

RESOLUTION DETERMINING ADEQUACY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT WITH REGARD TO APPLICATION NOS. 035-SP-2014 AND 004-MS-2014 SEEKING A MODIFICATION TO THE DEVELOPMENT COMMONLY REFERRED TO AS VICTOR CROSSING

WHEREAS, on or about September 12, 2014, the Town of Victor received a Site Plan Application and a Subdivision Application (jointly referred to herein as the "Application") from Benderson Development Company, LLC (the "Applicant"), in relation to an existing development commonly known as and referred to as Victor Crossing (the "Property") ; and

WHEREAS, the Application seeks to modify the previous subdivision and site plan approvals of the Planning Board by lifting the limitation on the hours of operation for the Property (the "Action"), which limitation was previously imposed by the Victor Planning Board via the State Environmental Quality Review Act ("SEQR"); and

WHEREAS, on September 26, 2006, the Town of Victor Planning Board approved a SEQR Findings Statement which imposed the hours of operation limitation for the Property, which limited hours of operation from 7 A.M. to 11 P.M.; and

WHEREAS, the Applicant has submitted a Long Form EAF in connection with this Action; and

WHEREAS, the Action has been preliminary classified as a Type 1 action pursuant to SEQR; and

WHEREAS, in accordance with the SEQR regulations, the Victor Planning Board has assumed Lead Agency status with respect to the Action and has issued a Positive Declaration in relation thereto; and

WHEREAS, the Planning Board identified a number of potentially significant adverse environmental impact per its Positive Declaration which requires preparation of a Draft Environmental Impact Statement ("DEIS"); and

WHEREAS, the Planning Board has received a proposed DEIS from the Applicant; and

WHEREAS, the Planning Board has reviewed the DEIS; and

WHEREAS, the Town Engineer has reviewed the DEIS and has recommended acceptance of the same; now, therefore be it

RESOLVED, that the Town of Victor Planning Board hereby determines that the proposed Draft Environmental Impact Statement (DEIS) is adequate for public review and directs that a notice of completion of the DEIS be prepared, filed and published on its behalf as required in 6 NYCRR Part 617 State Environmental Quality Review; and be it further

RESOLVED, that the Town of Victor Planning Board hereby establishes a public comment period of forty five (45) calendar days beginning on Monday, May 18, 2015, the date of the first

filing and circulation of the notice of completion, and ending on Thursday, July 2, 2015; and be it further

RESOLVED, that a public hearing be duly advertised and held on June 9, 2015; and be it further

RESOLVED, that the attached Draft Environmental Impact Statement will be available for public review in the Victor Town Clerk's Office, and copies may be obtained through the Victor Town Clerk's Office; and be it further

RESOLVED, that the Chairman of the Planning Board be, and he hereby is, authorized to execute such necessary documents and to take such other actions as will facilitate an orderly and proper SEQR process.