

Onondaga County Industrial Development Agency
Special Meeting Minutes
May 6, 2021

A regular meeting of the Onondaga County Industrial Development Agency was held on Thursday, May 6, 2021 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 10:52 am with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Steve Morgan
Susan Stanczyk
Kevin Ryan

ABSENT:

Victor Ianno
Fanny Villarreal

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary, Agency
Carolyn Evans-Dean, Economic Development
Jeff Davis, Barclay Damon Law Firm
Amanda Fitzgerald, Barclay Damon Law Firm
Angela Sicker, Barclay Damon Law Firm
Yvonne Hennessey, Barclay Damon Law Firm

(Patrick Hogan shared information as to how the meeting will be conducted in light of COVID-19.)

CONFLICT OF INTEREST DISCLOSURE

Patrick Hogan stated the Board is not voting on anything today so there will be no conflict of interest.

REVIEW AND DISCUSS SUPPLEMENTAL DRAFT GEIS FOR WHITE PINE COMMERCE PARK AND SET PUBLIC COMMENT AND HEARING SCHEDULE.

Jeff Davis stated he is going to walk through briefly the discussion and overview as to where we are. He stated then he will review the proposed resolution before the Board for consideration. He stated the goal today is to review the draft GEIS. He stated this process commenced in December 2020 with the Board issuing a positive declaration under SEQR for the expansion of

the White Pine Park that is currently 340 acres to a proposed 1250 acres. He stated since that time in December the Board's consultant, JMT, has been working to review the change in the environmental impacts as a result from the original GEIS that was done versus the 340 park and what changes could occur by the expansion of the park to 1250 acres. He stated the Agency has held two work shop sessions with a subset of the Board, one held on April 20 and one on April 27. He stated last week a special meeting of the Board was held to review and discuss the draft supplemental GEIS. He stated the draft supplemental GEIS is being prepared consistent with SEQR and the regulations of SEQR. He stated this process and the development of a park in this area of Clay commenced in 1991 when OCIDA and the Syracuse Chamber of Commerce commissioned a study to identify potential locations for locating an industrial park in Onondaga County. He stated they ultimately identified two primary locations and at that time settled on a location in Clay. He stated since that time movement has occurred to develop an industrial park in Clay. He stated in 2013 the OCIDA Board acting as lead agency completed a generic environmental review process for the development of a 340 acre park where it currently sits along Caughdenoy Road and Route 31 in the Town of Clay. He stated thereafter OCIDA has spent time marketing the park to various entities that are consistent with the goal for OCIDA to develop a large scale tenant on the location. He shared his screen showing the location of the park. He stated after the Board meeting held last week all the Board members received a copy of the draft supplemental GEIS. He stated he has received some comments and calls from the Board members with questions. He stated the goal today is to walk through this and ultimately request a vote of the Board that will allow the document to go out for public comment. He stated basically the vote is recognition that the document presented to the Board is adequate to commence the public comment period which would submit the document to all involved and interested agencies as well as commence a public hearing process which will be set should the Board vote to do that at the end of this meeting. He stated the draft supplemental GEIS walks through the expansion of the park from 340 acres to 1250 acres and the reason for that is so OCIDA can market to a broad range of high tech state of the art manufacturing commercial businesses focusing in on the semiconductor industry. He stated the 2013 GEIS identified a series of assumptions as to what would be developed at the park and the types of uses that would be there. He stated in 2013 what was studied was a 2 to 2.5 million square foot industrial development from the 340 acres to be developed over a series of years. He stated what is being done here in the DSGEIS is looking at the difference between what was studied before and what is studied now. He stated with a larger footprint from 340 acres to 1250 we had to identify certain assumptions for assumed development that could be studied under the SGEIS. He stated

for this process as outlined in the document before the Board the assumptions are that there could be approximately 4,000,000 square feet of buildings in a campus like setting. He stated the types of uses are manufacturing, laboratory, research and development, fabrication, warehousing, office, support, utilities, waste facilities, service yards, etc. He stated a maximum height of approximately 160 feet. He stated there would be approximately 50 acres of paved areas or parking within the campus like setting of 1250 acres. He stated there will be 2 access roads, one off route 31 and one off Caughdenoy Road. He stated approximately 4 miles of new gas line will be brought to the park. He stated approximately 5,000 linear feet of underground electric will be brought to the park from the substation across the street on Caughdenoy Road. He stated there is an existing sanitary sewer that is being extended as part of a project through WEP for the Oak Orchard service area that would also be a connection point for the park to utilize. He stated part of the assumptions are the conservation of wetlands and the creation of areas like storm water management and green space, etc., landscaping, security, all the those items you would put in for an assumption for a project. He stated we had to assume those for a generic standpoint as to what could be developed in this 1250 acre parcel. He stated the plan would be then if a final supplement GEIS is adopted by the Board then any future projects would be studied against the GEIS to determine future environmental review that may be necessary or not necessary to complete the SEQR process. He stated the document has various sections, most of them are required by a supplement GEIS process and others are included because they were part of the GEIS process and they are discussing the delta. He stated one of the items in the supplement was the discussion of alternatives which is a requirement in doing any GEIS under SEQR. He stated they looked at 4 different alternatives; one is a no action alternative which is required under SEQR where nothing is done at all at the property. He stated alternative 2 is there is no expansion of the park. He stated alternative 3 is a smaller expansion of the park. He stated alternative 4 is put the park in a different location. He stated the discussion through the draft supplement GEIS discusses each one of the alternatives and identifies why the alternatives do not meet the criteria and goals of OCIDA at this location for various reasons and the creation of a business park in the County etc. He stated there are environmental reasons as well why certain alternatives were rejected. He stated then you get into the discussion of the environmental setting, impacts and potential mitigation of the development of the park. He stated the first one of the discussion items is land use and zoning. (He shared his screen of the existing map in the Town of Cicero) He stated there is an industrial area currently. He stated the western half of the White Pine Commerce Park is currently zoned industrial and the lands that are part of the expansion are currently zoned residential or agricultural. He stated there is a review of land use

and zoning in the draft supplemental GEIS that talks that there will be a change in zoning and land use patterns as a result of the expansion of the park to 1250 acres. He stated that would be required and would require a zone change or development of a planned development district (PDD) in the Town of Clay. He stated OCIDA currently owns 648 acres at the proposed expanded White Pine Park and it has another 282 acres under contract and intends to acquire the remaining 320 acres through voluntary purchase agreements or the use of eminent domain. He stated there is a discussion that then goes into potential community character impacts as a result of the converting the area from a zone residential/agriculture area, most of the lands being vacant, to conversion of that land to industrial and the discussion of what those impacts could be in resulting mitigation are laid out in the supplemental draft GEIS. He stated a lot of those mitigations in those sections discuss the rezoned or development of a PDD for the property in the future and then the use and compliance with the Town of Clay zoning codes or the PDD that is developed. He stated of course the use of setbacks, buffers, green space, avoidance of wetlands etc. He stated there will be an impact and conversion of lands from residential to industrial and that is also discussed in a later section of the supplement GEIS with regards to unavoidable impacts for the expansion of the park. He stated a more significant part of the supplemental GEIS is the discussion on transportation. He stated there is a discussion of transportation in Volume 1 and there is a significant appendix in Volume 2 dealing with transportation. He stated the transportation area was studied along Route 31 from 481 starting in the west to the Lakeshore Road along Route 31 east as well as along Caughdenory Road north and south down to Route 481. He stated JMT looked at the intersections along that traffic impact corridor and worked with State DOT and County DOT to identify the parameters for the study and the requirements under state and county guidelines. He stated as a result they have identified certain intersections in the area that are currently non passing intersections from a transportation standpoint and some that could be impacted as a result of an increase in traffic from the development of the site and expansion of the site to 1250 acres. He stated one of the assumptions that is built into the review under this GEIS is that there could be a maximum of 4,000 employees at the site over 3 shifts working 24/7, 365 days a year so that number of trips and employees was modeled along with the development that would also include truck traffic etc. for a semiconductor chip manufacturing type facility. He stated there are certain improvements that are identified in the supplemental draft GEIS that would address traffic improvements. He stated the important thing to note is that even though there would be an increase in overall traffic along Route 31 corridor, the improvements and mitigation proposed in this supplement GEIS improves the current intersections and traffic flow in this area including the intersections of 81 and 31 in Cicero and

Route 11 and Route 31 in Cicero which are currently not passing intersections and makes them passing intersections even after the inclusion of additional traffic from the development. He stated there are a series of proposed improvements or mitigation of a northbound left turn lane at Henry Clay Boulevard and Route 31, an additional left turn lane at Route 31 and US Route 11, a series of proposed changes and mitigation at the Route 31/81 interchange including additional left turn lanes off of Route 81, additional left turn lanes onto Route 81, phasing and widening of lanes and to add different items underneath the bridge currently there to allow a better flow of traffic. He stated there is also additional changes at various intersections along the corridor and that is all laid out in the document and the addendum to the document Volume 2. He stated the draft supplement GEIS looks at energy usage, utilities and community services. He stated again assumptions that were built into the review for SEQR services or that an end user at the site may need up to 500 megavolt amps of electricity, up to 5 million gallons of water per day, up to 4 million gallons per day of waste water and up to 7,000 meters cubed per hour of natural gas. He stated JMT has reviewed, and OCIDA has received letters from National Grid saying they can meet, both the electric and natural gas requirements. He stated the electric requirements would come directly from the substation across Caughendoy Road and the natural gas would come a short distance to the site from an existing gas metering station near the Town of Clay hall. He stated water is currently located at the site. He stated there is a large water forced main that crosses through the site and we have heard from OCWA that they can supply the projected 5 million gallons per day. He stated we have heard from Onondaga County WEP that the 4 million gallons per day of waste water can be treated at the Oak Orchard Treatment Plant and there could be a connection from the White Pine site to the planned improvement Oak Orchard sewer district boundary area. He stated we have heard from all of the utility providers that it is adequate to meet the capacity as proposed by WEP. He stated the document discusses topography, geology and soils. He stated much of this review again was a review of what was done in 2013 and the review was to whether there was any additional mitigation necessary for development on a larger footprint. He stated as it is laid out in the document, there is really no change in these various items for topography, geology and soils at the site as defined by SEQR. He stated the topography is relatively the same from the 340 acre site over to an expanded 1250 acre site. He stated there is no additional mitigation that is identified or necessary than was detailed and required in the 2013 final GEIS. He stated the same with geology over a review of the expanded footprint, there is no new type of geological features that were not studied previously and therefore no additional mitigation is needed for the expansion of the site from 340 acres to 1250 acres. He stated there is a discussion in the draft supplemental GEIS of the different types of

classifications of soils that exists on the expanded site and what those classifications mean. He stated the end result is there is no additional mitigation for onsite soil disturbance is necessary and this same type of mitigation that was discussed in the GEIS in terms of best management practices for construction purposes, fencing, compliance with certain permits that would be needed from DEC like a SPDES permit etc. for construction. He stated there is really no change at all in the discussion from topography, geology and soils from 2013 to this expanded review for this supplemental GEIS for the expanded site. He stated there was a discussion of water, water resources and ground water. He stated there is no change in the review of ground water from the 2013 GEIS to now. He stated the ground water is not intended to be used for any development at the site and so the same mitigation measures in terms of construction measures will be taken to protect ground water and impacts of ground water from the 340 acre to the 1350 acre site. He stated the next section in the supplement is the review of air resources. He stated there were certain assumptions made by OCIDA for the type of development they are trying to bring to this site. He stated as a result of those assumptions an air permit will be required from NYSDEC for a development of this size. He stated the draft supplemental GEIS goes through discussion of air resources including the review of the requirements under the greenhouse gas emissions section of the new regulations of 6 NYCRR part 496 and goes through a review and discussion of mitigation which is primarily compliant with any air permit criteria and compliance with NYS DEC regulations. He stated the next section discusses ecological resources and that is an expansion review of wetlands onsite. He stated the 2013 final GEIS reviewed the wetlands on the 340 acre site. He stated that the expansion of the park from 340 to the proposed 1250 acres does bring in new wetlands to the 1250 acre site that were not previously studied. (He shared his screen of a map showing the prime developable area of the site in orange which is roughly 732 acres.) He stated the area outside the orange is areas that have potential impacts from either state or federal wetlands. He stated one of the goals of this draft supplemental GEIS is to avoid wetlands impacts to the extent practicable. He stated the supplement assumes the area of prime development would be in the orange 732 acres thus to avoid impacts for wetlands. He stated that would be south of the National Grid and NYPA power lines. He stated the discussion through the ecological resources talks about the wetlands section and the primary goal in the mitigation of avoidance of wetlands to maximum extent practical through careful site planning and design and compliance with any NYS DEC regulations based upon the design that could be presented by an end user in development within that developable footprint. He stated the final few sections deal with cultural and agricultural resources. He stated this was an area that was studied in 2013 and 2014 and the original 340 acre park received a no effect letter from SHPO (State Historic

Preservation Office) with regard to historic archeological resources. He stated JMT and OCIDA has communicated with NYS DEC and has reviewed the state historic preservation data base and based upon that review of the expanded park footprint it is not located within a previously designated archeological sensitive area. He stated this is an area that has been studied in five different locations in the past few years and there has been nothing that has been identified as archeological sensitive with the project footprint area. He stated the SHPO is an involved agency and they have received a copy of the notice letter originally and they will receive a copy of this supplement and OCIDA will follow any recommendations with regard to historic resources that may be required. He stated this will be the same for cultural resources. He stated a review of those was conducted and was discussed in the supplement.

Jeff Davis stated there is a discussion of visual impacts that is a review of potential sensitive receptors that could be impacted as a result of the development of the site. He stated the original review identified on the original 340 acre park, roughly 34 potential sensitive receptors within the area. He stated the expansion of the park brought in an additional 18 sensitive receptors and that is reviewed and discussed not only in the word version of the Supplemental GEIS but a separate standalone visual addendum which is part of Volume 2. He stated resulting impacts from visual impacts are discussed as well as mitigation. He stated talk about various mediation measures to address potential visual impacts including earth and berms, use of certain materials, preservation of forest as buffers on site to the maximum extent practical, landscaping, project design, lighting etc.

Jeff Davis stated there is the discussion in the supplement of noise and there were two noise studies done at the site as part of this expanded review. He stated JMT was at the site and took a review of the ambient noise levels across the site and then looked at the potential impacts from noise as a result of development of 1250 acres at the site and proposed assumptions that were discussed earlier in terms of 4 million square feet. He stated the end result of that noise study is that the operations of the expanded park are not anticipated to increase sound level above the current day time levels that surround property lines or sensitive receptors and that the operations of the park in the evening may increase sound levels slightly by 4.4 decibels but that is within an area that is identified by NYS DEC guidelines as unnoticeable or tolerable in terms of a slight increase. He stated there has been a discussion of proposed mitigation for any noise impacts as a result of development at the site.

Jeff Davis stated the supplement talks about other areas that are required in the GEIS including human health, unavoidable impacts, solid waste management etc. He stated that is an overview of the draft supplement GEIS that the Board has received for review of the expansion of the park from 340 acres to 1250 acres. He asked if there are any questions or comments from the Board on the document they received and what was discussed here before moving forward.

Patrick Hogan asked the Board if there are any questions from members of the Board. He stated he thinks everyone is impressed with how exhaustive and comprehensive this process has been and he congratulates him and everyone involved in the process including the Economic Development team.

Jeff Davis stated the request before the Board is a resolution that the Board recognized the document that is submitted to the Board as adequate to proceed to public comment which is the next step in the SEQR process in this supplemental GEIS process. Jeff Davis read the proposed resolution before the Board.

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency currently owns White Pine Commerce Park ("Park") located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, in an effort to transform the Park into a modern industrial park for advanced manufacturing and state-of-the-art industrial uses, the Agency previously performed a thorough environmental review of the Park and its anticipated environmental impacts pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), which included, but was not limited to, the following: (1) classifying the Park project as a Type 1 action; (2) acting as Lead Agency for the purpose of a coordinated environmental review; (3) conducting necessary studies and holding required hearings in connection with the preparation of a Generic Environmental Impact Statement ("GEIS") to address anticipated potential impacts associated with the proposed multi-use industrial park; (4) preparation of a subsequent Final GEIS ("FGEIS") that incorporated the DGEIS by reference and included responses to public comments received; and (5) preparation and issuance by the Agency of a Findings Statement in October of 2013 that (a) concluded the project avoided or minimized adverse environmental impacts to the maximum extent practicable, (b) incorporated mitigation measures that were considered practicable, and (c) identified certain impact thresholds that, if exceeded, may require supplemental determinations of their significance and/or impact evaluation, and possibly mitigation measures in addition to those identified; and

WHEREAS, the Park was created to be capable of supporting a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting; and

WHEREAS, since 2013, the Agency has attempted to market the Park for development around the country to potential manufacturing and industrial users, but those efforts have been unsuccessful and the Park remains vacant; and

WHEREAS, through its marketing efforts and communications with desired tenants around the country, the Agency has determined the Park is not large enough and must be expanded significantly to be considered an attractive, viable location for prospective large- and small-scale manufacturing and industrial developers; and

WHEREAS, the Agency has devoted substantial time and effort into determining the highest and best use of the Park, with a particular focus on site attributes that will bring high-tech facilities and high paying jobs to Onondaga County; and

WHEREAS, the Agency has focused its efforts on the semiconductor industry, and those efforts have been unsuccessful to date as it has become apparent that a larger geographic footprint is necessary in order to support this type of industry and the associated investment required by a prospective tenant(s); and

WHEREAS, the Agency, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”), of which the Agency currently owns approximately 648± acres, has another 282± acres under contract, and would acquire approximately 320± additional acres, with such additional acreage consisting of parcels contiguous to the current Park and generally located along NYS Route 31 and along the east and west sides of Burnet Road, and which will be acquired by the Agency through purchase agreements with existing landowners or, if necessary, pursuant to the Eminent Domain Procedure Law (“EDPL”), to avoid fragmented parcels that would hinder future development; and

WHEREAS, pursuant to SEQRA, the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a “significant impact on the environment” (as said quoted term is utilized in SEQRA) and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, pursuant to SEQRA (6 NYCRR § 617.9(7)(i)), the Agency recognizes the proposed Project represents a significant change from the Park’s current footprint that presents changed circumstances from those evaluated by the Agency under its prior SEQRA review in 2013; and

WHEREAS, the Agency prepared and completed a Full Environmental Assessment Form (the “FEAF”) to aid in determining whether undertaking the Project may have a significant adverse impact upon the environment; and

WHEREAS, pursuant to a resolution adopted on December 8, 2020, the Agency determined that the Project was a Type I action, issued a positive declaration, declared its intent to act as “lead agency” (as said quoted term is defined in SEQRA), and resolved that a Supplemental Generic Environmental Impact Statement (“SGEIS”) will be prepared; and

WHEREAS, pursuant to SEQRA, the Agency notified each identified “involved agency” (as said quoted term is defined in SEQRA) of its intent to act as lead agency concerning the coordinated environmental review of the Project; and

WHEREAS, no involved agency objected to the Agency acting as lead agency; and

WHEREAS, the Agency, with the assistance of its consultants, has prepared a Draft SGEIS; and

WHEREAS, the Agency has completed its preliminary review of the Draft SGEIS and has analyzed the Draft SGEIS for compliance with the applicable SEQRA regulations;

NOW, THEREFORE, be it resolved by the members of the Onondaga County Industrial Development Agency as follows:

- (1) The Agency hereby confirms its status as lead agency concerning the coordinated environmental review of the Project.
- (2) Based upon an examination of the Draft SGEIS prepared for the Project, the criteria contained in 6 NYCRR Part 617, including §617.9, and based further upon the Agency's knowledge of the area surrounding the Project, and such further investigation of the Project and its potential significant environmental impacts as the Agency has deemed appropriate, the Agency determines and finds that the Draft SGEIS, dated May 2021, is complete for commencement of the public review pursuant to SEQRA.
- (3) The Agency hereby adopts a Notice of Completion of Draft SGEIS and Notice of Public Hearing (the "Notice of Completion") concerning the Project, which is attached hereto as Exhibit A.
- (4) The public comment period concerning the Draft SGEIS shall commence upon the filing and circulation of a notice of completion pursuant to the requirements of SEQRA, and such public comment period shall remain open until June 11, 2021.
- (5) Pursuant to 6 NYCRR §617.9, the Agency shall hold a public hearing concerning the Draft SGEIS on May 24, 2021 at 6:00 p.m., which hearing shall be held remotely due to COVID-19.
- (6) The Agency shall arrange for filing and distribution of the Notice of Completion and Draft SGEIS pursuant to the requirements of SEQRA.
- (7) Copies of the Draft SGEIS and Notice of Completion, as well as a copy of this Resolution, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours, and a copy shall also be made available for public review at the Town of Clay Town Hall, 4401 Route 31, Clay, NY 13041.
- (8) This Resolution shall take effect immediately

Patrick Hogan asked Robert Petrovich if he wanted to add anything. Robert Petrovich stated he does not have anything substantive to add. He stated counsel did an excellent job in summarizing the process and the steps that we went through. He stated with the working group that Chairperson Hogan was a part of, he believes the Board has had adequate time in total to

review the document as presented and we would look forward to the Board to take action in support of this request.

Patrick Hogan stated it was a pleasure being a member of the working group. He stated if you were a part of the working group you knew how much work was done on this particular issue.

Upon a motion by Janice Herzog, seconded by Steve Morgan, the OCIDA Board approved a resolution accepting the supplemental draft GEIS as adequate for public review, issue Notice of Completion of Supplemental Draft GEIS and authorization to OCIDA staff and counsel to take all necessary steps to comply with SEQA notice requirements. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Steve Morgan, the OCIDA Board approved a resolution to set a public hearing on the Supplemental Draft GEIS for May 24, 2021. Motion was carried.

Jeff Davis stated we will take the steps necessary to get the notice out and commence the public review process.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 11:34 am. Motion was carried.



Nancy Lowery, Secretary