

**RESOLUTION No. 15-**

**RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD  
ISSUING NEGATIVE DECLARATION OF  
ENVIRONMENTAL SIGNIFICANCE  
RESPECTING SEQR ENVIRONMENTAL REVIEW OF  
CAYUGA FARMS TOWNHOMES SITE PLAN**

**WHEREAS**, Timothy Buhl, P.E., on behalf of W.B. Asset Management, L.L.C. (“Applicant”) has submitted, for consideration and approval from the Lansing Planning Board, a Site Plan for a proposed 102 Unit Apartment complex of 21 separate buildings of 4-6 dwelling units each to be located on a 29.2+/- acre parcel located on west side of North Triphammer Road , Lansing, New York, and otherwise known as P/O Tax Map # 37.1-6-3.362 within the R2 Zoning District; and

**WHEREAS**, this is an “Type 1 Action” under the State Environmental Quality Review Act which requires environmental review; and

**WHEREAS**, the Town of Lansing Planning Board has responsibility for approving or carrying out the action pursuant to State Law governing local environmental review; and

**WHEREAS**, the requisite General Municipal Law 239 referrals and referrals by a notice of intent under SERQA to interested and involved agencies have been duly effected by the by the Town of Lansing Planning Department, and those agencies have been given the opportunity to comment and any responses have been duly reviewed and considered by the Lansing Planning Board; and

**WHEREAS**, the Town of Lansing Planning Board duly noticed and opened a public hearing concerning the environmental review, pursuant to the State Environmental Quality Review Act (“SEQR”), of the proposed Cayuga Farms Townhomes site plan application at Lansing Town Hall at 29 Auburn Road, Lansing, New York 14882 on January 12, 2015, which public hearing was left open and again re-commenced on February 23, 2015 and held open until July 13, 2015, and all citizens were given an opportunity to voice any concerns respecting the environmental review and to be heard thereon; and

**WHEREAS**, the Town of Lansing Planning Board, in performing its function in conducting an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act (“SEQR”), (i) pursued its thorough review of the applicant’s

completed Full Environmental Assessment Form (“FEAF”) Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) reviewed and completed the FEAF, Part II on the record and, if necessary, Part III; and

WHEREAS, each of the identified impacts were analyzed and duly considered by the Planning Board, as Lead Agency, 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 impacts, and after weighing the potential impacts arising from or in connection with this site plan approval, and after also considering: (i) the probability of each potential impact occurring, including weighing the highly speculative nature of some potential future contingencies and the potential non-highly 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 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 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 impact from the adoption of this local law, so

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

That the Planning Board of the Town of Lansing be and hereby is again declared to be the Lead Agency; and it is

**FURTHER RESOLVED**, that the Town of Lansing Planning Board, based upon (i) its thorough review of the FEAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and all comments and evidence received at the public hearings and other meetings of the Planning Board concerning this site plan, (ii) its thorough review of the potential relevant areas of environmental concern of

the proposed project to determine if the proposed action may have any potential moderate to significant adverse impacts on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the FEAF, Part II (and, if applicable, Part III), including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required, and it is

**FURTHER RESOLVED** that a responsible Officer of the Town of Lansing is hereby authorized and directed to complete and sign, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed FEAF and determination of significance shall be incorporated by reference in these resolutions; and it is

**FURTHER RESOLVED** that the Planning Board Clerk deliver and/or file a copy of this Resolution with the following persons and agencies:

1. The Town Clerk of the Town of Lansing;
2. The Town Supervisor of the Town of Lansing;
3. All Involved and Interested Agencies;
4. Any person requesting a copy;

And further, that the Planning Board shall cause a summary and notice of a this Type I negative declaration to be prepared and delivered to the 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](http://www.dec.state.ny.us), as required by 6 NYCRR 617.12.

Dated: July 13, 2015

Motioned by:

Seconded by:

**VOTE AS FOLLOWS:**

**Thomas Ellis -  
Lin Davidson -  
Gerald Caward -  
Al Fiorille -  
Richard Prybyl -  
Larry Sharpsteen -  
Deborah Trumbull -**