

RESOLUTION PB 23-18

STATE ENVIRONMENTAL QUALITY REVIEW RESOLUTION - NEGATIVE DECLARATION & SITE PLAN APPROVAL UNITED STORAGE/DUTHIE SITE PLAN

WHEREAS, an application was made by George Breuhaus, Architect, for United Storage, Owner, for site plan approval for a 9,600 SQFT warehouse at 8-18 Verizon Lane, on the approximately 9-acre lot owned by United Storage TBR, LLC, in the Town of Lansing, New York, otherwise known as Tax Parcel 30.-1-16.32. The property is in the IR – Industrial Research Zone; and

WHEREAS; this is a proposed action reviewed under Town of Lansing Code § 270-27 Site Plan Review for which the completed application was received 31 July 2023; and

WHEREAS; 6 NYCRR § 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 state environmental law and the Lead Agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action; and

WHEREAS; the Planning Board, being the local agency, which has primary responsibility for approving the action, did on 28 August 2023 classify the project as an Unlisted Action and declared itself the Lead Agency; and

WHEREAS; legal notice was published on 14 September 2023 and adjacent property owners within 600 feet were notified by mail pursuant to Town Code § 270-27(F); and

WHEREAS; a public hearing was duly held before the Board upon 25 September 2023 and the public was duly allowed to speak upon and address the proposed Site Plan, including the SEQR environmental review thereof; and

WHEREAS; Project plans, and related information, were duly delivered to the Tompkins County Planning and Sustainability Department per General Municipal Law § 239; *et seq.*, and such **Department responded** in a letter dated 10 August 2023, from Katherine Borgella, Tompkins County Commissioner of Planning, pursuant to §239 -l, -m, and -n of the New York State General Municipal Law. The proposed action was determined to have no significant county wide for inter-community impacts; and

WHEREAS; the project has submitted a stormwater pollution prevention plan which complies with the NYS General SPDES Permit for Stormwater Discharges from Construction and sufficiently attenuates any increase in erosions or stormwater runoff that project may create; and

WHEREAS; the project is not visible from an officially designated federal, state, or local scenic resource and is consistent with the zoning for the area as well as the character of the area as a passive land use; and

WHEREAS; each of the identified impacts were analyzed and duly considered by the Planning Board, as Lead Agency, in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impacts, and after weighing the potential impacts arising from

or in connection with this site plan approval, and after also considering: (i) the probability of each potential impact occurring, including weighing the highly speculative nature of some potential future contingencies and the potential non-highly speculative nature of others; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including a consideration of permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting, reviews, or other regulatory 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 negative environmental or related social or resource impact to be or be likely to become a moderate or significant negative impact; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town of Lansing Planning Board, based upon (i) its thorough review of the EAF, Parts 1 & 2, a Site Plan application 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 of the proposed project to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the FEAF, Part 2 and its determination at Part 3, including any findings noted therein (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 will not be required and that a responsible Officer 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 the fully completed and signed EAF and determination of significance shall be incorporated by reference in these resolutions; and it is

FURTHER RESOLVED; That the Planning Board of the Town of Lansing does hereby grant Site Plan approval for Town of Lansing Tax Parcel Number 30.-1-16.32, for a 9,600 sq ft warehouse, which includes all site plan layouts, building elevations, landscaping plan, and other site conditions listed in the plan set titled "New Building Verizon Lane 8-18 Verizon Lane" prepared by Sciarabba Engineering and Design, George Breuhaus, Architect, and Timothy Buhl, Professional Engineer, subject to the following conditions:

1. In accordance with Town Code § 270-27(K), this site plan approval is valid for only 36 months from the date hereof, and the applicant/owner is required to commence and substantially complete the construction or other activities for which the site plan is applicable within said 36 months or this approval shall, unless extended upon application timely made, expire, lapse, and be of no further validity, force or effect.
2. Building Permits are required to construct the approved building and site facilities. Plans must meet all code requirements, including the sealing of plans by a licensed engineer or architect. All improvements shall be constructed in compliance with all state and local building code requirements.
3. Lockboxes: The Developer shall assure proper building labelling and that, if required under Chapter 137, Article I of the Town of Lansing Code, Rapid Access Lockboxes, lockboxes are duly installed in accord with such local law, with input and approval from the applicable Lansing fire department(s).
4. The applicant will be required to obtain i) a Bolton Point water permit for a new water service and

meter to connect to the existing Consolidated Water District Mains, and ii) a Tompkins County Health Department Onsite Wastewater Treatment System (OWTS) permit. Both permits shall be obtained prior to obtaining any building permit or Certificate of Occupancy (“CO”).

5. The applicant must be issued a Sign Permit in compliance with Town Code Chapter 210 to erect, install, build, place, emplace, site, or substantially rebuild or repair any signs.
6. All plantings (including as shown on the plans described above) shall be maintained as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering. Existing and any new vegetation shall be properly maintained and any dead, diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that, whether singularly or in combination, due to lack of growth, death, recession, disease or other cause, cease to function as buffers shall be replaced in a manner as promotes the goal of such buffer as stated in this site plan approval. This condition shall be deemed to augment and further define prior site plan approval conditions and site plan features hereby or heretofore approved by the Town.
7. All lighting fixtures will be “dark sky compliant” glare-free, downward directed, and shielded lighting as promotes the dark-sky standards of the International Dark-Sky Association (IDA) and lamps will be not higher than 3000K CCT to minimize adverse human and ecological impacts.
8. Compliance with the recommendations of the Town’s Engineer and SMO for any final stormwater plans and the terms of the approved final Stormwater Pollution Prevention Plan (SWPPP) for the developed site, and proper completion of all stormwater reports, permits, and facilities in a form and manner as approved by the Town and NYSDEC, including execution and filing of Stormwater Operating, Management, and Reporting Agreement (“SOMRA”) in the form as set forth pursuant to Town Code § 225-8(D), which executed and filed SOMRA (and any supporting easements) is required to be submitted to the SMO prior to the issuance of any certificate of occupancy or compliance for the Project.

Dated: 25 Sept 2023

Motioned by:

Seconded by:

VOTE AS FOLLOWS:

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| Thomas Butler | |
| Sandra Dennis-Conlon | |
| Christine Hass | |
| Laurie Hemmings | |
| John Licitra | |
| Larry Sharpsteen | |
| Dean Shea | |
| Deborah Trumbull | |
| Al Fiorille | |

Received in the Lansing Town Clerk's Office on _____

Debbie Munson, Town Clerk
Town of Lansing
Tompkins County, New York