

RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW 6 NYCRR PART 617.7 FOR THE CONSTRUCTION AND FINANCING OF A NEW HIGHWAY DEPARTMENT FACILITY ON A TOWN-OWNED PARCEL OF LAND IN LANSING, NEW YORK, IN AND FOR THE TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$15,000,000

RESOLUTION 22-

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

WHEREAS, the Town of Lansing is a municipal corporation duly organized and existing pursuant to the laws of the State of New York and having such powers and responsibilities pursuant to the provisions of the New York State Town Law and the Highway Law in conjunction with the Town's Highway Superintendent to provide for the care and maintenance of the Town's highways and bridges and to provide suitable places for the housing and storing of vehicles, machinery, tools and equipment owned by the Town for the effectuation of such purposes; and

WHEREAS, this capital project is construction of a New Highway Department Facility on a Town-owned Parcel of Land in Lansing, New York, in and for the Town of Lansing, Tompkins County, New York, at 10 Town Barn Road (Tax Parcel Numbers 30.-1-16.12 and 30.-1-16.11) including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements, and other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$15,000,000; and

WHEREAS, the Town of Lansing is the owner of a parcel of real property (Tax Parcel Nos. 30.-1-16.12 and 30.-1-16.11), located on Town Barn Road, constituting approximately 17 acres of land that has been previously acquired and utilized by the Town and designated for municipal purposes ("subject premises"); and

WHEREAS, the existing Town of Lansing Highway Department Building was constructed in 1968 and is in need of an adequate repair, storage, and administrative, salt/sand storage, and fuel storage facility in order to meet the needs of maintaining the public roadways of the Town of Lansing; and

WHEREAS, the Town of Lansing, after an extensive multi-year process of selecting a qualified consultant and examining site selection options for constructing a new Town Highway facility, recently affirmed the existing location at 10 Town Barn Road as the subject parcel for the purposes of constructing a Highway Department Building Replacement and Campus Renovation Project for the storage and operations needed by the Town of Lansing Highway Department; and

WHEREAS, the Town has, in accordance with the 2020 request for proposals process, selected Bergmann Architects, Engineers, and Planners, P.C. ("Bergmann") to prepare the required plans for a Highway Department Building Replacement and Campus Renovation Project to be constructed on the subject property; and

WHEREAS, Bergmann has prepared preliminary plans for said facility which will be constructed in three phases, with Phase 1 consisting of construction of a 46,515 sf facility including, but not necessarily limited to, administrative offices, break room, vehicle storage, maintenance, and parts storage; and Phase 2 consisting of Staff/Equipment Relocation; and Phase 3 consisting of the existing building partial demolition and conversion to unheated storage for trailers and other equipment; and

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

WHEREAS, the project hereinafter described is classified as a Type I Action under the State Environmental Quality Review Act §617.4(b)(6)(i) defined as "activities, other than the construction of residential facilities, which meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50% of any of the following thresholds: (i) a project or action that involves the physical alteration of 10 acres," which requires environmental review; and

WHEREAS, the Town Board, by Resolution 22-127, dated November 16, 2022, declared itself lead agency for the project, declared this to be a Type I Action pursuant to State Environmental Quality Review Act ("SEQRA") regulations, and accepted a Part 1 of a Full Environmental Assessment Form as prepared by the Town's Director of Planning; and

WHEREAS, the subject property is located in the Town's Industrial/Research (IR) zoning district in which such a highway facility is not a permitted, or specially permitted, use and it further, appears that some of the required construction for the facility on the site will not be in accordance with certain setback requirements for structures and improvements within the IR zoning district ("Bulk Regulations"), as set forth in the Town of Lansing Zoning Code; and

WHEREAS, the Town of Lansing Zoning Board of Appeals did find and declare on December 13, 2022, that the proposed Town Highway Department Building Replacement and Campus Renovation Project: shall be exempt from the use and bulk requirements and restrictions of the Town of Lansing Zoning Code; shall be deemed to be a use permitted, constructed and maintained on the subject property, subject to the approval of the Lansing Town Board; and that the Town of Lansing Schedule I and Schedule II Regulations for the IR Zoning District to the extent that they may restrict or prohibit the proposed facility shall not apply to this project; and

WHEREAS, the Town Board scheduled a public hearing on November 16, 2022 for purposes of receiving comments and input from the general public with regard to the potential impacts of this project; and

WHEREAS, the Town Board opened the public hearing on November 16, 2022 and received no comments whatsoever from the public concerning any potential environmental impacts of this project; and

WHEREAS, the Town Board determined that the project may require review and approval of the New York State Department of Transportation with regard to the driveway access; the Army Corps of Engineers for nationwide permit for stream disturbance; the Tompkins County Department of Health approval for the on-site wastewater treatment system; and the development of a Stormwater Pollution Prevention Plan (“SWPPP”) by the Town’s engineers and Stormwater Management Officer; and

WHEREAS, the project will be designed in accordance with all applicable codes, rules and regulations for such facilities and the facility will be operated in a manner that will have the least amount of disturbance to the community; and

WHEREAS, the facility is located close to Auburn Road (NYS-34) and North Triphammer Road (CR-122), which are both major arteries for the Town of Lansing, which can easily accommodate any traffic flow to be generated by this facility and its construction; and

WHEREAS, the Town Board has determined that the current Town highway garage and salt storage facilities are badly outdated and in need of replacement; and

WHEREAS, the Town Board has determined that the location of this highway facility in its existing location at a previously disturbed site is a perfect location for such a facility, which will have the least impact on community character; and

WHEREAS, the Town Board has determined that the site does not contain any threatened or endangered species, and that the Town would comply with any requirement for an archeological study should any materials be uncovered during excavation for the construction of this facility and operation of the same; and

WHEREAS, the Town Board has determined that any impacts from the construction of the facility will be short-term and minimized pursuant to the phasing plan for the same; and

WHEREAS, the Town Board, at its December 21, 2022 meeting, carefully reviewed and considered the Part 2 and Part 3 of the Full Environmental Assessment Form with the assistance of its Director of Planning and Attorney to the Town; and

WHEREAS, the Town Board has determined that any impacts which could result from this project will be positive rather than negative impacts to the environment; and therefore be it

RESOLVED, that the Town Board hereby accepts the Part 2 Full Environmental Assessment Form conducted by the Town Board at its public hearing which indicates that no, or only small, impacts may occur as a result of this project; and be it further

RESOLVED, that the Town Board determines that, based upon the information and analysis as set forth above, and in the Town's review of the Environmental Assessment Form and all supporting documentation and information for the proposed facility, that the action will not result in any significant adverse impacts and that a Draft Environmental Impact Statement need not be prepared for this project; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign the Part 3 of the Full Environmental Assessment Form constituting the Town's SEQRA Negative Declaration.

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 December 21, 2022.