



KENSINGTON WOODS
RESIDENTIAL CLUSTER DEVELOPMENT

PROJECT NARRATIVE
7/3/07

INTRODUCTION

The proposed Kensington Woods Residential Cluster Development (KWCD) is located on four separately assessed parcels totaling approximately 184.41 acres in the northeastern region of the Town of New Scotland. The applicant for the project is the Garrison Development Group of 395 Mariaville Road, Schenectady, NY, 12306.¹

In general, the proposed project includes the creation of 169 residential units with the preservation of 82.7 acres of open space. The proposed residential units vary in size and type to provide housing diversity while promoting open space preservation and protection. The proposed open space areas include the preservation of the rural character of the existing carriage ways, lands to be dedicated to the Town for future active Bike Trail Park and the protection of existing water features, wetlands and environmentally sensitive areas. The proposed residential lots and active/passive open space amenities are proposed to link to one another through the interior design elements of the project where appropriate.

The applicant is requesting the Town of New Scotland to consider this Cluster Development application, to allow for the use of creative architectural and planning concepts consistent with the spirit and intent of the Town of New Scotland Zoning Law. The notable features of the proposed design are twofold: 44.9% open space and density equivalent to that allowed using a conventional layout plan.

The intent of this project narrative is to describe existing conditions, outline the proposed development plan, discuss the KWCD attributes and outline the next steps of the project.

EXISTING CONDITIONS

The parcel proposed for development is located on approximately 184.41 acres of land in the Northeastern region of the Town of New Scotland. The parcel includes tax map lot numbers 73.00-1-9.2, 73.00-1-9.12, 73.00-1-9.11 and 73.00-3-1.1. The parcels are bisected by Hilton Road and are located immediately northeast of the existing D&H

¹ This is an amended Application from the original Kensington Woods Application for a Planned Unit Development.

railway corridor, and, more generally, in the vicinity east of State Farm Road (155), west of Font Grove Road and south of Krumkill Road and Normanskill Road.

The lands west of Hilton Road are currently vacant. A former gravel mine was located on the far west portion of this area. The gravel resources in this area have been removed and the area has been reclaimed. The vegetation in the former mine area includes light brush and grassland. The vegetation on the remainder of the parcels west of Hilton Road includes moderate and dense brush to moderate woods. The lands immediately east of Hilton Road currently include vacant land formerly utilized for a golf course. The vegetation in the former golf course area includes primarily light to moderate brush and groups of moderate woods. Surrounding uses to the proposed development include single family residences, agricultural fields and vacant land.

Surface water drainage on the parcels is generally divided by Hilton Road. The parcels west of Hilton Road drain to the northwest towards the Vly Creek with the exception of portions of a highpoint that drain first to the east then north to the Vly Creek. The parcels east of Hilton Road drain generally to the east to an unnamed tributary that ultimately discharges to the Normanskill. The parcels immediately east of Hilton Road include four ponds that are connected to the unnamed tributary. Site topography is rolling and slopes are generally mild to moderate. Isolated areas of steep topography (15 percent or more) are located around a high point located on the parcels west of Hilton Road immediately adjacent to the former mine site. The site topography has been surveyed and 2-foot interval contours have been generated for the parcels adjacent to Hilton Road. Site soils vary throughout the site and consist of a mix of sand, gravel, silt loam and clay.

Freshwater wetlands have been delineated by a wetland scientist and have been surveyed into the base map. The wetlands have been determined to be Federal wetlands and are located primarily around the Vly Creek, ponds, the unnamed tributary and the various depressions that convey to the previously mentioned features. The Army Corps of Engineers (ACOE) has been contacted and a jurisdictional determination has been issued for the parcels immediately west and east of Hilton Road.

The current zoning for the parcel is Medium Density Residential (MDR). The intended purpose, typical uses/descriptions and area requirements for the zoning district are as follows:

MDR – Medium Density Residential

The statement of purpose for the MDR zone as outlined in the Town of New Scotland Zoning Law indicates that the medium residential areas generally have suitable soils and slopes for urban development, are accessible to other population centers, are feasible of being served with

public water and sewer and are generally outside the prime agricultural area. The purpose of this district is to accommodate growth where it can be provided with adequate facilities and utilities at densities attractive to development, and to free prime agricultural areas from scattered development.

Permitted uses in this district include agricultural, single-family, outdoor recreational uses, accessory uses, day care, home occupations, forest management and amateur radio towers. Special uses include two-family dwellings, multi-family dwellings, essential service structures, hospitals and clinics, nursing and convalescent homes, hotels-motels, restaurants and taverns, planned unit developments, horses, day care centers, water impoundment for recreation and storage, recreation buildings, churches, boarding and riding stables and arenas, cemeteries, animal hospital-clinic-kennel, and personal farm activities.

The MDR area requirements for Class 1 (public water and sewer) utility parcel are as follows:

Min Lot Area	=22,000 square feet
Min. Bldg. Line	=120 feet
Front Yard	=40 feet
Side Yard	=25 feet
Rear Yard	=30 feet

PROPOSED DEVELOPMENT

As previously discussed, the applicant is requesting the Town of New Scotland to consider this Cluster Development application, to allow for the use of creative architectural and planning concepts consistent with the spirit and intent of the Town of New Scotland Zoning Law.

Standard of Review-

A Cluster Development is a special kind of zoning authorized under the Zoning Code to allow flexibility in development and to encourage creative project design, all in accordance with the overall provisions of the Code. Specifically, Section 190-58 of the Town Zoning Code sets forth the objectives for a Cluster Development:

- (1) Promote the most appropriate use of land;
- (2) Facilitate the adequate and economical provision of streets and utilities;

- (3) Result in improved living and working environments;
- (4) Preserve open space and the natural and scenic qualities of open lands including environmentally sensitive features of development sites;
- (5) Preserve significant tracts of forested lands;
- (6) Preserve active agricultural lands;
- (7) Protect floodplains, wetlands, lakes, ponds, streams, and other natural features;
- (8) Promote development in harmony with the goals and objectives of the New Scotland Comprehensive Land Use Plan.

As set forth more fully below, these objectives and criteria are satisfied with this proposal. The proposal looks at the possibilities of land utilization under the existing zoning, and then applies the Cluster criteria to define more creative, more attractive and more beneficial land utilization than would otherwise be achieved under the applicable zoning scheme.

The plan provides varied housing types to address differing lifestyles and residential choices. The Plan more than satisfies the open space requirements, providing both passive and active recreational areas which concurrently serve as areas designed to integrate the new development into the surrounding area, recognizing the rural character of the area as viewed from adjacent roadways and otherwise. The Cluster Plan utilizes the existing topography and natural features to define the areas of open space to be preserved and utilizes those features to define the manner in which the project will be blended into the topography, working with existing grades of the land to the fullest extent possible, providing a varied terrain and more attractive, more natural landscape than conventional development would offer. Furthermore, by using divided boulevard designs with landscaped center islands for the internal roadways where possible, the Project results in a more aesthetically pleasing environment while simultaneously insuring safe ingress and egress to the project and enhancing access for emergency vehicles with a more efficient infrastructure.

The Project is in harmony with surrounding development. Within 1 mile of the site, the following uses are present – Orchard Park residential – 1/4 mile; Weatherfield residential project - 1 mile; and the Village of Voorheesville is located within 1/2 mile. Additionally, there are a number of single-family homes on large lots scattered

throughout the area. These existing uses demonstrate the full scale of residential land utilization in the surrounding area – from the Village density to the large lots which have evolved from older agricultural uses. This Project blends with those existing uses because it provides a microcosm of the broader surrounding community, with its differing housing types and differing densities of development, essentially surrounded by the on site open space. The Project provides an option for residential uses which efficiently utilize the land, simultaneously providing water and sewer to insure that the surrounding ground water and surface water environments will not be adversely impacted by the Project. Allowing development of the Project as proposed affords an efficiency of land utilization, without overburdening the land or infrastructure that would not be possible through strict adherence to the other sections of the Zoning Code. Development of the land in the fashion proposed provides needed housing options in the Town, but prevents unnecessary loss of green space beyond the Project, preserving the other rural areas of the Town, preventing residential sprawl and addressing the needs for water resources in the immediate area.

As further outlined below, through careful analysis of the existing zoning requirements, the Project Sponsor has developed this Project proposal to maintain the character of the area, provide for efficient development and offer an attractive landscape for the benefit of the Town and its present and future residents.

Unit Number Determination-

The applicant's first step in creating a development concept for the parcel is to evaluate the existing parcel's environmental constraints in accordance with the Town of New Scotland Zoning Law and planning techniques to determine the appropriate number of units for the parcel. In our review of the Town of New Scotland Zoning Law, the method for establishing the development density of a parcel of land, is to review the MDR parcel calculations. In conducting this review under the Zoning Law requirements, a Conventional Layout Plan has been analyzed implementing the underlying MDR district area requirements.

The MDR parcel calculations, is derived from § 190-13(B) of the Zoning Law. This Section states that in calculating the minimum area of building lots, lands shall not be included that have slopes greater than 17%, conservation easement areas, stormwater management areas, parklands and Federal or State designated wetlands. To calculate the number of permissible building lots the buildable land would then be divided by the minimum lot size. The MDR parcel calculations for the Kensington Woods parcels are as follows:

Total Parcel Area	184.41 acres
Slopes > 17%	- 22.59 acres
Conservation easements	- 0.00 acres
Stormwater management areas (3% estimated)	- 5.32 acres
Parklands (10% Open Space required)	- 18.44 acres
Federal or State wetlands	- 17.10 acres
<u>Miscellaneous (Dominion Gas Easement)</u>	- 0.00 acres
Buildable Land	120.96 acres

MDR Calculations = 120.96 acres ÷ 22,000 SF/Unit = **240 Units**

A second method of density calculation, PUD parcel calculations, are derived from the Planned Unit Development Standards §190-53(D) of the Zoning Law. This Section states that all planned unit developments shall have a gross maximum density of one family per 10,000 square feet of the area proposed for residential use. The area proposed for residential use includes the entire 184.41 acres. To calculate the number of families permitted the residential use area would then be divided by the gross maximum density of one family per 10,000 square feet. The PUD parcel calculations for the Kensington Woods parcels are as follows:

PUD Calculations = 184.41 acres ÷ 10,000 SF/Family = **803 Families or Units**

In addition to the Zoning Law requirements a Conventional Layout Plan has been analyzed implementing the underlying MDR district area requirements. A Conventional Layout Plan has been developed for the parcel. This plan considers the existing conditions and environmental constraints for the parcel as well as the Town of New Scotland Zoning Law and Subdivision of Land Design Standards. The Conventional Layout Plan for the Kensington Woods parcels yields single family residential lots as follows:

Conventional Layout Plan yield per MDR area requirements = **180 Units**

The applicants have carefully reviewed the above data and the Town of New Scotland's desire to protect the established or permitted uses in the vicinity while promoting the orderly growth and sound development of the community. The applicants must also balance the number of units and the significant cost of the required infrastructure including but not limited to water and sewer system infrastructure, in order to produce an economically viable project. The applicants have determined that the utilization of the potential yield of 180 lots outlined in the Conventional Layout Plan is the most conservative, environmentally and community sensitive number of units while still meeting the minimum fiscal requirements to support the development project.

Nonetheless, the applicant is proposing the development of only 169 new lots as the proposed cluster development.

Diversity of Proposed Homes-

In accordance with the objectives outlined in the Town of New Scotland Zoning Law the proposed KWCD is proposed to include a choice in the types of housing options, with an appropriate balance of open space and preservation of natural landscape, thereby creating a more harmonic community atmosphere for the residents and the public and offering quality in residential land uses so that the development will be a permanent and long-term asset to the Town. The needs of young singles, young families, retirees, senior citizens and those with disabilities vary significantly in terms of home size, lot size, and arrangement and amenities within the home. Providing housing diversity is the key to attracting individuals and families to New Scotland as lifelong residents.

As a part of the proposed KWCD the applicants are proposing an arrangement of housing types and sizes situated on lots of varying size and with different amenities, surrounded by a significant expanse of open space. The proposed housing and lot types include Twin Townhouse Attached Single Family Lots, Carriage Lots, Executive Lots and Estate Lots (please refer to the attached Land Use drawing).

The Twin Townhouse Attached Single Family Lots are proposed to be moderate priced attached single family homes. The KWCD proposes 44 Twin Townhouse Attached Single Family Lots. These homes are proposed to be situated over 15.4 acres on the western side of Hilton Road and are to be marketed primarily to young professionals, retirees, and senior citizens. The proposed area requirements for the Twin Townhouse Lots are as follows:

- 44 Twin Townhouse Attached Single Family Lots (22 Buildings)
- 20,000 SF min. per lot (9,000 SF min. per lot)
- 120' min. lot width at building line (60' min. per lot)
- 30' min. front yard setback
- 10' min. side yard setback (0' between lots)
- 30' min. rear yard setback

The Carriage Single Family Lots are proposed to be moderate to mid priced single-family homes. The KWCD proposes 72 Carriage Lots. These lots are proposed to be situated in two areas that are 19.1 acres and 10.0 acres in size. The 19.1 acre area is located in the central northern area of the parcel west of Hilton Road and the 10.0 acre is located in the central eastern area of the parcel east of Hilton Road. The Carriage Lots are to be marketed primarily to young professionals, retirees, and senior citizens. The proposed area requirements for the Carriage Lots are as follows:

72 Carriage Single Family Lots

20,000 SF min. per lot
85' min. lot width at building line
30' min. front yard setback
5' min. side yard setback
30' min. rear yard setback

The Executive Single Family Lots are proposed to be moderate to mid priced single-family homes. The KWCD proposes 26 Executive Lots. These lots are proposed to be situated on 21.5 acres in the southeastern portion of the property east of Hilton Road. These lots are to be marketed primarily to young professionals and small to moderate sized families. The proposed area requirements for the Executive Lots are as follows:

26 Executive Single Family Lots

15,000 SF min. per lot
100' min. lot width at building line
30' min. front yard setback
10' min. side yard setback
30' min. rear yard setback

The Estate Single Family Lots are proposed to be mid to higher priced single-family homes. The KWCD proposes 27 Estate Lots. These homes are proposed to be situated on 12.2 acres immediately east of Hilton Road spreading from north to south. The Estate Lots are positioned around several of the existing ponds and proposed open space features and are to be marketed primarily to senior professionals and moderate to large sized families. The proposed area requirements for the Estate Lots are as follows:

27 Estate Single Family Lots

40,000 SF min. per lot
175' min. lot width at building line
40' min. front yard setback
25' min. side yard setback
30' min. rear yard setback

Proposed Infrastructure-

The primary proposed infrastructure for the proposed KWCD includes roadways, community water supply system, stormwater management, and sanitary sewer treatment system. By developing the Project with this important infrastructure, the Project offers

more efficient land utilization and energy use with minimum impacts on surrounding neighbors and land uses.

Vehicular access to the proposed KWCD will be provided by connections to Hilton Road. The parcel west of Hilton Road shall be serviced by a single curb cut via a divided boulevard onto Hilton Road. The parcels located on the east side of Hilton Road are proposed to be accessed with two curb cuts on Hilton Road, each with a divided boulevard. The proposed roadways have been positioned on the higher more consistent grades to service the proposed residential uses. The length of all roadways and impacts to wetlands and environmentally sensitive features has been minimized to the greatest extent possible. All roadways are proposed to be designed and constructed in accordance with the Town of New Scotland Highway Design Standards and are proposed for dedication to the Town of New Scotland.

The KWCD proposes a community water supply system. In accordance with NYSDOH Rules and Regulations, Title 10, Part 74, Section 74.5 a community water supply system is required when the subdivision consists of 50 lots or more. Over the course of the past several months the applicants have installed, developed and tested a high capacity water supply well located on the western portion of the parcel. Initial studies of this well (KW1) indicate that this well has adequate capacity to provide service to the proposed residents in the KWPUD and that excess capacity will be available for the Town of New Scotland. The proposed water supply system is proposed to include pumps, treatment (as necessary), a water storage tank and a distribution system to service the domestic and fire flow needs of the proposed residents. The wells, water system and appurtenances shall be designed and constructed in accordance with all local, state and federal requirements and is proposed for dedication to the Town of New Scotland.

All stormwater management and mitigation will be performed on site. Design of the subdivision follows the natural topography as closely as possible, using existing site topography and drainage features to convey stormwater runoff. Stormwater from the impermeable surfaces will be directed towards the proposed roadways to the greatest extent possible. Once the stormwater reaches the roadways it will concentrate in the roadside swales and will be collected into catch basins. The catch basins are part of an underground conveyance system that will direct the stormwater to a stormwater basin at the low point of the drainage area for proper regulation and treatment. The stormwater management system and appurtenances shall be designed and constructed in accordance with all local, state and federal requirements and will be offered for dedication to the Town of New Scotland.

The KWCD proposes a community wastewater treatment facility. In accordance with NYSDOH Rules and Regulations, Title 10, Part 74, Section 74.4, a community sewerage facility is required when the subdivision consists of 50 lots or more. A wastewater

treatment plant is proposed at the far northeastern corner of the Project property. This treatment facility is proposed to discharge the treated effluent to the unnamed tributary that conveys to the Normanskill. The NYSDEC has been contacted to obtain the draft effluent limits for the unnamed tributary and has responded with adequate discharge parameters for the proposed project. The community wastewater treatment facility and appurtenances shall be designed and constructed in accordance with all local, state and federal requirements and is proposed for dedication to the Town of New Scotland.

Open Space & Amenities-

The single-family cluster residential community also proposes to implement an extensive amount of open space. This open space is provided to retain the existing rural character of the existing carriage ways, to preserve existing natural vegetation, to increase the riparian buffers of streams and drainage corridors, to provide buffers to adjoining uses, and to protect wetlands and environmentally sensitive areas. The proposed KWCD concept retains development density outlined in the Conventional Layout Plan while providing approximately 44.9% (82.7 acres) of open space.

Open space areas to be owned and maintained by an HOA and some of the amenities proposed to be provided by the HOA include the following:

- Areas positioned along both sides of Hilton Road have been designed to preserve the rural character of this existing carriage way. The open space areas along the east side of Hilton Road extend approximately 200' to the rear property lines of the Estate Lots that traverse the eastern side of this Road. This open space area includes approximately 6.5 acres of land as permanent open space. The open area will also be preserved on the western side of Hilton Road extending to a depth of approximately 700' from Hilton Road to the side property line of the Carriage Lot Single-Family Structures.
- A proposed eastern open space area around the existing ponds which includes approximately 28.9 acres. The dedication of this area to the HOA provides a private open space and recreational area for the residents of the development to enjoy while eliminating the Town of New Scotland's responsibilities relative to ownership, operation, maintenance and liability.
- Nature trails are also proposed within this HOA open space area in the interior area of the development around the existing ponds. This interior trail system would be constructed of stone dust or bark mulch.

- A secondary access and utility gravel drive is proposed along the eastern side of the Project to facilitate access from the eastern area of the Carriage Home Lots and the Estate Home Lots. The gravel drive would afford convenient access for all residents to the proposed nature trails while connecting all areas of the Project site for the residents. It would further provide an alternative means of access through the site for emergency vehicles.
- The HOA will provide maintenance and insurance coverage for all HOA owned open space areas, including landscaped areas, walking trails and the secondary access and utility drive.
- As part of the maintenance obligations of the HOA for the Project, it will, in addition to other things, maintain the landscaped areas of the divided boulevard entry ways and center and cul de sac islands, including all street lights, lawn care and irrigation, maintenance of street trees and landscape planting beds.
- In addition, the HOA will provide full grounds maintenance and snow removal for all housing types other than the Estate Lots. The HOA will be granted the authority to enforce all covenants and restrictions within the Project and will coordinate all efforts of an Architectural Review Committee which will be established for the benefit of the Project and the residences within it.

Open Space Areas proposed to be dedicated to the Town include the following:

- An area immediately to the west of Hilton which includes approximately 5.5 acres of land. This area is proposed for dedication to the Town as permanent open space and recreational area for a potential Town Bike Trail Park. This park area may encompass a small parking area, a secondary open space to be reserved for potential picnic uses, and along with open space large enough to organize a play field or maintain as passive recreational space. The park could include a series of nature trails throughout that are intermingled with park bench seating. These trails could eventually connect to a trail head, terminating at the abandoned Delaware and Hudson Railway, as a paved bike trail that extends along the entire length of the south property boundaries.
- Additional open space areas for permanent preservation and passive recreation are positioned along the Vly Creek. The western open space area of the parcel around the Vly Creek is proposed to include approximately 41.3

acres of land. This area will include the proposed water supply wells and appurtenances, a stormwater management area, and passive recreational space. This open space area is also proposed to act as a buffer to the existing natural drainage way and existing properties.

Waiver Request –

The Project has been designed to afford the greatest possible preservation of the existing natural features of the property as open space for the benefit of the Town's residents within the project and without. In doing this, some of the proposed lots abut the neighboring property boundary of adjacent parcels. Although the Ordinance contemplates a buffer area between cluster developments and neighboring land uses, [Section 190-60 (H)], the Planning Board is authorized to exercise its discretion to grant a waiver/variance from the buffer requirement in unique circumstances. [Section 190-60(I)] This Proposal presents such unique circumstances and as such, the Applicant seeks a waiver/variance from the Planning Board with respect to the requirements of a buffer as set forth on the attached Cluster Development Plan.

As discussed above, the Project presents a unique combination of varied housing types, together with beneficial open space and the provision of all infrastructure necessary for the Project, including water and sewer, within the perimeter of the Project property and without any burden on the surrounding environment, the Town or its residents. The request for a variance does not alter the established density and is not inconsistent with the stated purpose of the cluster development provisions of the Zoning Code. Even with the requested variance the Project continues to promote the most appropriate use of land; it facilitates the adequate and efficient provisions of streets and utilities; it preserves open space and the natural and scenic qualities of open lands including environmental sensitive features of the site; and it is in harmony with the other goals and objectives of the New Scotland Comprehensive Land Use Plan. For these reasons it is believed the request for a waiver / variance is appropriate in these circumstances.

SUMMARY

The applicant is requesting the Town of New Scotland to consider this application for a Cluster Development, to allow for the use of creative architectural and planning concepts consistent with the spirit and intent of the Town of New Scotland Zoning Law. It is respectfully our opinion that the proposed KWCD will provide a more desirable environment than would be possible through the strict application of the Town of New Scotland Zoning Law for the MDR district.

The KWCD is proposed to depart from the existing MDR district requirements through variations in the proposed area requirements for the individual units. Despite the proposed variations, the overall density for the project is less than the density that would be permitted with a conventional layout plan and is significantly below the maximum allowable density calculations as outlined in the MDR sections of the Zoning Law. The area requirement variations proposed as a part of KWCD allow the applicants the ability to provide diversity in the type of housing they offer. This diversity will promote life long New Scotland residents and will produce a project that is a permanent and long term asset to the Town.

The KWCD proposes open space areas that include the preservation of the rural character of the existing carriage ways, lands to be dedicated to the Town for a Bike Trail Park, and the protection of existing water features, wetlands and environmentally sensitive areas. The proposed development will preserve the unique natural site features and create contiguous areas of open space. The proposed open space areas account for approximately 82.7 acres of the 184.41 acre parcel or 44.9% overall. The amount of proposed open space is more than four times the open space required as a part of the MDR district and ordinance requirements. The specific function of each active/passive open space amenity areas are enhanced with proposed pedestrian linkages where appropriate.

The KWCD utilizes open space, a conservative density and diversity in housing to produce an environmentally sensitive development layout that is in harmony with the surroundings. These development objectives have produced an environmentally sensitive layout and home sites with natural and attractive settings surrounded by open space.

The applicant and the applicant's consultants look forward to working with the Town of New Scotland Town Board and Planning Board to advance this Cluster Development project.