

RESOLUTION PB 16-

STATE ENVIRONMENTAL QUALITY REVIEW RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS FOR THE PROPOSED PINNEY PROPERTIES, LLC SITE PLAN FOR 15 DUPLEX BUILDINGS AT PERUVILLE AND SCOFIELD ROADS

WHEREAS, an application was made by Pinney Properties, LLC (A. Scott Pinney, Member) for site plan approval for the proposed construction of 15 Duplex (2-family residential) units, each to be approximately 1,568 SF, to be added to an existing contractor's office, contractor's storage yard, and 4 existing Duplex residential buildings located at 390 Peruville Road, Lansing, New York, also known as TPN 30.-1-28.212, as located in the RA – Rural Agriculture Zone and consisting of approximately 37.99± acres, and such proposal will also include, when fully completed, a private driveway connecting Peruville Road with Scofield Road; and

WHEREAS, the Timothy C. Buhl, P.E. completed a Stormwater Management Report dated July 2016, which report shows a disturbance of 14.9± acres and which report proposes how to manage the additional stormwater impacts of development on the site and the stormwater system which would accommodate and treat such disturbances and their runoff; and

WHEREAS, this proposed action is a Type I Action for which the Town of Lansing Planning Board is the sole involved agency for the purposes of a State Environmental Quality Review Act ("SEQRA") review, such that the Town will thus undertake as Lead Agency an uncoordinated review of the long-form, Full Environmental Assessment Form ("FEAF") under SEQRA; and

WHEREAS, (i) requisite General Municipal Law § 239 referrals were duly made and the reply and recommendations of County Planning are reflected in their letter dated January 6, 2015, none of which concerns affect this environmental review, and (ii) the Planning Board further finds that agricultural/farm operations will not be impacted by the project because there are no current or planned farm operations on the project site; and

WHEREAS, on November 28, 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 regulations: (i) pursued its thorough review of the project and the Applicant's 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 § 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 proposed 15 Duplex Building site plan, as based upon the site plan by Timothy Buhl, P.E. dated Oct. 6, 2015 and amended June 15, 2016, as submitted, will 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 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: November 28, 2016

VOTE AS FOLLOWS:

**Gerald Caward, Jr. -
Sandra Dennis Conlon -
Norman L. Davidson -
Al Fiorille -
Larry Sharpsteen -
Deborah Trumbull -
Thomas Ellis, Chairperson -**

Please note that a Type I Action usually contains a statement of mitigation relative to any answers that trigger a "yes" on the SEQRA Part 2, as this and the Part 3 Findings Statement thus cross-support each other.

Hence, without a Part 2 there is not really a way to finalize this Resolution at this time. Thanks.