

RESOLUTION PB 15-

NEGATIVE DECLARATION OF POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS UNDER SEQRA FOR KAIDA COMPUTER TECH, LLC / GLOBAL COMPUTERS SITE PLAN REVIEW APPROVAL REGARDING CONSTRUCTION OF NEW PARKING LOT AND OTHER SITE IMPROVEMENTS

WHEREAS, an application was made by Robert Winans, Costich Engineering, as agent for owner Kevin Kong, for site plan approval for the proposed construction of site improvements located on Dutch Mill Road, Lansing, New York, and otherwise known as Tax Parcel #39.-1-50.2, in the Town of Lansing, consisting of approximately 2.41± acres, located in a Planned Development Area (“PDA”), with the underlying zoning in neighboring areas being mainly Industrial/Research (IR) Zone; and consisting of a plan to connect the existing building at 21 Dutch Mill Road at parcel #39.-1-50.6 (4.63± acres, also in the PDA) to a new and expanded parking area and to municipal sewers, thereby eliminating the on-site septic system, thus creating a combined overall development site of 7.04± acres spread over two parcels in the Warren Road Business Park PDA; and

WHEREAS, the Planning Board granted site plan approvals in 2003 and 2007, and now considers additional expansions by site plan review, including development of an adjacent related parcel to construct and expand upon and build a 151 car parking lot, as well as a new municipal sewer interconnection, and in connection therewith the entirety of the site (both lots) will be subject to full stormwater management and review, and a Full SWPPP shall be required; and

WHEREAS, the Development Plan for the PDA, and the Town’s Land Use Ordinance, envision that so long as any site-specific development is within the scope of the PDA approval and approved land uses, the review of site specific developments within the scope of the Development Plan are the role of the Planning Board, with the Town Board only being required to step-in and review any approval when the proposal constitutes a change that affect significant elements of the PDA, such as land use, size, orientation, occupancy, or density of buildings (see LUO § 707.10.1), and the Planning Board here finds that a parking lot supporting a business located in a business park does not constitute a change in any significant element of the PDA; and

WHEREAS, County Planning has replied under General Municipal Law §§ 239-1 and -m and made no official comments or recommendations, and the Planning Board further finds that agricultural and farm operations will not be negatively impacted by the project because the land is in a business park and PDA-IR zone, is not in an agricultural district or zone, and has no current or planned farm uses or operations; and

WHEREAS, on **August 24, 2015**, the Town of Lansing Planning Board, in performing its reviewing agency functions in conducting an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law and SEQRA: (i) pursued its thorough review of the project and the Applicant’s completed SEAF, as well as a review of all other documents prepared and submitted with respect to this proposed action; and (ii) thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have any moderate or significant adverse impacts on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iii) reviewed the SEAF on the record; and

WHEREAS, each identified potential environmental impact was analyzed and duly considered by the Planning Board in relation to the question of whether any potential environmental impacts were so probable of occurring or so significant as to require a positive declaration, and after weighing the above and all other potential impacts arising from or in connection with this project, and after also considering: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including permanently lost resources of

value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other 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 impact to be or be likely to become a moderate or significant impact such that a negative declaration will be issued.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. After consideration of the potential environmental impacts, including those reviewed in accord with 6 NYCRR § 617.7(c), the Planning Board finds that the proposed action of approving the site plan and improvements located at 21 Dutch Mill Road, Lansing, New York, including Tax Parcels #39.-1-50.2 and #39.-1-50.6, thereby creating a combined overall development site of 7.04± acres spread over two parcels in the Warren Road Business Park, will have no moderate or significant negative environmental consequences or impacts.

2. This declaration is made in accord with Article 8 of the New York State Environmental Conservation Law and SEQRA, and the Regulations promulgated thereunder, and accordingly, the Planning Board of the Town of Lansing, based upon: (i) its thorough review of the SEAF, 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 impacts on the environment, including but not limited to the criteria identified in 6 NYCRR § 617.7(c); and (iii) its completion of the SEAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance ("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, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed SEAF and determination of significance shall be incorporated by reference in this Resolution.

Dated:

VOTE AS FOLLOWS:

- Gerald Caward, Jr. -**
- Norman L. Davidson -**
- Al Fiorille -**
- Richard Prybyl -**
- Larry Sharpsteen -**
- Deborah Trumbull -**
- Thomas Ellis -**