

MEMORANDUM

TO: Town Board members

FROM: Jan Weston

SUBJECT: Dutchman Acres

DATE:

APPLICANT REQUEST

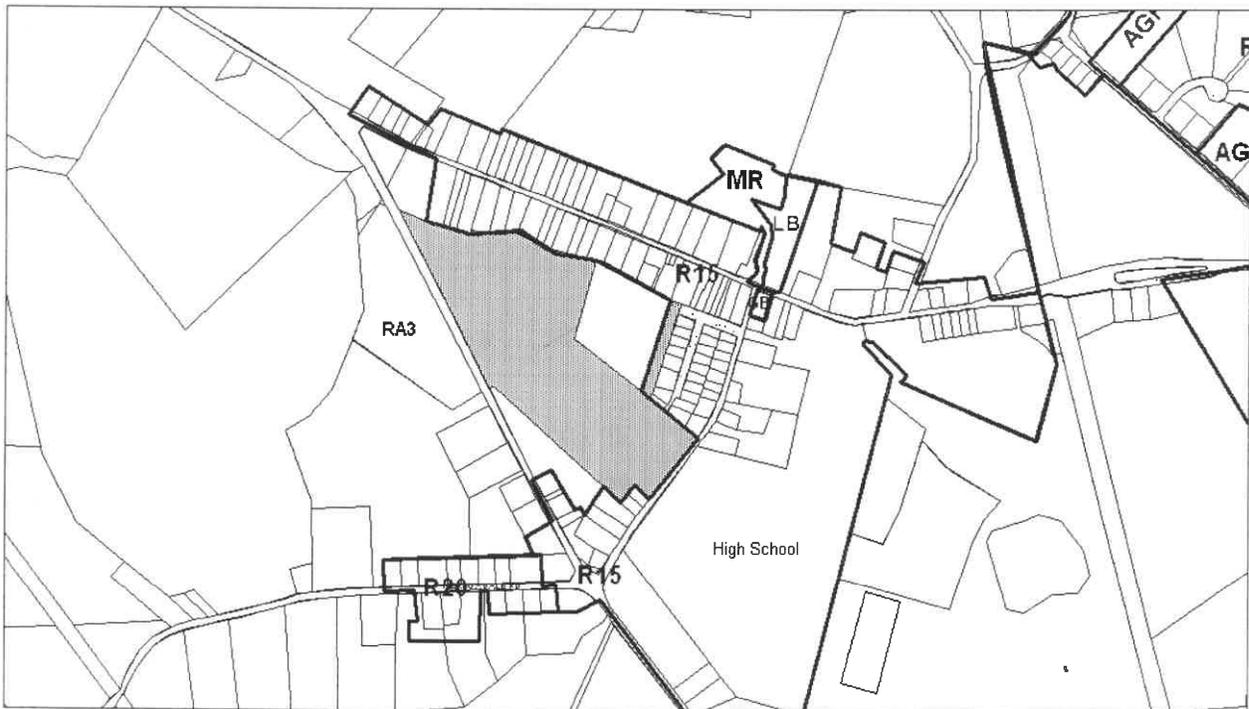
The applicant is requesting to rezone a parcel of land from Rural Agriculture-3 to Country Hamlet.

SITE REVIEW

This site is a 41 acre parcel located between Depot and School Road. It is generally flat field with very little mature vegetation. The Black Creek runs along the northern border and the site contains a series of Federal wetlands.

NEIGHBORHOOD REVIEW

The parcel is bordered by R-15 residential properties to the north and south, RA-3 residential to the west and the Guilderland High School to the east.



COMMENTS

This is the first application the Town has received for a Country Hamlet zoning designation, the law of which was passed in 2005. The purpose of the zone is “to allow for the development of land in appropriate areas of the Town that is consistent with the design principles of traditional neighborhoods including: compact, human scale design; a mix of uses; a mix of housing types and styles; a system of interconnected streets with sidewalks and other amenities, to encourage pedestrian and bicycle use and multi-use pathways; and links to existing and future developments while conserving large expanses of the rural landscape as natural areas . . .”

- The minimum size of a Country Hamlet district is to be at least 160 acres except when adjacent to an existing hamlet development. In this case, the parcel is being considered an ‘in-fill’ hamlet development.
- This parcel is environmentally significant in that the Black Creek forms its northern border and there are a series of federal wetlands running through the property. The proposed clustered design places all the housing units far from the creek thereby protecting it from pesticides, fertilizers, and other human impacts.
- All traffic will access Depot Road instead of impacting the already stressed School Road. However, there will be pedestrian access to School Road with perhaps emergency vehicle access, if deemed necessary.
- The housing architecture has been designed to blend with the historic nature of Guilderland Center, with similar lot sizes, garages to the rear, front porches and a sidewalk. The rezone should be conditioned on final architectural approval.
- The Country Hamlet zoning does allow for a greater density than would be allowed under the current Rural Agriculture - 3 zoning. The Town Board may wish to impose some type of mitigation to help offset this density bonus.

I am in favor of this rezone mostly because it would be inappropriate to have a standard suburban development on this site, both for design and environmental reasons. The proposal will blend nicely with the surrounding neighborhood and forever protect the Black Creek in this area from further development. However, the Board should consider some mitigation to help offset the impact of the density in Guilderland Center.

MEMORANDUM

TO: Planning Board members
FROM: Jan Weston, Town Planner
SUBJECT: June 9, 2004 Planning Board agenda
DATE: June 2, 2004

Gemme - Indian Ladder Drive

This is a concept presentation to split a 16 acre parcel into two building lots. The parcel is toward the end of Indian Ladder Drive which is a private road that crosses into and terminates in the Town of New Scotland.

This subdivision was originally approved in 1979 and is unique in that not only are the 10 lots on a private road but the well for each parcel is located on a separate well lot near Route 156 and the water then pumped to each individual home. Lot #8 was subdivided in 2001 and two lot line amendments were also granted for this parcel. I have the following comments:

- While the well for lot 8B1 will be located at the intersection of Route 156, a well has been successfully drilled directly on Lot 8B2.
- Vegetation removal should be kept to a minimum to help reduce the potential drainage problems and aid in the stability of the slopes.
- Our subdivision regulations state that side lot lines should be radial lines in the case of curvilinear streets. The applicant should explain if all the proposed lot angles are necessary or whether more standard lot shapes could be achieved.

No objection to concept approval.

Dutchmen Acres - School Road

The applicant has submitted a concept plan for a 34 lot subdivision of 38 acres. The parcel is currently zoned R-15. Two new roads are proposed, one entering from School Road across from the High School, and the second, a cul-de-sac with access to Depot Road. The northern boundary of the property contains the Black Creek and there are numerous federal wetlands that run southward through the parcel.

In 1991 the Town rezoned all vacant parcels over 5 acres to R-40. This parcel retained it's R-15 zoning because there was, at the time, an active subdivision application for the site on file. This application was later withdrawn. The School District also had an interest in this site for the expansion of athletic fields but deemed it too wet for their purposes. I have the following comments:

- I believe this parcel should not retain it's R-15 zoning. First, because it would have been

rezoned in 1991 had an application not been on file. Second, and most importantly, because this is an extremely sensitive environmental site. The wetlands are part of the larger wetland area across Depot Road which were recently all protected with the Aliberti subdivision. Also, the Black Creek is a major tributary to the reservoir. 34 lots spread throughout the entire parcel will put a tremendous strain on this ecosystem.

- This parcel actually extends across Depot Road but is not shown on this plat in its entirety. The full parcel must be mapped and the remaining lands shown as another lot.
- All lots need to have adequate building envelopes which would provide at least a 30 to 50 ft. buffer from the wetlands. In the Aliberti subdivision, a 100 ft. buffer was provided.
- The 100 ft. buffer from the Black Creek should be deed restricted to prohibit any development, vegetation removal or the use of chemicals. Ideally, no lawn area would be included in this buffer.
- Any lots fronting on Depot Road should have shared driveways to minimize the curbcuts on this County Road.
- The Army Corps will need to certify the wetland delineation before the Board can grant preliminary approval.
- A stormwater management plan is required and will be of particular importance due to the site draining into the Black Creek.
- A pedestrian connection to Nielson Road should be considered.

In summary, I would recommended this parcel be zoned R-40 and then the lots be clustered on smaller parcels substantially away from the Black Creek with large buffers provided around the wetland areas. This would allow for a hamlet sized development but also allow for open space to protect the environmentally sensitive areas.

MEMORANDUM

TO: Planning Board members

FROM: Jan Weston, Town Planner

SUBJECT: February 9, 2005 Planning Board agenda

DATE: February 2, 2005

Dutchmen Acres - School Road

The applicant has requested an informal discussion with the Board to introduce a hamlet type subdivision for this site. The proposal calls for 27 single family homes on small, clustered lots and 5 duplex units close to Depot Road. A Hamlet District law is part of the Rural Guilderland study and draft regulations have been written. However, these regulations are still developing and nothing has been approved by the Town Board. Therefore, we are not able to discuss details such as number of permitted lots, specific lot sizes, or final percentages of open space. But the applicant would like to start discussing some of the major characteristics such as road and lot layout, open space and connections. I have the following comments:

- The proposed cluster design eliminates all encroachments into the wetlands areas except for the road crossing. The open space is all contiguous and provides for a large buffer from the Black Creek. In terms of open space, this design represents many of our goals.
- The applicant has shown a cul-de-sac with access to Depot Road. However, the number of proposed lots on a one access street far exceeds our guidelines for emergency access. At the last hearing, the neighbors along School Road were concerned about the already congested conditions around the High School. Possible solutions might be to extend the cul-de-sac to School Road and provide a crash gate for emergency vehicles, or to allow a one way street.
- The plan show a trail along the northern edge of the property which would then run adjacent to the Black Creek. The plan should show a connection to School Road and also a pedestrian/ bicycle connection directly from the proposed road to Nielsen Road.
- The Hamlet District Law will call for sidewalks. I am not sure of the need for a sidewalk along a one access road. However, we should be looking at making a connection that would provide these residents a safe route to Main Street.

Overall, I think the applicant has made a good first attempt at a hamlet type design. Over the next couple of months the Town should be finalizing and adopting the laws necessary to achieve our rural Guilderland goals.

DiBella - 2563 Western Avenue

The applicant is requesting a special use permit to use approximately 1400 sq. ft. of space for a restaurant and bar in Park Place Plaza. This plaza has operated for a number of years with different combinations of retail, offices and eateries. All site improvements have been previously approved and I know of no problems with traffic, parking or nuisances from this plaza. No planning objections.

MEMORANDUM

TO: Town Board members
FROM: Jan Weston
SUBJECT: Dutchman Acres
DATE: May 5, 2009

It is my understanding that during the most recent review of the Dutchman Acres project, questions were generated regarding the location of the stormwater retention area and the approval process. I have reviewed the latest submissions for the Dutchman Acres project and have the following:

Stormwater management

- In order to address the concerns of the Town Board, the applicant has moved the stormwater retention an additional 75 ft. away from the Black Creek for a total distance of 250 ft.
- The system has been designed to meet all State standards.
- The TDE has reviewed the preliminary plans and found that the preliminary design will meet all agency's standards.

Stormwater Maintenance

The Town is researching legislation to allow for drainage districts, much like lighting or sewer districts. These districts will collect money on an annual basis that will be put in accounts to ensure the continuing maintenance of the stormwater facilities by the Town. The developer has agreed to enter into such a drainage district agreement.

Process

This is the first application the Town has received for a Country Hamlet zoning designation, the law of which was passed in 2005. The purpose of the zone is "to allow for the development of land in appropriate areas of the Town that is consistent with the design principles of traditional neighborhoods including: compact, human scale design; a mix of uses; a mix of housing types and styles; a system of interconnected streets with sidewalks and other amenities, to encourage pedestrian and bicycle use and multi-use pathways; and links to existing and future developments while conserving large expanses of the rural landscape as natural areas . . ."

The process is different than other change of zoning requests in that the Town Board has a two step process. First, the Town Board is to consider whether they would entertain the rezone based on how the proposal meets the intent and applicability of the above section. If the Town Board is comfortable with the intent and applicability, they then refer the application to the Planning Board for a concept approval. The Planning Board has already reviewed and approved the concept of this proposal. The next step is for the applicant to submit full engineering and environmental design of the project. It is at this stage that all the technical and engineering details are reviewed not only by the Planning Board but also any interested and involved agencies such as the DEC, Albany County, the Army Corps, etc.

After receiving a statement of findings from the Planning Board, the Town Board shall then hold

a public hearing on the proposed rezone. The Town Board may deny, approve, or approve with amendments the rezoning application.

I believe this application meets the intent and applicability of the Country Hamlet district and would recommend that the Town Board recommend the application to the Planning Board for preliminary site plan review.

MEMORANDUM

TO: Planning Board members
FROM: Jan Weston, Town Planner
SUBJECT: October 14, 2009 Planning Board agenda
DATE: October 7, 2009

Hysenlari - 49 Fliegel Avenue

The applicant is seeking concept approval for a proposed two lot subdivision on Fliegel Avenue. There is currently a vacant house on the property which the applicant will demolish. The lots, shown as #13 and 15 on the map, would each be 50ft. X 125 ft. which would require significant variances from the R15 zoning regulations. However, the majority of lots in this area are similar in size so they would be in character with the surrounding neighborhood.

Once the existing house is demolished the site will need to be re-graded. This should be done carefully as not to impact the adjoining neighbors. No objection to concept approval.

Dutchman Acres

This 34 lot clustered, country hamlet development that has already received conceptual site plan approval. However, because of the recent Guilderland Hamlet study and some of the ideas that came out of the public workshops, I thought it would be a good idea to revisit the concept with the Planning Board before the developer begins engineering design. Some of the design issues yet to be determined are as follows:

- Should the roadway have through access to School Road? In most cases, connectivity is desirable. However, there have been many School Road neighbors stating that the road cannot handle any additional traffic. There is also the question of whether a through road would become a cut through as it would be directly opposite one of the school's parking lots. If the road is to connect to School Road, the roadway should be designed to discouraged this cut through movement.
- A pedestrian connection should be shown to connect directly from Dutchman Place to Neilsen Road.
- Off sight improvements should include a sidewalk from Dutchman Place, along the west side of School Road and to connect with the sidewalk at the corner of School and Route 146. Whether a sidewalk along Depot Road to Rt. 146 should be determined
- Any on-site trails should form a continuous loop.
- The provision and location of an on-site recreation area should be discussed.

In preparation of preliminary plans the developer should also be considering the architectural and other design standards for country hamlets and how they will be implemented in this entire development and especially in regard to the 12 unit building and its accessory parking lot.

Mason - 1415 Western Avenue

The applicant has applied for a special use permit for a home occupation that entails property management and home inspections. The applicant states that no equipment is stored on his property and no clients came to the address. No planning objections.

Leininger - 23 Hite Court

The applicant has requested a special use permit to run his landscaping business from the site as a home occupation. Currently, the property is a staging area where employees come to pick up numerous landscaping trucks that are stored on the property. This is not an acceptable use in a residential district. However, the owner has stated that he will be relocating the truck to another location. If that is the case, I have no planning objections to the site being used strictly as a home office.

Christ's Church - 4 Charles Blvd.

The applicant is seeking to amend their special use permit for the expansion of their church within the confines of an existing industrial building in Charles park. Besides from building code concerns that need to be addressed, the only planning issue would be parking. And although the file does not contain a parking plan, the demand for parking on Sundays would be at a minimum for the other industrial uses at the park. No planning objections.

MEMORANDUM

TO: Planning Board members
FROM: Jan Weston, Town Planner
SUBJECT: July 8, 2015 agenda
DATE: July 1, 2015

Spoor - 10 Frenchs Mill Road

This is the final hearing to allow the applicant to cut a 25,000 sq. ft. parcel off his present home site. The proposed lot meets all the requirements for the zoning district, will be serviced by public utilities and the GCAC found no significant environmental concerns. No planning objections.

JJE Development - 3403 Carman Road

The applicant has requested to amend their special use permit to include a personal training business, which will have a separate entrance, in the rear portion of the former Gruelich's site. The Boards have just recently approved the site plan for this site. No planning objections.

Rogers - 457 Route 146

The applicant has requested a special use permit to convert vacant space in the Guilderland Center plaza to a dance studio. The space, on the end cap facing Route 146, was formerly used as a restaurant. All parking and landscaping has been formerly approved as part of the plaza.. No planning objection.

Northeast Fine Jewelry - 1575 Western Avenue

The applicant has applied to amend their special use permit to redo the front facade and to construct an 800 sf. ft. addition in the rear. Because the front entrance will be re-located the existing concrete will be removed and replaced with landscaping. There will be no net change in green space or parking. No planning objections.

Black Creek Run

The applicant is requesting preliminary approval for this Country Hamlet development. I have appended the components necessary for the approval of a development plan. If preliminary approval is granted the applicant must then go to the Town Board for approval of the rezone to Country Hamlet. This approval will be in the form of a local law which will outline all the design criteria and conditions for the development. Once that is approved, the applicant must come back to the Planning Board for final approval of the subdivision to be filed with Albany County.

In light of this checklist I believe the applicant has complied with all the guidelines except for the table establishing minimum area sizes; width, side yard, frontage, depth, rear setbacks, and other dimensional standards. While there are no minimum bulk requirements, the town's design guidelines should be used as a base. Where the applicant deviates from this model, a table shall be created and included in the development plan. This table will become important in the future as owners begin to want additions, decks, pools, etc.

I recommend approving the preliminary plans, with the following comments:

- I am not particularly comfortable with the open space going to a private owner but can

live with it if everyone else is in favor.

- that all comments from TDE have been adequately addressed.
- that the language of the conservation easement be approved by the Town Attorney
- that the table establishing area sizes and setbacks be established on the final subdivision plat.

Development plan components. Each application to establish a CH District shall include a development plan that describes existing conditions and the future development pattern. The development plan shall be reviewed by the Planning Board in accordance with this chapter and the design guidelines and, upon approval, shall be part of the adopted local law. The development plan shall include a series of maps, drawings, tables, and narratives discussing the overall CH District application that demonstrate the following:

[1]

Land use relationships and boundaries of each use area.

[2]

An updated tract resource map (see hamlet district design guidelines) showing appropriate areas to be included as open space. (Note: the tract resource map is submitted with preliminary review materials, but should be updated based on the Planning Board's initial commentary and submitted within the development plan.)

[3]

Delineation of proposed open space, recreational, and civic areas broken down by type (preserves, parkland, agriculture, commons, neighborhood greens, or plazas).

[4]

Vehicle, bicycle, and pedestrian, and multipurpose circulation system, including locations, widths of rights-of-way, and any use restrictions.

[5]

General drawings indicating the architectural character and appearance of building types, streetscapes, parking layout areas, and landscaping concepts.

[6]

Streetscape drawings showing streets (travel lane dimensions and ROW widths), sidewalks, parking, street lights, tree planting areas and other landscaping treatments.

[7]

Use, size, location and height of all proposed buildings and structures.

[8]

Building design standards which depict architectural styles, construction materials, and construction methods.

[9]

Land management plan for open spaces, including provisions for buildings and support structures and any limitations thereon.

[10]

Statistical data demonstrating the gross acreage and percent for each land use and housing type.

[11]

Table establishing minimum area sizes; width, side yard, frontage, depth, rear setbacks, and other dimensional standards. While there are no minimum bulk requirements, the town's design guidelines should be used as a base. Where the applicant deviates from this model, a table shall be created and included in the development plan.

[12]

Stormwater pollution prevention concept plan addressing stormwater runoff and water quality.

[13]

A development schedule for the CH District if phasing is proposed.

[14]

A discussion of how the project meets each principle and guideline of the Hamlet District guidelines from the Town's Rural Development Design Guidelines.

[15]

A discussion of impacts to surrounding area and opportunities for future hamlet expansion.