

**Resolution of the Town of Guilderland Planning Board to Accept the Final Environmental Impact Statement for the Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects**

1. The proposed action involves three project areas. Site 1 consists of +/- 19 acres of land on Rapp Road, which is proposed for the development of 222 one and two bedroom apartments with two five-story and three two-story buildings, along with underground and surface parking, and +/- 3,900 square feet of commercial space. The EIS also included, for the purpose of analyzing potential cumulative impacts, the potential development of 90 additional apartment units on Site 1. Site 2 consists of +/- 15 acres of land at the intersection of Crossgates Mall Road and Western Avenue, which is proposed for the development of a +/- 160,000 square feet Costco retail club facility with fuel pumps. Site 3 consists of +/- 11 acres of land located between Site 2 and the recently-developed Hilton-brand hotel, on which no specific development is currently proposed. For purposes of analyzing cumulative impacts, this site is identified as prospectively including a mix of residential, retail, and office uses.
2. On February 12, 2020, the Town of Guilderland Planning Board, acting as Lead Agency pursuant to the New York State Environmental Quality Review Act and its implementing regulations (“SEQRA”), accepted the Draft Environmental Impact Statement (“DEIS”) for the Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects as sufficiently adequate with respect to scope and content for the purpose of commencing public review and comment, scheduled a public hearing, and commenced the required public comment period on February 20, 2020 consistent with the requirements of SEQRA.
3. On May 13, 2020 the Planning Board held a virtual public hearing in a manner consistent with the Governor’s Executive Orders for the conduct of public hearings during the COVID-19 pandemic. The hearing lasted approximately four hours, with approximately 100 speakers heard. Under 6NYCRR617.12(a)(2)(iii), the public comment period remained open for an additional 13-day period through May 26, 2020. A total of 96 days was provided for the receipt of public comments on the DEIS.
4. The Final Environmental Impact Statement (“FEIS”) for the Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects was prepared at the direction of the Planning Board to ensure that the Planning Board, as well as other involved agencies and the general public, are able to carefully analyze and take a “hard look” at the potential environmental impacts of the proposed action(s) and the measures proposed to mitigate such impacts.
5. In order to provide comprehensive and thorough responses, the FEIS contains additional information and confirmatory analysis where appropriate to assist the Planning Board in its analytical and decision-

making obligations under the SEQRA. As discussed more fully in the FEIS, the additional information and/or confirmatory analyses contained in the FEIS amplify and examine in greater detail the issues initially examined in the DEIS as a result of comments received from both involved agencies and the public. The additional information and the analyses are consistent with the examination of issues contained in the DEIS, and do not result in the identification of any new or different significant adverse environmental impacts. Therefore, the Planning Board determines that a Supplemental Environmental Impact Statement (“SEIS”) is not warranted or required, and would not assist the Planning Board in analyzing the proposed action and otherwise fulfilling its obligations under the SEQRA.

6. The FEIS was evaluated by the Town-designated engineering firms Delaware Engineering, DPC and Greenman-Pedersen, Inc., as well as by Town staff for substance, completeness, and accuracy, with all concluding that the FEIS is responsive to all substantive comments and recommending that the FEIS be accepted.
7. Having given due consideration to the entire record before it, and based on its own independent examination and consideration of the FEIS, including consultation with its engineering and legal consultants, the Town of Guilderland Planning Board, as SEQRA Lead Agency, finds and determines that the FEIS for the Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects is satisfactory with respect to its scope, content, and substance and the analyses and conclusions accurately represent the Planning Board’s assessment and is hereby accepted.
8. The Town Planner is directed to take all actions necessary to publish, file, and circulate the necessary notices and the FEIS as required by the SEQRA.

Dated: July 29, 2020

Stephen Feeney, Chairman, Voting      In Favor  

Amanda Beedle, Voting                  In Favor  

Terry Coburn, Voting                     In Favor  

James Cohen, Voting                     Absent  

Herb Hennings, Voting                  In Favor  

Gustavo Santos, Voting                  In Favor  

Thomas Robert, Voting                  In Favor