

RESOLUTION PB16-__

RESOLUTION OF THE TOWN OF LANSING PLANNING BOARD ISSUING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR THE SUN PATH SUBDIVISION, PHASE I, PRELIMINARY PLAT

WHEREAS, the Lansing Planning Board on March 10, 2014, conducted a sketch plan review of the proposed Sun Path Subdivision, and at such time there was recognition that this was to be considered as a two-phase project, with the initial development being along the Village of Lansing lines, but that some overall site layout was none-the-less required for stormwater, to develop the roadway plan to cause planned roadway interconnections to the south and north, to protect the creek, and for other matters, and while the subdivision was originally classified as a 3-lot minor subdivision, the addition of a fourth and fifth lots, the planned future development, the prior development of 2 adjacent lots in the Village, and the need for overall planning resulted in this matter being later re-classified as a major subdivision; and

WHEREAS, on March 28, 2016, the Planning Board conducted a public hearing upon the preliminary subdivision plat and the environmental review thereof, where at all residents and members of the public were permitted to speak or submit such documents and evidence as they thought relevant or appropriate; and

WHEREAS, between stormwater and other impacts, this preliminary plat, in various configurations, has been under review for over two years, and the preliminary plat being reviewed hereby consists of: (i) 5 lots, consisting of 4 building lots and one remaining lot that may or will become further subdivided in Phase II; (ii) a connecting road with turnaround to the south adjacent to the westerly line of Lot 4; (iii) a creek line that will demark a buffer zone; and (iv) existing roadways layouts that are sometimes located outside of the existing ROW for Sun Path, as shown upon a survey map entitled "PRELIMINARY SUBDIVISION PLAT SHOWING LANDS OF WESTVIEW PARTNERS, LLC, SUN PATH ROAD SUBDIVISION - PHASE I, TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK," as dated February 28, 2016 and drawn by T.G. Miller P.C. (the Preliminary Plat Map"), being approximately in total 4.53 acres of a larger 12.14 acre parcel commonly known as TPN 42.-1-2.25; and

WHEREAS, the Planning Board took all comments and discussions under consideration to develop appropriate conditions given the several issues presented and more thoroughly considered the environmental review of this proposed action on April 11, 2016; and

WHEREAS, the Applicant has submitted a Full Form Environmental Assessment Form (FEAF) for the environmental assessment and review required by the State Environmental Quality Review Act (SEQRA) for the proposed Sun Path Phase I Subdivision, said review to be an Uncoordinated Review as there is no other involved agency and the Planning Board will act as the sole lead agency; and

WHEREAS, the requisite General Municipal Law § 239 referrals were duly made, and the reply and recommendations of County Planning are reflected in their letters dated February 20, 2015, as later updated on March 30, 2015, which letter noted only that a 50-foot riparian buffer be maintained on both sides of the intermittent stream located upon Lots 2, 3, and 4, with such buffer to be measured from the edge of the streambed; and

WHEREAS, on April 11, 2016, 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 FEAF, 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 FEAF 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 Sun Path Phase I Preliminary Subdivision Plat 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 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), hereby makes a negative determination of environmental significance ("Negative Declaration") in accordance with SEQRA for the above referenced proposed actions, 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 FEAF and determination of significance shall be incorporated by reference in this Resolution

Dated: April 11, 2016

VOTE AS FOLLOWS:

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