

McKownville Improvement Association Founded 1924

University at Albany, State University of New York March 14, 2016
Chair of the University Council Michael J. Castellana
1400 Washington Avenue
Albany NY 12222

Dear Chairman Castellana:

This is a request----to limit the University at Albany Foundation and the University at Albany in its use of a recently purchased 8.9-acre parcel that is in the hamlet of McKownville. The property was purchased from the Holt-Harris family. (The Holt-Harris property is shown on the enclosed McKownville map). The 8.9-acre forested estate contains but two houses, a barn and some sheds. The enclosed petition from McKownville residents as well as the enclosed Guilderland Town Board resolution asks that the University and UAF **adhere to the zoning and deed restrictions applicable to the parcel as purchased**. The petition was signed by 217 McKownville residents; it is included.

I. McKownville

McKownville is the neighborhood of about 1000 homes in the Town of Guilderland along Western Avenue (US Route 20) immediately west of the City of Albany. It is bounded on the north by the Albany City line running through the University at Albany campus, on the east by the City of Albany, on the west by the Northway (I-87) and on the south by the New York State Thruway. As a residential neighborhood at the end of the Western Avenue trolley just south of the Albany Country Club, it was developed in the early 20th century. McKownville has remained a vibrant residential community even with intense development both within the community (Stuyvesant Plaza and Executive Park) and nearby (the

within the community (Stuyvesant Plaza and Executive Park) and nearby (the University at Albany, the SUNY Poly complex, the Crossgates Mall, the interstate highway system). The McKownville Fire District in the hamlet is served by a volunteer fire department founded in 1918, and the neighborhood association, the McKownville Improvement Association, has actively supported the residential quality of the hamlet since 1924.

The special character, and the fragility, of McKownville as a walkable, mixed-use residential community are recognized by the State, Albany County and the Town of Guilderland. During the past decade that has led to significant public investment in improving the pedestrian infrastructure along and near Western Avenue and Fuller Road, the development of an urban park at the former McKownville Reservoir between Western Avenue and Stuyvesant Plaza, and the designation of McKownville as an area of the Town of Guilderland requiring special zoning considerations. The Town completed a corridor study of McKownville a decade ago.

The McKownville neighborhood is viewed as an important Capital District asset. Many universities spend significant sums to protect their campus from a decayed surrounding neighborhood. Guilderland and McKownville have provided an important asset to the university since the university's construction in 1965. McKownville has been a safe place for families and a home for a number of university faculty and staff. It is the only neighborhood within comfortable walking distance of the campus.

While there are significant attractions of McKownville as a residential community, its location (near two major universities, two interstate highways and two large retail-shopping areas) has come with challenges. Traffic on Western Avenue and

on Fuller Road is heavy. Highway noise from the Thruway and Northway is an annoyance. Odors from the City landfill (on Washington Avenue Extension) occasionally invade the neighborhood. University athletic events with their crowds and noise take place on the side of campus next to McKownville. Problems with the 85-year-old storm drainage system in much of the hamlet have been exacerbated by development, leading to flooded basements, more than a few collapsed foundations, and flooding of Western Avenue in front of Stuyvesant Plaza after heavy rainstorms. Development of the Holt-Harris site could make this worse. The Town of Guilderland recently commissioned an engineering study of the storm drainage of the portion of McKownville north of Western Avenue. The estimated remediation cost would entail several years of construction and more than \$6 million.

These challenges, some of them irremediable, make it all the more important that any alteration in land use that could threaten the fragile balance of the residential quality in McKownville be limited by the historic use, zoning and deed commitments applicable to the Holt-Harris site when it was purchased.

II. The Holt-Harris Parcel

The University at Albany Foundation purchased the 8.9-acre parcel of land in McKownville south of the University “ring road” and proximate to the SEFCU arena and its parking lot in December 2015. The parcel has hills on two of its sides and shares property lines with 13 owner-occupied residences in McKownville. For about a half century, the 8.9-acre parcel was used as a residence for the Holt-Harris family. From the university ring road, the land appears as a heavily wooded hill, adding to the ambiance of the campus.

For residents of the neighborhood north of Western Avenue in McKownville the hills and woods of the parcel act as an essential noise and visual buffer from the intense level of activity occurring at the SEFCU arena and adjacent athletic fields.

The University built a new multi-use football stadium adjacent to and east of the SEFCU Arena, with seating for 10,000, but expandable to 24,000 spectators. This facility substantially increased the intensity of activity just east of the Holt-Harris parcel, making the buffering impact of the hills and woods even more important for the adjacent neighborhood.

The University has many developmental needs---dormitories, parking, office buildings, and so forth. Any of these on the Holt-Harris parcel would open up the neighborhood to noise and intrusive lighting and remove the buffer from the more intense activities just beyond. Neighbors with abutting homes are much concerned about depressed home values if the Holt-Harris site is changed in its use while other neighbors are concerned about storm water run-off and the potential change of the single-family owner occupied neighborhood of homes into a district of rented homes.

III. The End of a Neighborhood

For more than fifty years, the University "ring road" has served as a boundary line to separate the University from McKownville. The breaching of that boundary line is viewed with great anxiety by McKownville residents.

More than a few of our 3,000 residents lived here before the University was built and well remember the promise that the University made in 1963 that it would not need to buy any more residential property in McKownville. Since that time, the only incursion of the University south of the ring road was development of the

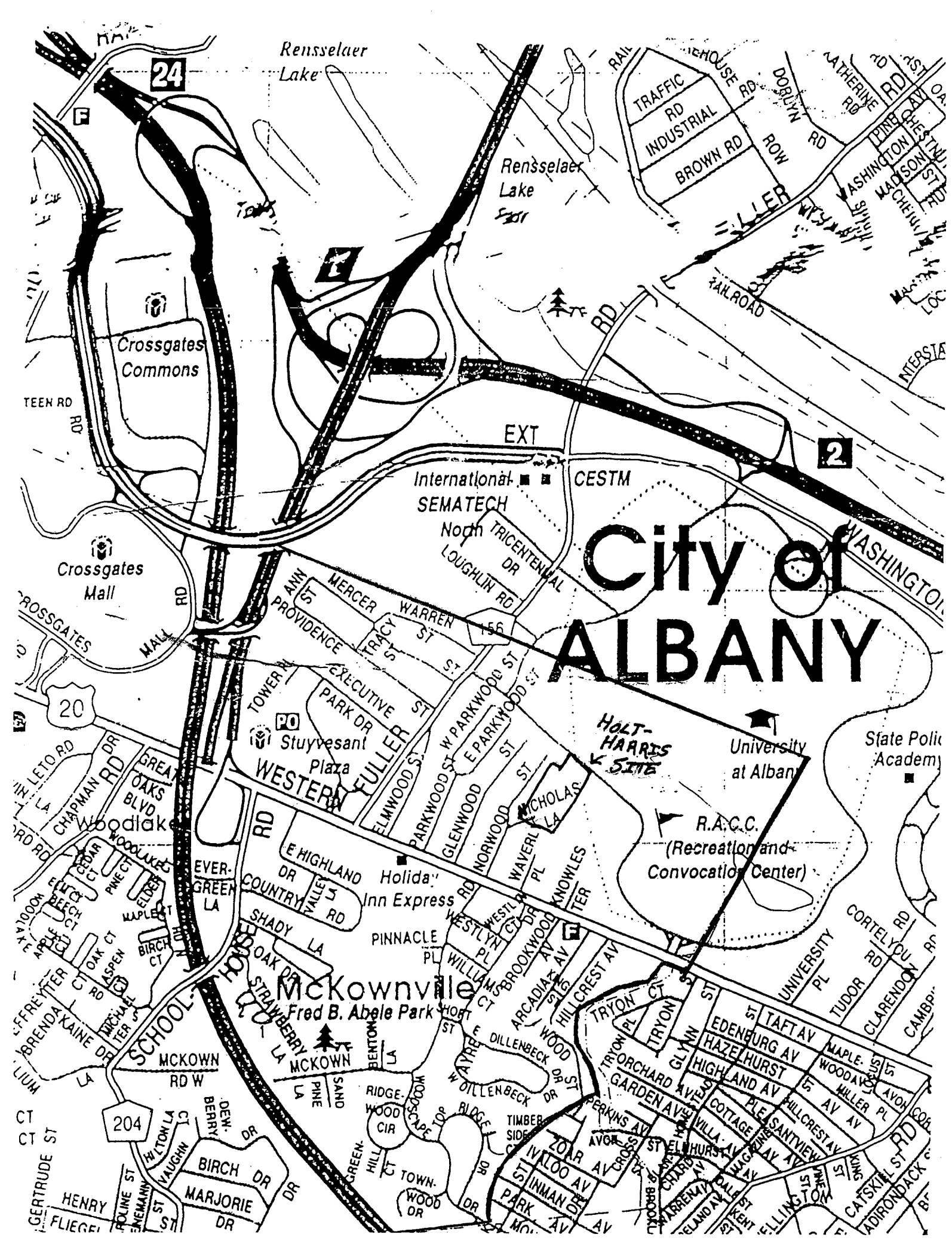
modest and well-buffered Chapel House. The purchase and transformation of the Holt-Harris property into a more intensive use and the resulting potential degradation in quality of life for the residents would be destructive of a wonderful and modest residential neighborhood.

If the Holt-Harris site were intensely developed McKownville residents would with considerable justification conclude that the University does not care about the viability of McKownville as a residential community. The fragile balance between the assets and liabilities of the community might be destroyed. The university could loose something very important—a nearby quality neighborhood.

Therefore, the position statement of the community and the resolution of the Town---both printed below---again emphasize the request that the University and UAF **adhere to the zoning and deed restrictions applicable to the parcel as purchased.**

Sincerely, 

Donald Reeb, president, McKownville Improvement Association



**RESOLUTION
TOWN OF GUILDERLAND TOWN BOARD**

WHEREAS, the Town of Guilderland and its residents are enriched by distinct neighborhoods and communities, including the historic Hamlet of McKownville;

WHEREAS, McKownville has a vibrant and active residential community, and diverse and successful local businesses that have combined to provide a desired quality of life for its residents;

WHEREAS, the Town of Guilderland has invested substantial taxpayer and other resources to protect and enhance the quality of life of McKownville residents;

WHEREAS, the Town of Guilderland has adopted a Comprehensive Plan and neighborhood studies, and enacted zoning and land use regulations that govern the use and development of property, and protect residential neighborhoods;

WHEREAS, the McKownville Corridor Study emphasized the need to protect the hamlet's neighborhood character and encourage resident participation in planning and land use decisions;

WHEREAS, on December 15, 2015, the University of Albany Foundation purchased a 8.9 acre parcel bordered by Waverly Place and Norwood Street in McKownville (the "Holt-Harris property");

WHEREAS, for more than seventy years, the Town of Guilderland has adopted and enforced a Zoning Code that limits allowed uses on the Holt-Harris property and the surrounding residential neighborhood to single-family residences; and

WHEREAS, the Town of Guilderland Planning Board, in its 1999 approval of the subdivision of the Holt-Harris property, conditioned its approval on no further subdivisions as further protection of the nearby single-family residential community; and

WHEREAS, this Board is presently considering the adoption of a new Zoning and Land Use Code that will enhance protections of residential neighborhoods.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board encourages any owner of the Holt-Harris property to respect the Town's long-standing public enactments that the property and its neighborhood shall remain as a single-family residential use and not further subdivided;

BE IT FURTHER RESOLVED, that the Town Board declares that any board, agency or person reviewing any proposed use or development of the Holt-Harris property shall honor, respect, and enforce the Town's unwavering support for maintaining the residential character of the Holt-Harris property and its surrounding single-family residential neighborhood;

BE IT FURTHER RESOLVED, that the Town Board opposes any future use or development of the Holt-Harris property that is inimical to the historic single-family residential use of the property and/or threatens the property interests of nearby residents and community;

BE IT FURTHER RESOLVED, that the Town Board declares that the Planning Board, Zoning Board of Appeals, and this Board are interested and/or involved agencies in any proceedings under the State Environmental Quality Review Act;

BE IT FURTHER RESOLVED, that the Town Board directs that this Resolution be transmitted to the University of Albany Foundation, President of UAlbany, Board of Trustees of the State University of New York, Chancellor of the State University of New York, NYS Department of Environmental Conservation, Senator George Amedore, Assembly Member Patricia Fahy, and Albany County Executive Daniel McCoy.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take appropriate action in furtherance of this Resolution or act on anything relative thereto.

Adopted on February 2, 2016 by the Town of Guilderland Town Board.

**MCKOWNVILLE IMPROVEMENT ASSOCIATION
POSITION STATEMENT CONCERNING THE UNIVERSITY'S
PURCHASE OF THE HOLT-HARRIS PROPERTY**

On February 2, 2016, the Town Board of Guilderland, NY unanimously approved a resolution asking the University at Albany and the Foundation of the University to adhere to the Town zoning ordinances and the property deeds in its use of the 8.9 acres purchased from the Holt-Harris family.

In addition to the zoning and deed restrictions referred to in the Town's resolution, the future use of the Holt-Harris property raises concerns among McKownville residents. These include: (1) potential decline in value of the thirteen homes bordering the property resulting in a domino effect throughout the community due to a non-residential use of the Holt-Harris property; (2) loss of wet areas, forested areas and large hills as well as the buildings on the site; and (3) detrimental storm runoff and a further rise in the groundwater level resulting from clearing of the 8.9 acre site.

For generations McKownville has been a neighborhood comprised almost exclusively of owner-occupied single-family homes. As such, it has been a neighborhood where the quality of life is excellent for residents, and where property values are consistently strong. The two lots of the Holt-Harris site are zoned single-family residential with a deed restriction limiting development to one home per lot. Any alternative use of the site endangers the vitality and residential character of our neighborhood. Attendant reduction in property values would create a reduction in the neighborhood assessment base, which would reduce property tax revenues for the Town of Guilderland, the Guilderland Central School District, and Albany County. **(Approved by the Board of the McKownville Improvement Association and signed by 217 residents).**