

**RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF TYRE  
REGARDING THE SUBDIVISION AND SITE PLAN REVIEW APPLICATIONS  
OF LOVE’S TRAVEL STOPS & COUNTRY STORES, INC.  
FOR THE CONSTRUCTION OF A NEW CONVENIENCE STORE AND TRAVEL  
CENTER PROJECT TO BE LOCATED ON NYS ROUTE 414**

**April 28, 2020**

**WHEREAS**, on or about February 15, 2020, the Town of Tyre Planning Board (“Planning Board”) received an application from Love’s Travel Stops and Country Stores, Inc. (“Loves” and/or “Applicant”) for a two-lot subdivision and site plan approval for the development and construction of a convenience store and related travel center uses to be located near the intersection of NYS Interstate I-90 and NYS Route 414 (the “Project”); and

**WHEREAS**, the Project is being specifically proposed for development upon 13± acres of land to be subdivided from Tax Map Parcel ID No. 12-1-33-1 located in the Town of Tyre, Seneca County, New York (the “Property”); and

**WHEREAS**, the proposed Project is situated within the Town of Tyre Commercial West zoning district, and would be operated under the name Love’s Travel Center for typical travel center uses, including but not limited to: fueling stations, convenience store operations, quick service eateries, tire shop repair and servicing of trucks, and such other uses attendant with travel centers near the New York State Thruway, as may be approved by the Planning Board; and

**WHEREAS**, the Planning Board acknowledges receipt from Applicant of, narrative letters outlining the Applicant’s intended uses at the proposed Project, together with stamped Site Development and Civil Engineering Plans, a project survey, a Subdivision map along with supporting materials, a Zoning permit application form, an Affirmation of Payment of Costs, a Disclosure Form E, a List of Abutters, a Site Plan Completeness Certification Form, a Subdivision application form, an Affidavit of Applicant, a State Environmental Quality Review Act (“SEQRA”) Full Environmental Assessment Form (“FEAF”) with supporting materials, a Storm Water Pollution Prevention Plan, a Traffic Impact Study, and Engineering response letters (collectively, the “Application”); and

**WHEREAS**, prior to taking action on the Application, the Planning board must comply with SEQRA and its implementing regulations at 6 NYCRR Part 617, and hereby acknowledges the proposed Project is subject to SEQRA and determines that the same is a Type I Action pursuant to 6 NYCRR Part 617.4, as it entails the physical alteration of 10+ acres of a non-residential project; and

**WHEREAS**, the Planning Board has considered potential “lead agency” designation(s) and determines its intention to act as the lead agency responsible for conducting a coordinated review of the proposed Action under SEQRA; and

**WHEREAS**, a careful examination and review of the Application was conducted by the Planning Board as to the level of completeness of the materials presented:

**NOW THEREFORE BE IT RESOLVED,**

1. The Planning Board hereby deems the Application substantially complete such that review of the Application may officially move forward;
2. The proposed Project is deemed to be a Type I action under SEQR 617.4, and will thus require coordinated review.
3. The following agencies, at minimum, are involved or interested agencies under SEQRA:
  - Seneca County Building and Fire Code Department
  - Seneca County Planning & Community Development Department
  - Seneca County Health Department
  - Seneca County Emergency Services
  - Seneca County Sheriff's Department
  - NYS Department of Environmental Conservation
  - NYS Thruway Authority
  - NYS Department of Transportation
  - NYS Department of Health
  - NYS Department of Agriculture and Markets
  - NYS Department of Parks, Recreation and Historic Preservation
  - Army Corps of Engineers
  - Magee Fire Department
  - Tyre Zoning Board of Appeals
  - Village of Waterloo
  - Town of Seneca Falls
  - Town of Tyre Town Board
4. The Planning Board hereby states its intention to serve as lead agency for the Project pursuant to 6 NYCRR 617.6 and to conduct a coordinated environmental review of the Action and related impacts as required by SEQRA.
5. The Planning Board shall refer the Application, and pertinent related materials, to the Seneca County Planning Board for review and comment pursuant to Sections 239-l and 239-m of the New York State General Municipal Law; and
6. The Planning Board hereby authorizes and directs its Planning Board Clerk, and/or its Planning Board consultants, to immediately circulate the Planning Board's Notice to Designate a SEQRA lead agency, together with pertinent Project and SEQRA materials, to all involved and interested agencies to consent or object to the Planning Board's intent to serve as lead agency within thirty (30) days.

