

RESOLUTION PB 17-

**TOWN PLANNING BOARD RESOLUTION ISSUING NEGATIVE
DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR PHASE I OF
MILTON MEADOWS RESIDENTIAL APARTMENTS DEVELOPMENT**

WHEREAS, Rochester's Cornerstone Group ("Applicant") has submitted for consideration and approval a combined site plan and subdivision application for a Milton Meadows, a proposed 72-unit apartment complex with a community center building, comprising 10 buildings total, to be located upon 13.5 acres of Parcel C in the Town Center, on the north side of Auburn Road (SR 34), Lansing, New York, and otherwise known as P/O Tax Map # 37.1-2-16.2 within the B1 Commercial Mixed Use Zoning District; and

WHEREAS, such 72 units are part of a potential, but speculative, larger project consisting of up to 128 units, dominated as Phase I (72 units) and Phase II (56 units); and for purposes of land use planning Phase I is within allowed density and is being considered as a site plan, and Phase II, if it ever happens, is 3-5 years distance and contingent on land use approvals, financing, future rental demands, land subdivision, real property closings, Town Board approvals, NYS permits, and a myriad of other factors that make it speculative and too remote for approval or consideration for land use approval at this stage, but for which SEQRA will still take a look at total site build out impacts, and accordingly this application has been deemed and classified as a SEQRA Type 1 Action; and

WHEREAS, the Town of Lansing Planning Board has responsibility for approving or carrying out the action under SEQRA and the Planning Board had previously decided to be, previously declared its intent to be, and hereby is declared as the lead agency for environmental review; and

WHEREAS, the requisite General Municipal Law § 239 referral was duly delivered to County Planning, and the requisite notices of intent were duly delivered to all involved agencies, and each such agency has duly responded and such comments and responses have been duly reviewed and considered by the Lansing Planning Board; and

WHEREAS, the Planning Board duly noticed and held a public hearing at the Town Hall (29 Auburn Road) concerning the Cornerstone Phase I site plan and subdivision upon August 28, 2017, whereat environmental concerns were also duly considered, and which public hearing was held and kept open until September 25, 2017, whereat all citizens were given an opportunity to continue to voice any concerns respecting the environmental review and to be heard thereupon; and

WHEREAS, as lead agency the Planning Board considered and analyzed each of the potential identified impacts in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impact, and after weighing the actual and potential impacts arising from or in connection with this site plan and subdivision approval, and after also considering (i) the probability of each potential impact occurring, including weighing the speculative nature of some potential future contingencies and the potential non-speculative nature of others, (ii) the duration of each potential impact, (iii) the irreversibility of each potential impact, including a consideration of permanently lost resources of value, (iv) whether each potential impact can or will be controlled or mitigated by permitting, reviews, or other regulatory processes, (v) the regional consequence of the potential impacts, (vi) the potential for each impact to be or become inconsistent with the Town's Master Plan or Comprehensive Plan and local needs and goals, and (vii) whether any known objections to the Project relate to any of the identified potential environmental impacts, the Planning Board found that these factors did not cause any potential negative environmental, or related social or resource, impact to be or be likely to become a moderate or significant negative environmental impact; and

WHEREAS, and after due deliberation upon this matter and a review and analysis of each and all potential environmental impacts, the Planning Board as Lead Agency hereby makes a negative declaration of environmental impacts under SEQRA, and

NOW, THEREFORE, BE IT DECLARED AND RESOLVED AS FOLLOWS:

1. That the Planning Board of the Town of Lansing be and hereby is again declared to be the Lead Agency.
2. This declaration is made in accord with Article 8 of the New York State Environmental Conservation Law and SEQRA regulations promulgated thereunder and, accordingly, the Planning Board of the Town of Lansing, based upon (i) its thorough review of the FEAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have any moderate or significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR § 617.7(c), and (iii) its completion of the FEAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), and after consideration of the actual and potential environmental impacts the Planning Board finds that the proposed

action of approving the proposed site plan and subdivision for Phase I of the Cornerstone residential project in the Town Center and B1 Zone will neither individually nor cumulatively have any moderate or significant negative environmental consequences or impacts, and the Planning Board therefore hereby makes a negative determination of environmental significance (a "Negative Declaration") in accordance with SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement is therefore not required.

3. A responsible officer of the Planning Board of the Town of Lansing is hereby authorized and directed to complete and sign the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed FEAF, findings statement, and determination of significance shall be incorporated by reference herein.

4. The Planning Board Clerk is directed to deliver or file a copy of this Resolution with the following persons and agencies: (i) the Town Clerk and Town Supervisor of the Town of Lansing; (ii) all Involved and Interested Agencies; (iii) any person requesting a copy; and (iv) a summary and notice hereof with NYSDEC for publication in the Environmental Notice Bulletin (ENB), by sending such notice, in forms required by the DEC, to the ENB at 625 Broadway, Rm. 538, Albany, NY 12233-1750 (or via delivery to the ENB electronically at www.dec.state.ny.us, as required by 6 NYCRR § 617.12).

Dated: September 25, 2017

Motioned by:

Seconded by:

VOTE AS FOLLOWS:

**Gerald Caward -
Sandra Dennis Conlon -
Al Fiorille -
Larry Sharpsteen -
Deborah Trumbull -
Thomas Ellis -**

