

June 3, 2022

Planning Board Chairman Stephen Feeney and Planning Board Members
Guilderland Town Hall
5209 Western Turnpike
Guilderland, NY 12084

CC: Jeff Smetana (UG Family, LLC)

**RE: Rapp Road Residential Project – Final Site Plan Approval
Town of Guilderland, New York, Albany County**

Members of the Board:

UG Family, LLC, is proposing modification to the previously approved Site Plan for the Rapp Road Residential Project, also known as Site 1, in the State Environmental Quality Review Findings Statement, dated August 28, 2020, adopted by the Town of Guilderland Planning Board for the Rapp Road Residential / Western Avenue Mixed Use Redevelopment Projects.

On August 14, 2019, the Planning Board, as SEQRA Lead Agency, adopted a resolution issuing a Positive Declaration requiring a cumulative impact analysis of the proposed action, described in Part 3 of the EAF for the action. The proposed action includes three sites: the Rapp Road Residential Development project (Site 1), the Costco retail facility project, and a residential/commercial mixed-use concept (Site 3). The Rapp Road Residential Development project was included within the DEIS.

The DEIS was accepted as complete on February 12, 2020, and a Final Environmental Impact Statement (FEIS) was prepared at the close of the public comment period. On July 29, 2020, the Planning Board as Lead Agency, adopted the FEIS and on July 31, 2020, a notice of completion was filed with the NYSDEC Environmental Notice Bulletin. As noted above, the Planning Board adopted SEQRA findings on August 28, 2020.

The Rapp Road Residential Project will be named The Apex at Crossgates (“The Apex”). The Apex at Crossgates will provide 222 Class A rental units, including 192 apartments over a first level parking garage, plus 30 townhomes with private garages. Apartments and townhomes will all have premium features and finishes, including gourmet kitchens with stainless appliances and granite counters, luxury plank flooring, walk-in closets, full-size washer/dryers, ceramic tile bathrooms, glass door showers, designer fixtures, nine-foot ceilings and private balconies. The 6,500 square foot clubhouse will provide a gym-quality fitness center and yoga studio, work café and private meeting spaces, games rooms and bistro lounge for social events, plus an outdoor pool, grilling stations, bocce and pickle ball courts, and walking trails. The Apex will have a lighted and landscaped walking path to the adjacent Crossgates Mall, as well as sidewalk connections to the nearby CDTA bus stop and to Western Avenue.

The 222 residential units will remain consistent with the previously approved site plan and the amount of surface parking will be reduced because some parking will be moved within the residential buildings. It should be noted that with this plan that the additional 90 units, designated as future development, will be permanently abandoned. The parking count will be slightly less than was previously approved



while reducing the amount of impervious cover on the project site. The total impervious area on the project site will be reduced by over 10,000 sf as part of the proposed site plan modifications.

The previously approved project had space reserved for future development of residential units. As part of the new proposed plan the buildings have been spaced out to create more open space in the overall development and the mid-rise buildings moved away from the Westmere Terrace neighborhood. The result is that there will be no planned future development of additional residential units on the project site as previously shown on the site plan.

As a result of the reduced impervious area the amount of water quality treatment needed for stormwater management is also reduced. The modified layout provides more opportunity for incorporating green infrastructure into the project.

Lastly since the overall unit count for the full build out of Site 1 would be reduced from the previously approved project, it will not result in any additional traffic generation, nor will it increase demands on municipal services and public water and sewer systems.

Table 1 summarizes the proposed project in comparison to the previously approved project.

Table 1

	Previously Approved Project	Modified Project
Unit Count	222 ¹	222
Parking Count	362	355
Impervious Surface	276,197 sf	265,563 sf
Water Quality	22,860 cf	21,940 cf
¹ 222 units were previously approved, with an area designed as future development for 90 additional units.		

The modification to the proposed project results in a plan that is consistent with the SEQRA record and adopted Findings Statement because it will result in no new impacts and in the case of impervious area and stormwater runoff, will result in fewer impacts. Additionally, the modified project will have more open space. Residential density will remain the same with no future phase increase in total residential dwelling units. Water demand/wastewater generation, traffic generation, and solid waste generation will all remain unchanged.

To arrive at this conclusion, we reviewed the FEIS adopted by the Planning Board and compared the proposed development changes to the approved project in each relevant area of the environment. Based on our review, the modification would not result in greater impacts and in some cases would result in lesser impacts. The following summarizes our analysis.

1. Biological, Terrestrial and Ecology

The proposed modifications to the development and site design for Site 1 will not change the project's impact on land. The overall footprint of the project has not changed and therefore there will be no increase in impacts to biological, terrestrial, or ecological resources.



2. Historic, Cultural and Archeological Resources

The proposed modifications to the development and site design for Site 1 will not change the project's impact on land. The overall footprint of the project has not changed, and the unit count remains the same under the proposed development plan. The Potential for additional future development approved under the original Site Plan has been abandoned with this Plan. There are no changes to the mitigation for historic, cultural, and archaeological resources outlined within the FEIS.

3. Traffic and Transportation

The proposed modifications to the development and site design will not change the project's impact on Transportation and Traffic. The modified project permanently abandons the area designed as future development for 90 additional units and proposes a unit count of 222 units consistent with the approved plans. Therefore, there will be no change in trips from the modified project. The modified project will supply slightly fewer parking spaces 355 (a reduction of 7) from the original approved plan. However, the number of parking spaces proposed meets the required zoning for the district and meets the demands of the project. Therefore, all prior analysis of potential impacts on transportation and parking remain valid.

4. Land Use and Zoning

The overall footprint for the project has not changed and the proposed modifications to the development and site design will remain consistent with TOD legislation and the findings in the FEIS. Therefore, there will be no impacts to land use.

5. Character of the Community/Neighborhood

The proposed modifications to the development and site design will not change the project's impact on community character because its use, location, overall appearance, and zoning classification remain the same. The proposed modifications will move more of the proposed parking into the residential buildings which reduces the amount of surface parking needed and the amount of impervious cover on the project site. The taller buildings will be moved further away from Westmere Terrace and there will no longer be a place on the site plan reserved for future development of additional units. Visual analysis conducted of the modified plan confirms that there will be no change in the potential visibility of the Project from the adjacent historic district to the north due to the continued preservation of the Conservation buffer area and existing topography which will remain unchanged. . The site will continue to be consistent with the community character as analyzed in the EIS.

6. Schools, Community Facilities and Municipal Services

The total number of residential units will not change from the previously approved project and as such the proposed modifications to the development and site design will not change the project's impact to schools, community facilities and municipal services.



7. Air Quality and Noise

The overall footprint of the project and the total number of units has not changed and therefore the proposed modifications to the development and site design will not change the project's impact to air quality and noise.

8. Municipal Revenues and Finances

The modified project permanently abandons the area designed as future development for 90 additional units and proposes a unit count of 222 units consistent with the approved plans, therefore the proposed modifications to the development and site design will not change the project's impact to municipal revenues and finances.

9. Alternatives

The proposed modifications to the development and site design are consistent with the originally approved project and therefore does not change the outcome of the alternatives analysis.

10. Water Resources

No wetlands or hydric soil conditions were found on the Site and as such the proposed modifications will not have an impact on water resources. Since the project will have less impervious coverage the stormwater management for the project site requires less water quality volume for treatment. The modified plan incorporates the requirements for the NYSDEC stormwater design manual and promotes green infrastructure and infiltration practices similar to that of which was proposed in the original site plan.

11. Miscellaneous – Climate Change/Tree Cutting

The overall footprint of the project and the project permanently abandons the area designed as future development for 90 additional units and proposes a unit count of 222 units consistent with the approved plans. The proposed modifications to the development and site design will not change the project's impact to the findings with respect to climate change and tree cutting.

Based on the information above, it is our opinion that the conclusions of the SEQRA review carried out by the Town of Guilderland are not affected and that the modified project is consistent with the prior SEQRA findings and therefore no further SEQRA action is needed.

Respectfully submitted,

LaBella Associates

Roger Keating
Senior Civil Engineer, Regional Leader