

RESOLUTION MAKING A NEGATIVE DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND ADOPTING LOCAL LAW #2 OF 2023 OF THE TOWN OF LANSING TO AMEND THE CODE OF THE TOWN OF LANSING CHAPTER 270: ZONING

RESOLUTION 23-

RESOLUTION MAKING A NEGATIVE DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND ADOPTING LOCAL LAW #2 OF 2023 OF THE TOWN OF LANSING TO AMEND THE CODE OF THE TOWN OF LANSING CHAPTER 270: ZONING

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, the Town Board of the Town of Lansing is authorized to adopt zoning provisions and local laws that advance and protect the health, safety and welfare of the community; and

WHEREAS, the Town Board of the Town of Lansing Authorized and Directed the Code Revision Committee to Prepare Preliminary Draft Rural Agricultural (RA) Zoning District Text and Map Amendments via Motion 22-07 on February 16, 2022; and

WHEREAS, the Director of Planning, on behalf of the Code Revision Committee, circulated preliminary draft Zoning text and map amendments to the Agricultural and Farmland Protection Committee on June 3, 2022; Conservation Advisory Council on June 4, 2022; and Planning Board on June 6, 2022, respectively, for review and feedback; and

WHEREAS, the Preliminary Draft (Final Draft as Working Product of the Code Revision Committee) Rural Agriculture (RA) and Agriculture (AG) Zoning Districts (as well as Site plan review and Site Development Standards) was unanimously recommended by the Code Revision Committee on October 6, 2022; and

WHEREAS, the Preliminary Draft (Final Draft as Working Product of the Code Revision Committee) Rural Agriculture (RA) and Agriculture (AG) Zoning Districts and all comments prepared by the Agricultural and Farmland Protection Committee, Conservation Advisory Council, Planning Board, and project consultant George R. Frantz, AICP, ASLA, were circulated to the Lansing Town Board on October 7, 2022; and

WHEREAS, a duly noticed Open House was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, on December 7, 2022 to consider public input and comments upon such Preliminary Draft Rural Agriculture (RA) and Agriculture (AG) Zoning Districts, and to hear all persons interested in the subject thereof; and

WHEREAS, said proposed Local Law proposes to facilitate and regulate the development of land in accordance with the Town of Lansing 2018 Comprehensive Plan and 2015 Agriculture and Farmland Protection Plan; and

WHEREAS, Chapter 270-57(A) requires referral to the Town Planning Board “for review and recommendation thereon before the public hearing hereinafter provided for”; and

WHEREAS, the Town Planning Board has been given the opportunity to comment on the proposed local law at their meeting on January 9, 2023; and

WHEREAS, Chapter 270-57(B) requires referral to the Tompkins County Department of Planning & Sustainability; and

WHEREAS, the draft documents and related information were duly delivered to the Tompkins County Department of Planning & Sustainability on October 24, 2022 per General Municipal Law §239 ; et seq, and such Department responded in a January 09, 2023 letter from Katherine Borgella, Tompkins County Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York State General Municipal Law determined the local law will have no significant county-wide or inter-community impact. The Tompkins County Department of Planning & Sustainability made the following comment:

“There are several recommendations from the Town’s Comprehensive Plan that could be incorporated into Section H of Site Plan Review (Project Review Criteria). Examples include:

- “Provide incentives for the redevelopment or retrofitting of aging or abandoned industrial or commercial sites to avoid abandoned buildings” from Recommendation LU-1D
- “encouraging the adherence to practices leading to LEED certification, and the installation of alternative energy services” from Recommendation LU-1F
- “foster infill development and redevelopment opportunities that take full advantage of existing infrastructure” from Recommendation LU-3B
- “encourage infill and redevelopment of underutilized properties” from Recommendation ED-5A”

WHEREAS, the comments were carefully considered by the Town Board; and

WHEREAS, adoption of a Local Law of the Town of Lansing to Amend the Code of the Town of Lansing Chapter 270: Zoning (Rural Agricultural Zoning District; Site Plan Review; and General Provisions) is a Type I Action under the State Environmental Quality Review Act §617.4(b)(2); and

WHEREAS, 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) require that a Lead Agency be established for conducting environmental review of projects in accordance with local and state environmental law; and

WHEREAS, State Law specifies that for actions governed by local environmental review, the Lead Agency shall be that local agency which has primary responsibility for approving and carrying out the action; and

WHEREAS, the Town Board, being the local agency which has primary responsibility for approving and carrying out the action, did on February 16, 2022 declare intent to establish itself as the Lead Agency for environmental review via Resolution 22-44; and

WHEREAS, this is a Type I Action under the State Environmental Quality Review Act Section 617.4(b)(2), which requires environmental review; and

WHEREAS, this Board, acting as Lead Agency in environmental review, has on January 18, 2023, reviewed the criteria and determined the significance of the project including the proposed action, its location, its purpose, and its potential impacts on the environment, and reviewed and accepted as adequate a Full Environmental Assessment Form, Parts 1, 2, and 3, prepared by Lead Agency and Town Planning staff; and

WHEREAS, a duly noticed Public Hearing was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of January 2023, at 6:32 pm, to consider public input and comments upon such proposed Local Law, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and

WHEREAS, upon deliberation there upon, the Town Board of the Town of Lansing has hereby

RESOLVED, that the proposal will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act; and it is further

RESOLVED, that the Town Supervisor is hereby authorized and directed to endorse the said Negative Declaration on Part 3 of the FEAF attached hereto; and it is further

RESOLVED, this Local Law shall take effect immediately upon adoption by the Town Board of the Town of Lansing.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson –
Councilperson Bronwyn Losey–
Supervisor Edward LaVigne –

Councilperson Ruth Groff –
Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on January 18, 2022.