

Onondaga County Industrial Development Agency  
Special Meeting Minutes  
October 31, 2019

A special meeting of the Onondaga County Industrial Development Agency was held on Tuesday, October 31, 2019 at the OnCenter, 800 South State Street, Syracuse, New York in meeting rooms 1, 2 & 3.

Patrick Hogan called the meeting to order at 8:31 am with the following:

PRESENT:

Patrick Hogan  
Janice Herzog  
Steve Morgan  
Susan Stanczyk  
Fanny Villarreal  
Kevin Ryan

ABSENT:

Victor Ianno

ALSO PRESENT:

Robert Petrovich, Executive Director	Mitch Latimer, Carpenters Local 277
Genevieve A. Suits, Secretary	Mark Potter, Liverpool CSD
Nate Stevens, Treasurer	Craig Daily, Liverpool CSD
Karen Doster, Recording Secretary	John Bartolo III
Tony Rivizzigno, Barclay Damon Law Firm	John Langey, Costello, Cooney & Fearon
Amanda Mirabito, Barclay Damon Law Firm	David Thomas
Jeff Davis, Barclay Damon Law Firm	Mary Kuhn
Matthew Kerwin, Barclay Damon Law Firm	Michelle Jevis, CR Fletcher Associates
Kevin McAuliffe, Barclay Damon Law Firm	Jim Lennon
Robert LaFleur, JMA	Kay Cloud
Paul Adel, JMA	
George Laigaie, TC Syracuse Development	
Robert Murray, Harris Beach Law Firm	
Amy Dake	
Trista Kuna	
Benjamin Mueller	
Frank Pavia	
Richard Pietrafesa, BWI Hotel Acquisitions I	
Kevin Delaney, Tompkin Insurance	
Mary Beth Oyer-Dunnewold	
Vince Messina	
Kevin Schwab	
Martha M. Ours, Springway Sr Community	

Patrick Hogan welcomed everyone to the special meeting of the Onondaga County Industrial Development Agency. He stated he is the chairperson of the IDA and as a reminder this is a public meeting, not a public hearing.

APPROVAL OF REGULAR MEETING MINUTES – OCTOBER 8, 2019

Upon a motion by Fanny Villarreal, seconded by Steve Morgan, the OCIDA Board approved the regular meeting minutes of October 8, 2019. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest Statement was circulated and there were no comments.

BWI HOTEL ACQUISITIONS I, LLC

Patrick Hogan stated this project has already been before the Board and the principals are here. He asked if there are questions to the principals.

Steve Morgan asked if a public hearing was held. Genevieve Suits stated it was held on June 25 and there were no comments.

Upon a motion by Susan Stanczyk, seconded by Steve Morgan, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for BWI Hotel Acquisitions I, LLC. Motion was carried.

Upon a motion by Kevin Ryan, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing sales tax abatement, mortgage recording tax abatement and real property tax abatement for the BWI Hotel Acquisitions I, LLC. Motion was carried.

TC SYRACUSE DEVELOPMENT ASSOCIATES, LLC.

Patrick Hogan stated OCIDA has an application submitted by TC Syracuse Development Associates, LLC requesting financial assistance in connection with construction and operation of a proposed warehouse distribution facility at 7211 and 7219 Morgan Road in the Town of Clay. He stated two public hearings were held by OCIDA for this project, September 20 and October

22. He stated the project will involve the conversion of an existing golf course into a warehouse distribution facility with an approximate footprint of 823,522 square feet consisting of 5 levels for a total building area of approximately 3,783,000 square feet. He stated the project is projected to produce over 1,000 permanent jobs, 300 short term construction jobs. He stated before considering whether to undertake the project and grant financial assistance requested SEQRA must be completed. A review of the project's potential environmental impacts if any. He stated Attorney Jeff Davis, Barclay & Damon Law Firm, will discuss the SEQRA process, summarize the steps the Agency has taken at this point and explain required next steps to comply with SEQRA.

Jeff Davis stated OCIDA retained Barclay Damon to work with them on the environmental review of the project and in attendance is OCIDA's engineering consultant, JMT of New York. He stated he will go over a little bit of SEQR, the process, what's happened since the application was submitted etc. He stated OCIDA cannot, nor can any other involved agency, take any action until a determination of significance is issued. He stated upon receiving the application by TC Syracuse, OCIDA determined the project was a Type I action meaning a coordinated review needed to be done. He stated at OCIDA's meeting on September 5th they declared the Agency's intent to be lead agency and September 6th mailed lead agency notice letters including a CD of all the application materials to date to all involved agencies and interested agencies. He stated the involved agencies had 30 days to respond to either consent or object to OCIDA being lead agency and all involved agencies consented to this Agency being lead agency for SEQR. He stated on October 8th the Board declared itself officially lead agency for SEQR purposes. He stated a 3 person committee was established by this Agency that has been working with the legal team at Barclay Damon, their consulting team at JMT and the applicant to analyze all the SEQR materials that were submitted for this project. He stated there have been 4 workshop sessions held and there has been quite a bit of back and forth which led to numerous additions and submissions to the record. He stated in addition there were two public hearing notices that were sent out and two public hearings held by this Board. He stated members of the consulting team also attended public hearings held in the Town of Clay, the joint Town Board Planning Board hearing on September 30th, a separate Planning Board hearing earlier this month as well as other Planning Board meetings in the Town of Clay. He stated members of the consulting team met with the Village of Liverpool and Town of Salina that are interested agencies to hear any concerns and comments they may have on the project. He stated in addition to these meetings there has been a substantial amount of information reports supplied by the applicant responding

to questions from involved agencies, OCIDA and the consulting group. He stated it has culminated in a 6 inch binder with the materials and a CD the applicant has submitted as its final SEQR determination. He stated it includes things like the project description, site plans, public service assessment, architectural elevations, wetlands and water impact assessments, storm water pollution prevention assessment, traffic impact study and appendices, energy conservation assessment, evaluation of sight and sound emissions, threatened and endangered species assessment and a state historic preservation office finding of no effect letter. He stated in addition to those materials submitted by the applicant, a series of other materials and will serve letters by various agencies and department were received. He stated the Town of Clay Sewer Department and Town of Clay Water Department submitted a letter saying they could supply sewer and water service to the project. He stated National Grid submitted a letter saying they can meet the gas and electric demand for the project. He stated a visual impact narrative was also prepared by the applicant with a series of additional renderings. He stated there has been a series of correspondence from the applicant addressing questions that were posed by the consultant to them. He stated in addition to all the items submitted by the applicant, they did receive letters from NYS DOT and Onondaga County DOT regarding the applicant's traffic study and off site proposed improvements. He stated correspondence was received from other involved agencies and interested agencies including DEC on the project. He stated written comments from the public were received as well as interested parties both in favor and against and all that has been provided to the Board. He stated the meeting minutes from all the meetings including the public hearings and the public hearing transcripts that were attended have been submitted.

Jeff Davis stated he is going to walk through the steps of SEQR on the project as a Type I action. He stated the next step in the process is Part II which is the form that is prepared by the Agency and not by the applicant. He stated that is a series of topic questions and sub questions that lead the Agency through the determination of significance and then based upon Part II the Agency turns to Part III. He stated in the Board packets is a proposed Part II that has been prepared by the consulting team: Barclay Damon, JMT and in consultation with the subcommittee members. He stated it represents the recommendations of the group to the Agency as a whole. He stated he is going to walk through the summary of Part II and then see if there are any questions. He stated Part II has 18 topic questions with sub questions in which the form asks the Board to go through and address. He stated the consulting team identified 8 topic questions in which the consulting team views that there could be a potential environmental impact. He stated those are

in areas that impact the land, surface water, plants and animals, transportation, energy, noise and odor, light, consistency with community plans and consistency with community character. He stated each of those topic questions are checked and recommended as an answer to yes. He stated the consulting team went on and looked at the sub questions and identified the sub questions. He stated most of the sub questions were identified as a “no to small impact” with the exception of 8 items which are identified as potential “moderate to large environmental impact”. He asked the Board if they agreed to the recommendation from the consulting committee on the impacts identified and then if so he will move on to a discussion of Part III. The Board agreed.

Jeff Davis stated Part III is also required in the SEQR process. He stated the lead agency must complete Part III for every question in Part II where the impact is identified as potentially moderate to large or where there is a need to explain why a particular element of the project will not or may not result in a significance adverse impact. He stated for this project the consulting team has recommended that Part III not be limited to just questions that are identified as moderate to large and instead the consulting team has prepared a 22 page analysis walking through each one of the criteria established by DEC and their regulations that need to be addressed. He stated ultimately OCIDA’s consulting team is recommending a negative declaration for the project as outlined in the draft Part III. He stated the team anticipates that an environmental impact from the proposed project will not be significant and this conclusion results from a thorough evaluation of the proposed projects attributes, design items and potential environmental effects against the criteria provided in the DEC regulations. He stated with respect to potential impact of surface water, the applicant conducted a wetlands and water impact assessment and prepared a storm water pollution prevention plan known as a SWPPP that will be maintained to address storm water, prevent impacts to surface water from parking areas and internal driveways. He stated the applicant is required to obtain all necessary permits from the US Army Corps of Engineers and NYS DEC to comply with the conditions associated. He stated in addition they complied with the requirements of the Onondaga Lake Water Shed in terms of phosphorus reduction levels and built in retention basin components to address the criteria outlined in the Onondaga Lake Water Shed Protection Area. He stated for potential traffic impacts the applicant has submitted a traffic study that has been subsequently updated. He stated it established and reviewed the traffic conditions, projected background traffic flow in the area and projected changes in traffic flow as a result of the proposed project. He stated they did a study and collected information in June of 2019 in terms of traffic levels. He stated County DOT submitted a letter confirming its acceptance of the portion of the traffic study that pertains

to the roadways and the signals identified in the report under County jurisdiction. He stated in their traffic report there is a series of recommendations and offsite improvements which defines signal changes, roadway widening and changes to certain intersections which the applicant has agreed to pay for. He stated intersections pertaining to County jurisdiction the County DOT accepted all those changes as appropriate to address any potential concerns for traffic. He stated NYS DOT also responded with their own letter which they determined the traffic study was sufficient. He stated they did have a series of 7 additional recommendations to their traffic study to the impacts on State roads. He stated those 7 recommendations the applicant responded to in a letter agreeing in advance to those DEC recommendations and work to with DEC to explore specific recommendations concerning traffic monitoring and data collection and road improvements as part of the ultimate required State DOT work permit. He stated each one of those items from a traffic perspective was signed off by their respective agencies in the report that was submitted. He stated with respect to noise the applicant had prepared a noise study analyzing the most restrictive limits applicable to the project in the Town of Clay. He stated the noise study ultimately determines that sound emissions from the project site will comply with noise restrictions established in the Town of Clay and to help ensure this the project has a series of design elements including earthen berms, sound fencing etc. that will be installed as part of their site plan process. He stated these specific measures will be implemented during construction activities as well to minimize construction sound. He stated with respect to threatened endangered species, the New York Heritage Program confirmed there are no records of rare State listed animals or species on the project site or immediate vicinity. He stated there are however summer colonies, or roosts, of the endangered Indiana bat that were documented within two miles of the project site. He stated as a result the applicant did a full bat assessment of the property to determine if there are roosting opportunities on the property for the Indiana bat. He stated they did identify there are certain trees on the property that could be roosting trees for the bat and as a result they are incorporating the requirements of the Heritage Program to ensure there are no impacts by doing appropriate tree removal at a time in which it will not impact the Indiana bat in a roosting period. He stated that is the recommendation from the State. He stated with regard to air quality there are a series of dust control measure that the applicant built into their design. He stated not only watering but stabilizing all haul roads with fabric and stone ballasts etc. He stated there are a series of onsite dust control measures that will be taken during construction. He stated there are State regulated air emissions sources proposed for the project as well as the applicant will be enforcing onsite the New York State idling restriction policy by New York State that limit idling. He stated the compliance with the State idling policy

is already noted on the site plan and will be part of the on-site operating process in their proposal. He stated with respect to community character the project is located on previously disturbed land, a golf course, and is proposed to convert to industrial/commercial use. He stated the project borders to the east and to the south, the heavily travelled commercial corridors and is situated along a similar warehouse distribution area with industrial and commercial uses. He stated a large I-1 district is located across the street of Morgan Road and the applicant has proposed the zone change to I-1 district. He stated it is noted here and was noted in the Town of Clay Planning Board meeting for their recommendation to the Town Board that the I-1 industrial district permits uses that are expected to be conducted in a manner that can be compatible with nearby commercial and residential uses. He stated as a result of the location of the property, it deems to be similar in character to the industrial uses along Morgan Road. He stated lastly with respect to energy, the project obviously will have a greater demand for energy both electric and gas. He stated we did receive will serve letters from National Grid saying they could meet the electric and gas demands for the project. He asked the Board if there are any questions in regard to the consulting team's recommendation on the Exhibit A, Part III in the recommended declaration.

Jeff Davis stated it is appropriate for the Board to consider a motion determining that based upon the examination of the environmental assessment form, the criteria contained in 6 NYCRR Section 617.7C which is the SEQRA regulations and based upon the Agency's knowledge of the area surrounding the project, all representations made by the company in connection with the project including all correspondence, reports and other project related information, all comments and letters from involved and interested agencies and the public comments the Agency has received, that the Agency has determined that the project will not have a significant adverse effect on the environment and the Agency will not require the preparation of an environmental impact statement.

Patrick Hogan stated he has been involved in City and County government for over 40 years and he doesn't think he has ever gone through a more thorough, comprehensive and certainly exhausting process. He stated he wanted to congratulate members of the Board who took part in this. He stated he also wanted to congratulate the County Executive's office, in particular Mr. Petrovich and Economic Development for their participation and all the private consultants, Jeff, Tony, Amanda, Matt and the legal team who carried us through this. He stated he would like to thank Trammell Crow for their patience in this process.

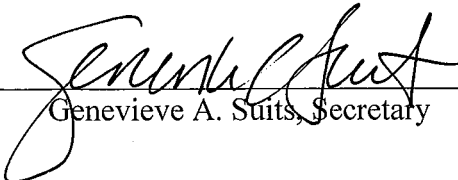
Kevin Ryan stated in addition to thanking Trammell Crow for their patience, he thinks we should commend them because he has been involved in a number of these in the past and he doesn't think he has ever seen an applicant come before this Board or any other Board that has done such a thorough job not only addressing the concerns of this Board and the Economic Development Office but also the community. He stated as Jeff Davis noted there were comments both for and against this and he thinks Trammell Crow has gone above and beyond and literally bent over backwards to make sure that every "I" was dotted, every "T" was crossed and every concern was addressed far and above what the legal responsibilities are. He stated this is a project that will be beneficial to the area in large part because of the effort of the developer and doing everything that has been asked of them and more.

Janice Herzog stated she was on the working subcommittee group with two other Board members and it was a very collaborative and transparent process. She stated she is appreciative to be involved and being able to ask any questions. She stated Trammell Crow and their team as well as the Agency's consultants made every effort to make sure the committee understood what was on the table and had every opportunity to weed through the issues or questions. Janice Herzog stated she would like that recognized.

Upon a motion by Kevin Ryan, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for TC Syracuse Development Associates, LLC project. Motion was carried.

Upon a motion by Fanny Villarreal, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing sales tax abatement, mortgage recording tax abatement and real property tax abatement for the TC Syracuse Development Associates, LLC project. Motion was carried.

Upon a motion by Steve Morgan, seconded by Fanny Villarreal, the OCIDA Board adjourned the meeting at 8:58 am. Motion was carried.

  
Genevieve A. Suits, Secretary