSDEC *(via email)*

att: March 11, 2019 letter-NYSHPO to Town of Guilderland



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Acting Commissioner

March 11, 2019

Kenneth Kovalchik
Town Planner
Town of Guilderland
PO Box 339
Guilderland, NY 12084-0339
(via email)

Re: SEQRA/DEC
Proposed Rapp Road Apartments/Townhomes/New Construction
Gipp and Rapp Roads, Guilderland, Albany County
19PR01578

Dear Mr. Kovalchik:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Our office has assessed both the archaeological and historical impacts that might be associated with this action. Based upon this review, it is the OPRHP's opinion that the project, as submitted, will not impact cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If I can be of any further assistance, I can be reached at john.bonafide@parks.ny.gov or (518) 268-2166.

Sincerely,

John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Historic Preservation Officer