

**CITY OF ONEONTA
PLANNING COMMISSION**

RESOLUTION

**DETERMINING THE ENVIRONMENTAL NON-SIGNIFICANCE OF THE PROPOSED
"ONEONTA STUDENT HOUSING PROJECT"
UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

DATE: MAY 29, 2013

WHEREAS, the City of Oneonta Planning Commission (hereinafter "Planning Commission"), has received an application for site plan review for a proposed apartment complex within the City which has been designated by the applicant as "Oneonta Student Housing"; and

WHEREAS, the proposed action constitutes an Unlisted Action pursuant to the regulations of the State Environmental Quality Review Act (SEQRA) (6 NYCRR Part 617); and

WHEREAS, the Planning Commission is the only permitting agency for this Permit; and

WHEREAS, on March 20, 2013 the Planning Commission by resolution declared itself Lead Agency and determined that a Full Environmental Assessment of the project would be required; and

WHEREAS, as lead agency, the Planning Commission notified all interested parties of the application and received and considered comments on the project including a response from the Otsego County Planning Department pursuant to the provisions of General Municipal Law §239-m in favor of said project; and

WHEREAS, the statutory comment period has now ended; and

WHEREAS, the Planning Commission retained Delaware Engineering, PC, as consulting engineers to provide expertise and advice to the Commission regarding the application, plans, utility and environmental impacts of the proposed project as well as in all aspects of the Environmental Assessment Form in connection with the proposed action; and

WHEREAS, as lead agency, the Planning Commission conducted an environmental review in accordance with the requirements of SEQRA and has considered the proposed action, reviewed the Full Environmental Assessment Form both Parts 1 as filed with them in connection with the proposed action, reviewed and made decisions regarding potential impact in Part 2; and

WHEREAS, based on this review, pursuant to the provisions of 6 NYCRR Part 617.7(c), the Lead Agency determined that it was necessary to prepare and submit further assessments and comment under Part 3 of the Environmental Assessment Form submitted in this action and did so all as shown upon the completed provisions of Part 3 and the addendum thereto as discussed and determined by the Planning Commission in open session; and

WHEREAS, the Planning Commission thoroughly analyzed the relevant areas of environmental concern, reviewed supplemental information provided by the applicant, received and considered input on the project from the public as well as other community stakeholders, held multiple open meetings to provide an opportunity for public to have input on the project and thereafter held a duly advertised public hearing where all who wished to speak regarding the project were heard, and

WHEREAS, by these actions the Planning Commission has taken a "hard look" at the potential adverse environmental impacts of the proposed action on those relevant areas of environmental concern, both on its own and with the aid of its retained engineering firm and legal counsel, and followed the criteria set forth in the SEQRA Regulations at 6 NYCRR Part 617.7(c); and

WHEREAS, the Planning Commission has found that although there will be impacts on the environment as the project is proposed, but that such impacts will be small to moderate and that there has been shown specific mitigation actions that will be taken with regarding those potential impacts;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF ONEONTA PLANNING COMMISSION AS FOLLOWS:

SECTION 1. Based upon the foregoing, the Planning Commission hereby declares that the proposed Oneonta Student Housing Project will not have any significant adverse environmental impacts; and

SECTION 2. The Planning Commission adopts a Negative Declaration as its determination of significance pursuant to SEQRA in connection with the environmental review of the proposed project and adopts the findings, conclusion and reasoning all as set forth herein and in the record of this proceeding including the comments and discussions had at the various meetings of the Planning Commission held in conjunction with the review of the Environmental Assessment Form submitted for the Project: and

SECTION 3. The Planning Commission authorizes the Planning Commission Chair to sign the Full Environmental Assessment Form in conformance with this determination and that a Negative Declaration be prepared and signed in conformance herewith; and

SECTION 4. The Planning Commission authorizes and if necessary directs the forwarding of a copy of the Negative Declaration, in appropriate form, to the New York State Department of Environmental Conservation for the purposes of publication of the Negative Declaration in the Environmental Notice Bulletin in accordance with the requirements of Part 617.12 of the SEQRA Regulations; and

SECTION 5. The Planning Commission authorizes and directs the filing of a copy of the Negative Declaration in the office of the City Clerk of the City of Oneonta, as well as any such other steps as may necessary to effectuate this decision pursuant to SEQRA or to any other applicable law or regulation; and

SECTION 6. This resolution shall take effect immediately.

WHEREUPON, this Resolution was declared adopted by the Planning Commission of the City of Oneonta:

The motion was moved by: Commissioner Herzig

The motion was seconded by: Commissioner Overbey

Motion approved: 7 Ayes, 0 Noes

Date of Adoption: May 29, 2013.

