

Village of Trumansburg Planning Board Resolution #18-__

RESOLUTION MAKING AND ADOPTING DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE FOR 46 SOUTH STREET SITE PLAN/SUBDIVISION PROPOSAL

WHEREAS, the Village of Trumansburg Planning Board received an application from Ithaca Neighborhood Housing Services and Sundial Property Development, LLC/Claudia Brenner (the "Applicants") for the development of a residential/mixed-use/mixed-income residential project on a 19± acre parcel of property located at 46 South Street in the Village of Trumansburg, New York ("Site") on 14 individual lots, consisting of 17 market rate for-sale units, 10 affordable for-sale townhomes, 6 affordable rental townhomes, 40 rental apartments in a two-story elevator building and a stand-alone nursery school (the "Project"), which application has been updated and amended several times since the date of original submission in early 2017, and which Project proposal was formally submitted for site plan and preliminary plat subdivision review and approvals on December 14, 2017; and

WHEREAS, at its January 18, 2018 meeting the Planning Board determined that the Project is a Type I Action pursuant to SEQRA and VEQR (the Village's mini-SEQRA Local Law) and initiated a coordinated review process by distributing the Applicants' applications and Part 1 of the Full Environmental Assessment Form (the "FEAF") to all identified involved agencies, including: (i) the Village of Trumansburg Board of Trustees, Zoning Board of Appeals, and Department of Public Works ; (ii) the Trumansburg Central School District; (iii) the US Army Corps of Engineers; (iv) the Tompkins County Environmental Health Division and Community Housing Development Fund; (v) the New York State Department of Environmental Conservation, Department of Homes and Community Renewal, Housing Trust Fund Corporation; as well as to several interested agencies, such as the NYS Office of Parks, Recreation and Historic Preservation, the Trumansburg Police Department, Trumansburg Fire Department, and Town of Ulysses Town Board; and

WHEREAS, no interested or involved agency objected to the Planning Board acting as lead agency for the coordinated review and the Planning Board thus formally declared itself the Lead Agency for coordinated Project review under SEQRA on March 22, 2018; and

WHEREAS, pursuant to SEQRA, to aid the Planning Board in determining whether the Project may have a significant adverse impact upon the environment, the Planning Board has completed, received and reviewed several studies, statements, opinions, analyses, and related documents, including but not limited to the following for the Site Plan: (i) updated and revised FEAF Parts 1; drafted, updated and reviewed/finalized FEAF Parts 2, including drafts developed on the record at Planning Board meetings and versions dated September 4 and 27, 2018, as well as a final version as presented to this meeting with FEAF Part 3 and its accompanying analysis; (ii) the Applications for Site Plan Review, including the version dated December 14, 2017 and its exhibits (including but not limited to Aerial Mapping, Site Surveys, Detailed Site Plan/Preliminary Plat, Civil Engineering Plans, Landscaping Plan, Site Lighting and Signage Plan, Building Elevations, Site Photography Studies, Project Renderings, Project Construction Schedules, Stormwater System Calculations, Zoning and Comprehensive Plan Narratives, Community Engagement and Outreach Materials, Traffic Impact Study, Wetland Delineation, Phase I/II Environmental Site Assessment Summaries, Soils and Geotechnical Report, Water/Sewer/Fire/School District Community Impact letters, Flora/Fauna Study, SHPO Letter of No Impact); (iii) an application for Preliminary Major Subdivision Review, submitted by Applicants by documents dated December 14, 2017 (and the exhibits attached thereto, including but not limited to a Subdivision Application Form, Preliminary Plat, Aerial Map, and Subdivision Review Compliance

Checklist); (iv) various items of supplemental study and information, including Comments from and responses to the Village's consulting engineers ("MRB Group"), including as dated March 15, 2018 (and the exhibits attached thereto, including but not limited to Site Plan & Preliminary Plat, Correspondence from Army Corps of Engineers, Civil Engineering Plans, Landscaping Plan, Lighting Plan, Revised Drainage Report, Photographs of "No Mow" Lawn, and Enlarged Road Plans); (v) Response to Comments from May 24th Public Hearing, submitted by Applicants and dated June 27, 2018 (and the exhibits attached thereto, including but not limited to Letter from SRF Associates, Lighting Information and Photometric Study, Auto-turn Diagrams, Letters from Water/Sewer/Fire/School District, and Construction Mitigation Plan); (vi) Letter to the Planning Board, submitted by Bond, Schoeneck & King on behalf Trumansburg Neighbors Alliance, dated February 20, 2018; (vii) Letter to Guy Krogh-Response to Opposition Letter from Trumansburg Neighbors Alliance, submitted by Applicants and dated April 20, 2018; (viii) Letter to the Planning Board, submitted by Bond, Schoeneck & King on behalf of Trumansburg Neighbors Alliance, dated May 24, 2018, and the exhibits attached thereto; (ix) Response to Opposition Letter from Bond, Schoeneck & King on behalf of the Trumansburg Neighbors Alliance, submitted by Applicants and dated June 27, 2018 (and the exhibits attached thereto, including but not limited to 46 South Street SEQRA Lead Agency Package, April 20, 2018 Phillips Lytle Response to TBNA Opposition Letter from Bond, Schoeneck & King, List of Residential/Mixed Use and Other Projects throughout State which Recently Received Negative Declarations, Respondents Brief in Casino Free Tyre v. Town Bd. of Town of Tyre, Prepared by Bond, Schoeneck & King and other co-counsel, and Letters from Water/Sewer/Fire/School District); (x) Response to April 18, 2018 Comments from MRB Group, submitted by Applicants and dated June, 28, 2018 (and the exhibits attached thereto, including but not limited to Revised Site Plan & Preliminary Plat, Correspondence from ACOE, Revised Civil Engineering Plans, Revised Landscaping Plan, Lighting Plan & Photometric Study, Revised Drainage Report, and Enlarged Road Plans); (xi) Economic and Fiscal Impact Analysis: 46 South Street, dated May 2018, prepared for Village of Trumansburg by Camoin Associates; and (xii) other relevant environmental information and extensive public comment, as well as all input received at public meetings by the public, consultants, Planning Board members and the records of all such proceedings (all severally and together, the "Environmental Information"); and

WHEREAS, the Planning Board retained MRB Engineering as its engineering consultant for the Project to assist it with its review of the Applicants' proposed Project including assistance with SEQRA, and the Planning Board held a public hearing on the Project at 7:00 pm on May 24, 2018 and took statements, testimony, and evidence from all persons interested in the subject thereof, and the Planning Board continued its review of the Project at a meeting of the Planning Board on May 24, 2018, and the Planning Board received a revised FEAF, Part 1, dated September 4, 2018, which was submitted by Applicants and reviewed and updated by the Planning Board; and

WHEREAS, after careful consideration of the Environmental Information, the verbal and written comments of community residents, and with extensive input from the Village's engineering consultant, pursuant to SEQRA the Planning Board now desires to make the required determination of significance to determine whether the Project may have a significant adverse impact on the environment and whether an Environmental Impact Statement must be prepared.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE VILLAGE OF TRUMANSBURG AS FOLLOWS:

1. Based upon a thorough review and examination of the Project and the Environmental Information, the Planning Board's knowledge of the area surrounding the Site, and such further investigation of the Project and its environmental impacts, each as the Planning Board has determined appropriate, with extensive input from the Village's engineering consultant, a after very careful consideration and deliberation on the record, the Planning Board has determined that the Project will not have a significant adverse impact upon the environment and that no environmental impact statement is required.

2. The findings and reasons elaborated as a result of the FEAF Part 2 review and Part 3 analysis, as set forth in the FEAF be and are hereby incorporated in full and made a material part of these resolutions. Additional findings pertaining to these determinations, focused more specifically upon the environmental impact areas of review not more specifically analyzed in detail the FEAF Part 3 findings are: (i) the Project was determined not to result in the modification or destruction of any unique or unusual land forms; (ii) Army Corps of Engineers' Nationwide Wetlands Permitting Program, Permit #29, will be applied for as total disturbance is under 0.10 acres, and if any disturbance above the federal threshold arises proper permitting is required under federal law (and the Village may re-evaluate its SEQRA determination, including by supplemental review to address any impacts or changes in determined impact magnitudes that may result); (iii) no neighbors or residences in the area draw their water from ground wells; (iv) the Project does not include a state or federally regulated air emission source and will not result in significant air emissions of contaminants or greenhouse gases; (v) the Project is not located within or adjacent to an Agricultural District and does not contain lands associated with regular agricultural use (though it has been used as a hayfield in the past); (vi) the Project is not located within or adjacent to an identified or designated open space or recreational area, it is not used for community recreation, and the development of the Site thus would not result in the recreational opportunities (though it is noted that the Project's evolution has resulted in more open- and greenspace, and that there are proposed walking trails and sidewalks serving the Site and the community generally); (vii) there are no designated critical environmental areas within or located adjacent to the Site; (viii) in addition to traffic studies and data collection, and analyses of traffic data and conclusions reached by the independent traffic engineer hired by the Village, the Planning Board, based upon personal observation and knowledge of local traffic conditions augmenting and confirming the opinion of the Village's traffic engineer, found there was no capacity or significant traffic problem identified (and it is again noted that the walking trails, sidewalks, and proximity to schools and the Downtown Village area promote pedestrian traffic, thereby further alleviating/mitigating potential traffic issues); (ix) the Project will meet or exceed the state energy code and Tompkins County and Village energy guidelines (including by using recyclable cementitious materials, modern lighting systems, and efficient heating, ventilation, and air conditioning systems to promote efficient energy use to minimize the Project's energy footprint); and (x) the project as amended and now proposed represents less than 40 percent of the density allowable on the Site, the Project is designed to be consistent with the Village's zoning code, and meets and promoted Village goals for providing affordable housing opportunities.

3. 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 Project and the Site development plan, including under site plan review, subdivision review, and any other future reviews as may be required, will have no moderate or large negative environmental consequences or impacts.

4. This determination and 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, 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 (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (the “Negative Declaration”) in accordance with SEQRA for the above referenced proposed actions, and determines that an Environmental Impact Statement is therefore not required.

5. A Responsible Officer of the Planning Board of the Village of Trumansburg 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.

The question of the adoption of the foregoing resolutions was offered by Planning Board Member John Ullberg and seconded by Planning Board Member Jessica Giles at a meeting of the Planning Board held upon October 25, 2018. Following discussion thereupon, the following roll call vote was taken and recorded:

Hannah Carver-	Aye
Rick Geiger-	Aye
Jessica Giles-	Aye
Victoria Romanoff-	No
John Ullberg-	Aye

October 25, 2018