



## ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

335 MONTGOMERY STREET FLOOR 2M, SYRACUSE, NY 13202  
PHONE: 315.435.3770 • FAX: 315.435.3669 • ONGOVED.COM

### Regular Meeting Agenda

June 8, 2023

8:30 AM Call to Order the Governance Committee

8:40 AM Call to Order the Regular Meeting of the Agency

- A. Approval of Minutes: May 11, 2023
- B. Treasurer's Report
- C. Payment of Bills
- D. Conflict of Interest

#### Action Items:

#### 1. Wallace Supply, LLC d/b/a JSWG Supply, LLC & 6808 Crossbow Drive, LLC(3101-23-04A) Second Meeting

**6808 Crossbow Drive, LLC and Wallace Group, LLC are proposing construction of an approximately 30,000 square foot warehouse and distribution building including approximately 2,500 square feet of office/show/training space in the Town of Dewitt. The applicant is requesting exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes.**

#### Agency Action Requested:

- a. A resolution of the Board to authorize adoption of SEQRA determination.
- b. A resolution of the Board authorizing the financial assistance the Agency will provide.  
Agency benefits requested include exemptions from certain real property taxes, real estate transfer taxes, sales and use taxes and mortgage recording taxes.

**Representative:** Joshua W. Podkaminer, 6808 Crossbow Drive, LLC, JWP Commercial and Craig Wallace, Wallace Supply, LLC d/b/a JSWG Supply, LLC

- 2. Bluefors Cryocooler Technologies Inc. (3101-22-08A) Modification Meeting**  
**Bluefors Cryocooler Technologies Inc., formerly the Cryomech Inc. Project, is requesting an extension of the temporary sales and use tax exemption.**

**Agency Action Requested:**

- a. A resolution of the Board authorizing an extension of the temporary sales and use tax exemption for Bluefors Cryocooler Technologies Inc.

**Representative:** Vince Raymond, VIP Structures, Inc

- 3. Southworth-Milton, Inc. (d/b/a Milton Cat) (3101-20-18A) Modification Meeting**  
**Southworth-Milton, Inc d/b/a Milton Cat is requesting an increase to its sales and use exemption amount from \$1,040,000 to \$1,240,000 and an extension of the end date of its sales and use tax exemption.**

**Agency Action Requested:**

- a. A resolution of the Board authorizing a public hearing and authorizing an extension to the sales and use tax exemption for Southworth-Milton, Inc. d/b/a Milton Cat.

**Representative:** Tony Mancuso, Milton Cat Representative

- 4. CP 850 ( 3101-15-10A) Modification Meeting**  
**Ratifying Execution of Lender Documents and Amendment to Certain Project Documents**

**Agency Action Requested:**

- a. A resolution of the board ratifying the execution and delivery of mortgage and related documents and authorizing an omnibus amendment to certain project documents.

**Representative:** Amanda Fitzgerald, OCIDA Legal Counsel, Barclay Damon

- 5. Revised OCIDA Project Application**

**Agency Action Requested:**

- a. A resolution of the board adopting the revised Agency Project Application.

**Representative:** Nancy Lowery, Secretary, OCIDA

## **6. Extension for Government Relations Contract**

**The Agency extends the contract for Government Relations for a one-year period.**

**Agency Action Requested:**

- a. A resolution of the Board authorizing the extension of our accounting one year  
Park Strategy is appointed as Government Relations

**Representative:** Robert Petrovich, Executive Director, OCIDA

**Adjourn**

DRAFT  
Onondaga County Industrial Development Agency  
Regular Meeting Minutes  
May 11, 2023

A regular meeting of the Onondaga County Industrial Development Agency was held on Thursday, May 11, 2023 at 335 Montgomery Street, Syracuse, New York in the large conference room Floor 2M.

Patrick Hogan called the meeting to order at 8:36 am with the following:

PRESENT:

Patrick Hogan  
Janice Herzog  
Susan Stanczyk  
Kevin Ryan  
Cydney Johnson  
Elizabeth Dreyfuss

ABSENT:

Fanny Villarreal

ALSO PRESENT:

Robert M. Petrovich, Executive Director  
Nate Stevens, Treasurer  
Nancy Lowery, Secretary  
Svetlana Dyer, Assistant Secretary  
Karen Doster, Recording Secretary  
Alexis Rodriguez, Assistant Treasurer  
Len Rauch, Economic Development  
Jeff Davis, Barclay Damon Law Firm  
Amanda Fitzgerald, Barclay Damon Law Firm  
Lisa Pallesthi, Syracuse Habitat for Humanity  
Mike Moehringer, Clinton's Ditch  
John Dunn, Clinton's Ditch  
JonElle Baskin-Kelley, Clinton's Ditch  
Noelle Meyer, Clinton's Ditch  
Josh Podkaminer, Wallace Group, LLC  
John Anderson  
Tim Knauss

APPROVAL OF REGULAR MEETING MINUTES – APRIL 13, 2023

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of April 13, 2023. Motion was carried.

TREASURER'S REPORT

Alexis Rodriguez gave a brief review of the Treasurer's Report for the month of April 2023.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved the Treasurer's Report for the month of April 2023. Motion was carried.

#### PAYMENT OF BILLS

Alexis Rodriguez gave a brief review of the Payment of Bills Schedule #481.

Patrick Hogan asked about the payment to Pirro Funeral Cars, LLC. Robert Petrovich stated a car was needed to transport two people down to Albany. He stated because of meetings early the next day they could not stay overnight. He stated as a result of that they avoided the cost of two hotel rooms, meals and mileage.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved the Payment of Bills Schedule #481 for \$25,711.56. Motion was carried.

#### CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was circulated and Kevin Ryan reported a conflict with PBFF Drakes LLC.

#### SYRACUSE HABITAT FOR HUMANITY PROPERTY DISPOSITION

Robert Petrovich stated we are undertaking the design for the razing of the homes that are along Burnet Road that the IDA owns. He stated instead of just demolishing the homes and taking them to a landfill, IDA staff came up with the idea of integrating with Habitat for Humanity to see if they could salvage any of the windows, doors and other items from these houses and repurpose them for their needs and disperse them through the greater community. He stated we think it's a win-win. He stated before any of the houses are taken down we are going to allow Habitat about a month to get in with their crew to be able to repurpose some of the building materials on site.

Amanda Fitzgerald stated under the Public Authority's Law there is a \$15,000 threshold regarding disposal of property. She stated Habitat has provided a appraisal from the 14 houses where they will be taking some of the reusable items that shows it will come in under the \$15,000 threshold. She stated the disposal of this property will be for what the Agency purpose is, it will promote economic development with the use of this property that would otherwise just be put into a land fill. She stated this is in the best interest of the Agency so it falls appropriately under the disposal in the Public Authority's Law.

Patrick Hogan stated Habitat for Humanity is a great community resource.

Lisa Pallesthi stated Habitat for Humanity is thankful for the opportunity. She stated they love getting volunteers out on any extra projects.

Pat Hogan stated he knows a lot of small landlords that have used the resources and it helps the community at large and the near west side. He stated he really appreciates them being there.

Susan Stanczyk asked if they take just doors and windows or do they take vanities, countertops and things like that. Lisa Pallesthi stated the store takes most reusable building materials. She stated they sell paint through a paint program and they take furniture. She stated their process is that it goes to our restore manager and they approve everything before we it pick up.

Susan Stanczyk asked if it is because of the cap that it is limited to just doors and windows. Lisa Pallesthi stated from viewing of the property that is mostly what they would be able to take. She stated a lot of the cabinets and things have already been removed.

Robert Petrovich stated as part of the transactions struck with prior owners they were allowed to take whatever they wanted out of the interior and even in some cases the exterior of the property.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing a disposition of property. Motion was carried.

CLINTON'S DITCH CO-OPERATIVE COMPANY INC. (3101-23-04A) INITIAL MEETING

Mike Moehringer stated he was the general manager for 11 years and he has just recently retired but is staying engaged on this project as he got it started. He introduced John Dunn who is taking over as general manager and JonElle Baskin-Kelly who is the CFO. Mike Moehringer stated Clinton's Ditch is a franchise owned Pepsi filler. He stated they are owned by Pepsi franchises throughout New York State and they fill soda and water. He stated they have can lines and fountain lines where they make all kinds of products for the market place. He stated they supply grocery stores and convenient stores which is the nature of their business. He stated it has been there since 1968 and they have grown organically over the years. He stated 11 years ago Clinton's Ditch was doing 17 million cases and they are up to 28 million cases so the business has grown. He stated their workforce is the United Steel Workers and they have had a really good rapport with the USW his entire time at Clinton's Ditch. He stated they are great paying jobs and good benefits. He stated discussion with the ownership, they would like to see that business grow with getting to between 35-40 million cases over time. He stated right now because of their physical constraints they are unable to do that so they are stuck, hence the project. He stated this project needs to be done in phases because they have property with some restrictions, pieces of wetland and so forth. He stated they can't just take the building addition and put it on the building. He stated they have to do some rearranging of how their property is situated. He stated the nature of this project is basically 3 phases. He stated the first phase is relocating the employee parking, locker rooms and all of that to one side of the building and putting in a bulk receiving loop for all the bulk materials that come into their plant like sugars, CO2, Nitrogen and supplies needed. He stated they need to move the parking and bulk receiving loop so they can move their current employee lot into the new area. He stated the old employee parking lot is where the new transportation center and where the new plant division would be. He stated the 2 buildings being built on the property will be for transportation that will be able to service their fleet. He stated they have a fleet that is a competitive advantage for their business. He stated they have 42 tractors and 182 trailers that service this business. He stated they are shipping about 70 loads a day. He stated that fleet is now serviced by two-bit garage built in the 1970s. He stated they need to contract work out because they can no longer support their fleet with this garage. He stated they want to put in a state of the art repair facility and relocate it to their property where it makes more sense. (A map was distributed to the Board Members.) He stated the bulk delivery area would be phase 2 for the truck repair facility and ultimately they would do a facility expansion along the exiting building. He stated the expansion is going to allow them to do 2 things; it will allow them to service a fleet that has been a competitive advantage for a long time and it is going to allow them to build approximately 125,000 square

feet onto the building that will allow them to layout lines more effectively, add production capacity so they can grow and will really make the business viable for the next 20-30 years. He stated they are in a business where if you can't grow you are kind of stuck. He stated the soda business is very volume oriented in terms of keeping the costs in check. He stated the business really needs to continue to grow its volume and that is why this project is so important. He stated he thinks it locks Clinton's Ditch into Central New York for a long time. He stated there is a lot of excitement in town with Micron and that is going to be great for the area so they are probably going to be competing with them for talent down the road. He stated they have been quietly under the radar for long time. He stated they have a promotional campaign for employees as they compete for talent and they just want to grow, the owners want to grow and want to see this to continue to be viable for the next several decades.

Patrick Hogan stated the Board has heard from other builders about the significant cost increases as far as materials. He asked if they are creating 15 more jobs for their expansion. Mike Moehringer stated yes and this will help them expand jobs over time. He stated they are working with C & S Companies.

Robert Petrovich asked what the current employment is. Mike Moehringer stated they have about 280 employees. He stated 60 over the road drivers and the balance is in the plant and salary staff. John Dunn stated they outsource to DeWitt for an outside warehouse. He stated they would like to get back under one roof in Cicero.

Mike Moehringer stated one of the ways they bought themselves some space temporarily was to do a 5-10 year lease at the old New Process Gear property. He stated that is helping but they would love to bring that back on the property. John Dunn stated bringing that back to the property will reduce the traffic. He stated now they take product over there and shipping out of there and if they keep it all in house they will just move it once.

Elizabeth Dreyfuss asked what the square footage of the plant now and how much are they adding. John Dunn stated they are at 279,000 sq ft and adding 120,000 sq ft. Mike Moehringer stated that does not include the garage/transportation center which is 20,000 sq ft.

Mike Moehringer stated this will be the biggest investment in Central New York the owners of Clinton's Ditch have made since they founded the company in 1968.



Janice Herzog stated the application talks about the structure as a cooperative and the customers are the business owners and not a source of funding. She asked if they don't do the project would they find another company that does the bottling. Mike Moehringer stated they have some owners that have shared ownership with other co-ops in Massachusetts. He stated new opportunities could easily go into Massachusetts as opposed to going with Clinton's Ditch. He stated they all service the northeast. He stated they ship as far south as into Maryland. He stated most of their business is in upstate New York down to New Jersey. He stated if they can't expand someone else is going to get that volume because the business does grow.

Janice Herzog asked if the owners will provide funding for this project. Mike Moehringer stated they would provide funding by retaining some of the profits. JonElle Baskin-Kelley stated the patronage goes back to the owners at the end of the year so they are foregoing that patronage as their part of financing the project. She stated it is primarily going to be a mortgage with M & T bank supported with 3 years of patronage from the owners which is about \$7,000,000. She stated they have also gone to the state for some Empire State Development funding and they are waiting to see if they receive it.

Upon a motion by Kevin Ryan, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing a public hearing for Clinton's Ditch Co-operative Company, Inc. Motion was carried.

#### WALLACE GROUP, LLC/6808 CROSSBOW DRIVE, LLC (3101-23-04A) INITIAL MEETING

Josh Podkaminer stated he started out as a commercial real estate broker and he continues to work in commercial real estate business on a day to day basis. He stated his main business is JWP Commercial and they are located downtown in Clinton Square. He stated they handle property management, brokerage and also development. He stated there is not a lot of warehouse space, especially modern warehouse space in our marketplace. He stated his involvement with this project started as a listing. He stated there are two parcels that are now owned by the estate of Jack Tobin of JK Tobin Construction. He stated after about a year on the market they had zero offers. He stated part of that was because there was a pocket of wetland and they didn't have anybody ready to build on that land. He stated they came to him and asked

to be a bit more creative to figure out a solution. He stated they took it on and tried to develop the property themselves. He stated one of the things they struggle with is the speed to market. He stated they may receive a call looking for 20,000 or 30,000 square feet of warehouse space but the time to market to find a piece of land, have it in title and build is approximately two years. He stated what they set out to do was shorten the timeframe on a time to market basis and take the risk to have the approvals in place. He stated if they had somebody willing to step up and support new construction pricing for a project they could shorten the timeframe from approximately two years to one year. He stated he funded this and got work through the Town of DeWitt. He stated the parcel is an odd configuration but there was a pocket of wetland they worked through with GZA engineering and the Army Corps of Engineers. He stated that pocket of wetlands was determined to be isolated and non-jurisdictional and once they receive that it helped their planning. He stated in the south portion of the park parcel is National Grid, high voltage power lines. He stated in part of their planning what was recommended by National Grid was to try and stay as far away from those power lines as possible. He stated originally they had a building configuration in the back but they wanted to rotate that to have more distance from the power lines. He stated one of the troubles was the Town of DeWitt determined it to have two front yard setbacks because there's an angle which would limit their site plan. He stated they went to Town of DeWitt and said if that is the determination of the front yard setback, they would like to buy the triangle which is .16 acres of land that they are not using for any purpose but it is part of the road. He stated that would allow the front yard setback to sweep around the Crossbow Drive rather than square around Crossbow Drive which allows them to shift the building away from the high voltage power lines. He stated the Town agreed to do that but they had to pay for all the surveying costs, the appraisal, the valuation and extension of the road and provide a truck turn around or a plow turn around driving up the overall cost of the project. He stated they have a Town of DeWitt approval contingent on finalizing that triangle. He stated one would be a 30,000 square foot building and the other would be a 20,000 square foot building that would have a shared truck court. He stated building A, 6808 Crossbow Drive is why they are before the Board today. He stated they have a letter of intent signed and a lease pending with Johnstone Supply. He stated the actual entity is called Wallace supply LLC. He stated Johnstone Supply is a national cooperative in the HVAC distribution business. He stated Wallace Supply is trying to expand their offerings and just on time delivery.

Patrick Hogan asked if they are located in the city at this time. Josh Podkaminer stated yes.

Patrick Hogan asked who they lease from in the city. Josh Podkaminer stated they lease from the former owner of Johnstone Supply, Ken Livingstone. He stated he was originally on the north side of 690 and his building was taken in 2016 as part of a DOT project through eminent domain forcing him to make a quick decision and bought the old Dellas Graphics building at 835 Canal Street. He stated the facility is very tight on land, it doesn't have proper docking or ceiling heights. He stated it is a multi-story facility and the bricks are falling off. He stated it is a leased facility and it's been an active search with the current owner of Johnstone Supply to find a more modern facility for their expansion.

Patrick Hogan asked if they had a broker to do that search. Josh Podkaminer stated he assisted them on the front end of the search. He stated they had taken short term space in the city which located at 601 Erie Boulevard West and they are moving things from one facility to the other trying to buy some time until a new facility came up and they have not found any facilities in the city or the county in that timeframe that would meet their needs.

Patrick Hogan asked if Mr. Podkaminer was a broker for Johnstone Supply looking for space and found space for them in his place. Josh Podkaminer stated he couldn't find anything in the marketplace so he shared with Johnstone a project they had been working on and they had continued interest to move it forward.

Patrick Hogan asked if Mr. Podkaminer is a partner in Johnstone Supply or if he is just the broker. Josh Podkaminer stated they were the broker assisting them in a market search and also a partner in the development being built for them.

Patrick Hogan asked if they are partnering them with the space that was acquired from the Tobins. Josh Podkaminer stated yes but they would not be a partner in the actual building but they are partnering with them to build on their behalf and they would be a tenant in the building.

Patrick Hogan asked if it is a 10 year lease. Josh Podkaminer stated there is a termination in there but it is a 10 year lease. Josh Podkaminer stated they have spent a considerable amount of time for over a year working with the Town of Dewitt for approvals and they have the approvals in place with the condition of that road as mentioned. He stated one of the things that Johnstone Supply is looking at is the significant cost difference to support new construction relative to today's construction costs as well as construction materials and market interest rates as opposed

to if they found a new facility in the marketplace probably to the tune of 50% to 60% increase of what we might see for standard market rates throughout our area. He stated as they look at that they've been able to step up to a higher price point but they're looking to control their long term occupancy costs and they have also taken on some of the responsibility for the build out to help manage that overall lease cost.

Patrick Hogan stated two buildings were mentioned and asked what the other building is. Josh Podkaminer stated building B has been approved by the Town of DeWitt and would be a separate project. He stated they are hopeful to continue conversations with another prospective tenants on that. He stated although it is included in their overall planning, it would be separate from this application.

Patrick Hogan asked if there would be another application down the road for that building. Josh Podkaminer stated he hopes so and that would be wonderful progress.

Robert Petrovich asked if they are doing a build to suit project for the tenant. Josh Podkaminer stated yes.

Robert Petrovich asked if the benefits that the IDA potentially may grant for this project will flow to Mr. Podkaminer and then flow through on a lease rate to the tenant. Josh Podkaminer stated yes and originally some of the construction numbers were too high so one of the ways to try to meet their price point would be they took on some of the build out responsibility, manage the lease rate, be responsible for the real estate taxes and all operating expenses on the building other than new construction going forward. He stated they would flow through to them.

Patrick Hogan stated a fee must have been taken to find a place for them and being the developer. Josh Podkaminer stated there would be no fee paid on this on or any lease deal typically until it is done. He stated there would be a developer fee that would be part of the equity rolled into the project. He stated there might be one other pre-approved site in this size range and all Onondaga County. He stated he presented those multiple other sites and did not meet the criteria.

Patrick Hogan stated as far as history with OCIDA, normally a property or a business moving outside the city is something that we haven't traditionally looked at.

Robert Petrovich stated generally speaking the understanding between OCIDA and SIDA is that projects in the city, unless the county or the IDA happens to own the property or conflict of interest, we will leave that with SIDA. He stated in this particular instance, because of that concern, the applicant has brought forward a letter from the Mayor, indicating that he did not object to the business relocating out of the City and he also supported the IDA benefits for the project.

Patrick Hogan stated he saw the letter and being the Economic Development Chair of City Council he was somewhat mystified by it.

Josh Podkaminer stated they do not want to step on anybody's toes but they have also worked on development projects that have brought projects and tenants from the County to the City, one notable project was 706 North Clinton Street, where One Group Insurance is located. He stated it was a big part of the assistance in the redevelopment of things in the Inner Harbor. Patrick Hogan stated he is more talking about the history between the SIDA and the OCIDA.

Janice Herzog asked if Mr. Podkaminer has a number of other properties that are under development, that he manages or his company owns. Josh Podkaminer stated they do and they typically own them through partnerships. He stated the 706 North Clinton Street, the One Group Insurance building is one of those buildings. He stated he started that development back in 2014 and aligned themselves with Heuber Breuer Construction at the time and they partnered with One Group Insurance to put that development together. He stated they continue to be a partner in that project and we manage that. He stated they a building in the heart of Franklin Square which was a development they started in 2001. He stated they manage a parking lot and building in downtown Syracuse, the 100 Clinton Square building where his office is located. He stated they have a couple different warehouse buildings in the city and University housing.

Patrick Hogan asked who does their work. Josh Podkaminer stated they are working with VIP Structures and VIP Architecture.

Susan Stanczyk asked if this is a 10 year lease they are passing on to Johnstone Supply. Josh Podkaminer stated yes.

Susan Stanczyk stated the PILOT is for 10 years and the lease is up in 10 years. She stated there is no guarantee they will stay. She asked if Mr. Podkaminer is going to come back for another ask. She stated they are probably going to lose that tenant because they are going to have to pay a lot more money. Josh Podkaminer stated that is one of the risks of his business. He stated they had hoped they could have a 15 or 20 year lease but they weren't willing to commit to that. He stated in today's marketplace it is very difficult to find those long term leases that developers were used to years ago. He stated it is a significant financial commitment he is making, and he is guaranteeing the loan. He stated we are all excited about Micron and other activities in the marketplace but there comes a point in time where you have to either decide I'm going to sit here and twiddle my thumbs or I'm going to try to build. He stated they are in favor of progress and that is one of the reasons they are asking for Agency support. He stated is a lot of risk and they are trying to stick their necks out there. He stated you don't want to always focus on that 10 year point and they are hoping they can pay down on their mortgage and be in a reasonable place in 10 years.

Patrick Hogan stated this project is just sort of confusing.

Upon a motion Janice Herzog, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing a public hearing for Wallace Group, LLC/6808 Crossbow Drive, LLC. Motion was carried.

#### APPOINTMENT OF BOARD MEMBERS TO FINANCE COMMITTEE

Upon a motion by Janice Herzog, seconded by Kevin Ryan, the OCIDA Board approved a resolution appointing Sue Stanczyk as Chairperson of Finance and Elizabeth Dreyfuss as Finance Committee Member to the OCIDA Finance Committee. Motion was carried.

#### APPOINTMENT OF BOARD MEMBERS TO AUDIT COMMITTEE

Upon a motion by Janice Herzog, seconded by Kevin Ryan, the OCIDA Board approved a resolution appointing Cydney Johnson as an Audit Committee Member to the OCIDA Audit Committee. Motion was carried.

## EXECUTIVE SESSION

Jeff Davis stated he recommends a motion to go into Executive Session for the purposes of discussing proposed acquisition of land as well as he will be providing legal advice to the Board.

Upon a motion by Janice Herzog, seconded by Kevin Ryan, the OCIDA Board went into Executive Session at 9:16 am. Motion was carried.

(Cydney Johnson and Kevin Ryan left meeting.)

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board adjourned Executive Session at 9:52 am. Motion was carried.

## PURCHASE CONTRACT EXECUTION

Robert Petrovich stated this resolution is to acquire additional land at the White Pine campus as part of the Micron project.

Jeff Davis stated this is a stand-alone SEQR Resolution to purchase lands in the Town of Cicero that are adjacent to the White Pine project and ultimately could become part of White Pine in the future.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination. Motion was carried.

Upon a motion by Janie Herzog seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the Executive Director to exercise the option to enter into a purchase contract and any related documents with respect to parcels of property. Motion was carried.

## ADJOURN

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 8:56 am. Motion was carried.

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Nancy Lowery, Secretary





**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
 335 MONTGOMERY STREET, 2ND FLOOR, SYRACUSE, NY 13202  
 PHONE: 315.435.3770 • FAX: 315.435.3669

May 31, 2023

Revenue / Expense / Income	Current Period	Current YTD	2023 Budget Amount	Current YTD Change to Budget
Operating/Non-Op Revenue	141,089	1,770,342	1,472,880	297,462
Administrative Expense	54,493	250,710	816,000	(565,290)
Operating/Program Expense	11,883	339,565	656,880	(317,315)
Net Ordinary Income	74,713	1,180,068	-	1,180,068

Current Assets	Current YTD	Prior YTD
Total Cash	6,958,899	4,306,346
Less Pass Through Received	1,514,443	2,236
Available Cash	5,444,456	4,304,110
Receivables	425,967	6,750
Grant Reimbursements	-	-
Total	5,870,423	4,310,860

Receivables	
0-120 days	425,967
> 120 days	
Total	425,967

# Onondaga County Industrial Development Agency

## Profit and Loss

May 2023

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	9,865.00
2116.2 Application Fees	2,000.00
2116.3 WPCP Agency Fee	111,111.11
<b>Total 2116 Fees</b>	<b>122,976.11</b>
2410 Lease Income	3,000.00
2655 Other Operating Revenue	10,000.00
<b>Total 500 Operating Revenue</b>	<b>135,976.11</b>
501 Non-Operating Revenue	
2401 Interest Income	5,112.85
<b>Total 501 Non-Operating Revenue</b>	<b>5,112.85</b>
534 Pilot & Pass Thru Revenue	
528.003 OHB Redev LLC Funds Pass Thru	14,928.00
529 PILOT Income	62,158.09
<b>Total 534 Pilot &amp; Pass Thru Revenue</b>	<b>77,086.09</b>
550 WPCP Pass Thru Revenue	306,565.66
<b>Total Income</b>	<b>\$524,740.71</b>
GROSS PROFIT	<b>\$524,740.71</b>
Expenses	
6400 Operating Expense	
6407 Administrative Expense	54,493.11
6408 Meeting Expenses	169.31
6409 Conference Attendance	1,349.00
6410 Office Expense	2,633.61
<b>Total 6400 Operating Expense</b>	<b>58,645.03</b>
6440 Legal Fees	
6450 Barclay Damon	
6460 IDA General Legal	2,662.50
6480 Roth Legal	5,081.25
<b>Total 6450 Barclay Damon</b>	<b>7,743.75</b>
<b>Total 6440 Legal Fees</b>	<b>7,743.75</b>
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.7 WPCP Marketing	-12.62
<b>Total 6510 White Pine Commerce Park</b>	<b>-12.62</b>
<b>Total 6500 Agency Program Expenses</b>	<b>-12.62</b>

# Onondaga County Industrial Development Agency

## Profit and Loss

May 2023

	TOTAL
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	62,158.09
6606 OHB Redev LLC Funds Pass Thru	14,928.00
<b>Total 6605 Pilot &amp; Pass Thru Expenses</b>	<b>77,086.09</b>
<b>Total 6600 Non-Operating Expenses</b>	<b>77,086.09</b>
6610 WPCP Pass Thru Expenses	
6610.1 Barclay Damon	177,777.78
6610.2 JMT	128,787.88
<b>Total 6610 WPCP Pass Thru Expenses</b>	<b>306,565.66</b>
<b>Total Expenses</b>	<b>\$450,027.91</b>
NET OPERATING INCOME	<b>\$74,712.80</b>
NET INCOME	<b>\$74,712.80</b>

# Onondaga County Industrial Development Agency

## Balance Sheet As of May 31, 2023

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	6,070,378.32
200.2 Cash - M & T Money Maker Savings	897,428.70
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
<b>Total 200 Cash</b>	<b>6,958,899.20</b>
<b>Total Bank Accounts</b>	<b>\$6,958,899.20</b>
Accounts Receivable	
380 Accounts Rec.	
380.6 A/R Fees, Lease & PILOT	433,831.78
<b>Total 380 Accounts Rec.</b>	<b>433,831.78</b>
<b>Total Accounts Receivable</b>	<b>\$433,831.78</b>
<b>Total Current Assets</b>	<b>\$7,392,730.98</b>
Fixed Assets	
100 Land	
101 White Pines Commerce Park	25,831,128.37
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
<b>Total 101.1 WPCP GEIS</b>	<b>506,689.15</b>
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
<b>Total 101.3 Engineering Services</b>	<b>67,049.42</b>
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
<b>Total 101.5 Land Acquisition Costs</b>	<b>1,163,231.71</b>
101.6 WPCP Marketing	2,954.34
<b>Total 101 White Pines Commerce Park</b>	<b>27,640,827.24</b>
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
<b>Total 106 North Salina Properties</b>	<b>651,505.08</b>
107 800 Hiawatha	604,840.42

# Onondaga County Industrial Development Agency

## Balance Sheet As of May 31, 2023

	TOTAL
<b>Total 100 Land</b>	<b>28,897,172.74</b>
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	4,589.00
<b>Total 104 Machinery &amp; Equipment</b>	<b>6,018.00</b>
211 A/D Office Furniture	-3,493.00
213 A/D Buildings	-97,603.00
250 Investment in Real Property	6,180,006.00
<b>Total Fixed Assets</b>	<b>\$34,982,100.74</b>
Other Assets	
240 Blue Sky Redevelopment	1,641.76
<b>Total Other Assets</b>	<b>\$1,641.76</b>
<b>TOTAL ASSETS</b>	<b>\$42,376,473.48</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
300 WPCP Pass Thru Payable	1,821,008.55
<b>Total Accounts Payable</b>	<b>\$1,821,008.55</b>
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	250,709.68
600.102 Due to BD WPCP	42,216.66
600.204 OHB Redev LLC Funds	312,940.15
600.205 Exp Pay Prev Period	13,521.03
600.206 Mileage Reimbursement	92.34
600.208 BlueRock Energy Agreement Deposit	25,000.00
600.209 Syracuse Rail Overpayment	500.00
600.3 Onondaga County Loan	26,088,187.09
600.31 Accrued Interest - OC Note Payable	2,129.00
<b>Total 600.3 Onondaga County Loan</b>	<b>26,090,316.09</b>
<b>Total 600 Accounts Payable</b>	<b>26,735,295.95</b>
601 PILOT and Pass Thru Payable	
603 PILOT Pass Thru	1.01
<b>Total 601 PILOT and Pass Thru Payable</b>	<b>1.01</b>
631 Due to Other Governments	
631.1 Towns	
631.15 Salina	-0.81
<b>Total 631.1 Towns</b>	<b>-0.81</b>

# Onondaga County Industrial Development Agency

## Balance Sheet As of May 31, 2023

	TOTAL
<b>Total 631 Due to Other Governments</b>	<b>-0.81</b>
<b>Total Other Current Liabilities</b>	<b>\$26,735,296.15</b>
<b>Total Current Liabilities</b>	<b>\$28,556,304.70</b>
<b>Total Liabilities</b>	<b>\$28,556,304.70</b>
Equity	
3900 Equity Unreserved	9,735,878.53
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	368,811.84
465 Equity - Unreserved	4,017.16
Net Income	1,365,622.62
<b>Total Equity</b>	<b>\$13,820,168.78</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$42,376,473.48</b>

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PAYMENT OF BILLS - SCHEDULE #482**  
**June 8, 2023**

**GENERAL EXPENSES**

1.	<u>CRYSTAL ROCK*</u> Inv#22976721	\$	8.63
2.	<u>PARK STRATEGIES, LLC</u> May 2023 Consulting Services	\$	2,500.00
3.	<u>FEDEX</u> Inv#8-116-99715	\$	24.90
4.	<u>NATHANIAL STEVENS</u> Mileage Reimbursement	\$	128.35
5.	<u>NANCY LOWERY</u> Mileage Reimbursement	\$	128.35
6.	<u>SVETLANA DYER</u> Mileage Reimbursement	\$	128.35
	<u>ALEXIS RODRIGUEZ</u> Mileage Reimbursement	\$	128.35
7.	<u>RAMBOLL AMERICAS ENGINEERING SOLUTIONS, INC.</u> Sept 2022 - Jan 2023 Engineering Services	\$	218,607.90
8.	<u>BARCLAY DAMON LLP</u> Sept 2022 - May 2023 Legal Services	\$	1,038,259.23
9.	<u>JMT OF NEW YORK, INC.</u> April 2023 - May 2023 Engineering Services	\$	257,575.76
10.	<u>MACNY</u> Morse Manufacturing Tour	\$	85.00
11.	<u>BARCLAY DAMON LLP</u> Inv#5238176, OHB Redev LLC	\$	14,668.50
12.	<u>JMT OF NEW YORK, INC.</u> Inv#35-103978, Roth Steel	\$	1,359.00

13. <u>BARTON &amp; LOGUIDICE, D.P.C.</u>	\$	12,724.26
Inv#'s 133088, 132556, Caughdenoy Road Business Park		
14. <u>ABC CREATIVE GROUP, LLC</u>	\$	25,000.00
Inv#7690, Public Relations/Marketing Services 2023		
15. <u>NYS ECONOMIC DEVELOPMENT COUNCIL</u>	\$	45,000.00
Inv#14491, SEMICON West Supply Chain Attraction		
16. <u>BARCLAY DAMON LLP</u>	\$	2,625.00
Inv#5238172, IDA Legal		
17. <u>GROSSMAN ST. AMOUR CPA'S PLLC</u>	\$	15,000.00
Inv#86138, Final Audit Billing 2022		
<b>TOTAL</b>	<b>\$</b>	<b>1,633,951.58</b>

\*Ratification of Check dated May 31, 2023



**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PAYMENT OF BILLS - SCHEDULE #482**  
**June 8, 2023**

**PILOT Payments**

1.	<u>CITY OF SYRACUSE*</u>	\$	10,016.07
	Syracuse Rail and COR Inner Harbor 1st Q 2023 PILOT Payments		
2.	<u>SYRACUSE CITY SCHOOL DISTRICT*</u>	\$	13,192.17
	COR Inner Harbor 1st Q 2023 PILOT Payment		
3.	<u>TOWN OF ONONDAGA*</u>	\$	4.03
	Syracuse Rail 1st Q 2023 PILOT Payment		
4.	<u>TOWN OF DEWITT*</u>	\$	19.80
	Syracuse Rail 1st Q 2023 PILOT Payment		
5.	<u>JAMESVILLE-DEWITT CSD*</u>	\$	129.58
	Syracuse Rail 1st Q 2023 PILOT Payment		
6.	<u>TOWN OF CAMILLUS*</u>	\$	6,035.39
	Finger Lakes Railway 2023 PILOT Payment		
7.	<u>VILLAGE OF CAMILLUS*</u>	\$	1,043.75
	Finger Lakes Railway 2023 PILOT Payment		
8.	<u>TOWN OF ELBRIDGE*</u>	\$	2,459.05
	Finger Lakes Railway 2023 PILOT Payment		
9.	<u>TOWN OF GEDDES*</u>	\$	81.81
	Finger Lakes Railway 2023 PILOT Payment		
10.	<u>VILLAGE OF SOLVAY*</u>	\$	653.90
	Finger Lakes Railway 2023 PILOT Payment		
11.	<u>WEST GENESEE CSD*</u>	\$	14,659.48
	Finger Lakes Railway 2023 PILOT Payment		
12.	<u>SOLVAY UNION FREE SCHOOL DISTRICT*</u>	\$	4,174.41
	Finger Lakes Railway 2023 PILOT Payment		
13.	<u>JORDAN-ELBRIDGE CSD*</u>	\$	20,817.43
	Finger Lakes Railway 2023 PILOT Payment		

14. <u>MARCELLUS CSD*</u>	\$	311.59
Finger Lakes Railway 2023 PILOT Payment		
15. <u>ONONDAGA COUNTY**</u>	\$	18,816.09
Syracuse Rail, Finger Lakes Railway, COR Inner Harbor 2023 PILOT Payments		
<b>TOTAL</b>	<b>\$</b>	<b>92,414.55</b>

\*Ratification of Checks dated May 23, 2023

\*\*Ratification of Check dated May 30, 2023

# Onondaga County Industrial Development Agency



## Project Summary-Draft

5/24/2023

<b>1. Project</b>	<b>Wallace Supply, LLC d/b/a JSWG Supply, LLC</b>	<b>2. Project Number</b>	<b>3101-23-04A</b>
<b>3. Location</b>	Dewitt	<b>4. School District</b>	East- Syracuse Minoa School District
<b>5. Tax Parcel(s)</b>	018.-01-05.2, 018.-01-03.1	<b>6. Project Type</b>	Industrial

<b>7.Total Project Cost</b>	<b>\$</b>	<b>4,330,338</b>	<b>8. Total Jobs</b>	<b>14</b>
Land	\$	207,000	8A. Job Retention	6
Site Work	\$	650,000	8B: Job Creation	8
Building	\$	2,650,000	(Next 5 Years)	
Furniture & Fixtures	\$	75,000		
Equipment	\$	100,000		
Engineering/Architecture Fees	\$	100,000		
Financial Charges	\$	193,338		
Legal Fees	\$	30,000		
Other	\$	125,000		
Management/Developer Fees	\$	200,000		

<b><u>Community Investment /Abatement</u></b>	<b>Wallace Supply, LLC d/b/a JSWG S</b>	<b><u>Project Description</u></b>
<b>Fiscal Impact (\$)</b>		
<b>Abatement Summary</b>	<b>\$367,989</b>	
Sales Tax Abatement	\$182,000	
Mortgage Tax Abatement	\$24,000	
Property Tax Relief (PILOT)	\$161,989	
<b>Community Investment</b>	<b>\$19,894,426</b>	
PILOT Payments 10 yrs	\$216,959	
Project Wages Estimate (10 yrs)	\$11,538,254	
Construction Benefit Estimate	\$3,808,875	
Employee Benefits Estimate (10 years)	\$0	
Total Project Cost	\$4,330,338	
<b>Investment:Abatement Ratio</b>	<b>54.06 :1</b>	6808 Crossbow Drive, LLC and Wallace Group, LLC/ dba JWSG, LLC proposing construction of an approximately 30,000 square foot warehouse and distribution building including approximately 2,500 square feet of office/show/training space in the Town of Dewitt.

# Wallace Supply, LLC d/b/a JSWG Supply, LLC

DRAFT  
for 10 years

OCIDA estimate of current market value					\$	207,000
Projected investment					\$	2,650,000
OCIDA estimate of increase in value					\$	833,174
OCIDA estimated value after project is completed					\$	1,040,174
Taxes that would have been collected if the project did not occur					\$	75,412
Scheduled PILOT payments					\$	216,959

PILOT YEAR	Exemption %	County PILOT Amount	Town	School District	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 929	\$ 1,061	\$ 4,897	\$ 6,887.16	\$ 34,608	\$ 27,721
2	90%	\$ 1,328	\$ 1,518	\$ 7,006	\$ 9,852.43	\$ 35,300	\$ 25,448
3	80%	\$ 1,744	\$ 1,993	\$ 9,197	\$ 12,933.54	\$ 36,006	\$ 23,073
4	70%	\$ 2,175	\$ 2,487	\$ 11,472	\$ 16,133.97	\$ 36,726	\$ 20,592
5	60%	\$ 2,623	\$ 2,999	\$ 13,835	\$ 19,457.23	\$ 37,461	\$ 18,004
6	50%	\$ 3,088	\$ 3,530	\$ 16,288	\$ 22,906.98	\$ 38,210	\$ 15,303
7	40%	\$ 3,571	\$ 4,082	\$ 18,834	\$ 26,486.93	\$ 38,974	\$ 12,487
8	30%	\$ 4,072	\$ 4,655	\$ 21,475	\$ 30,200.92	\$ 39,754	\$ 9,553
9	20%	\$ 4,591	\$ 5,248	\$ 24,214	\$ 34,052.87	\$ 40,549	\$ 6,496
10	10%	\$ 5,129	\$ 5,864	\$ 27,054	\$ 38,046.81	\$ 41,360	\$ 3,313
<b>TOTAL</b>		<b>\$ 29,250</b>	<b>\$ 33,438</b>	<b>\$ 154,271</b>	<b>\$ 216,959</b>	<b>\$ 378,947</b>	<b>\$ 161,989</b>

	Year			
	0	1	2	3
Jobs				
Current/Actuals				
Creation Goals		2	5	1
Total Employment Goals	0	2	7	8

## Project Tax Billing and Payment Schedule

1. Applicant will received a 2024 Town and County Tax bill in Januay 2024
2. Applicant will receive a 2023-24 School Bill in Sepetmber 2023
3. Applicant will not receive a Town and County Tax bill in 2025
4. Applicant will not receive a 2024-25 School tax bill
5. Applicant will receive an OCIDA PILOT Bill Year 1 in January 2025

Please contact OCIDA staff with any questions.

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## ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any “financial assistance” (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes “public funds” within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant’s obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
2. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
3. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
4. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
5. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the inducement date. If this schedule cannot be met, the applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to OCIDA Board for consideration.
6. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at [nancylowery@ongov.net](mailto:nancylowery@ongov.net). **An Application will not be considered by the Agency until the Application fee has been received.**
7. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
8. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
9. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.

10. A complete Application consists of the following 9 items:

- This Application
- Local Access Agreement
- Employment Plan
- Conflict of Interest
- A feasibility statement indicating the need for the requested benefits
- Description of Project, Site Plans/Sketches, and Maps
- NYS Full Environmental Assessment Form
- A check payable to the Agency in the amount of \$1,000
- A check payable to Barclay Damon LLP in the amount of \$2,500

11. This Application was adopted by the OCIDA Board on January 18, 2022.

**It is the policy of the Agency that any project receiving benefits from the Onondaga County Industrial Development Agency will utilize 100% local contractors and local labor for the construction period of the project unless a waiver is granted in writing by the Agency.**

**Return to:**

Onondaga County Industrial Development Agency

Attn: Nancy Lowery

335 Montgomery Street, 2<sup>nd</sup> Floor

Syracuse, NY 13202

Phone: 315-435-3770 | Fax: 315-435-3669

[nancylowery@ongov.net](mailto:nancylowery@ongov.net)

## Section I: Applicant Information

Please answer all questions. Use “None”, “Not Applicable” and “See Attached” where necessary.

Submittal Date: \_\_\_\_\_

**A) Applicant/Project Operator information (company receiving benefits):**

Applicant/Project Operator: [Click here to enter text.](#)\_\_\_\_\_

Applicant/ Project Operator Address: \_\_\_\_\_

Phone:\_\_\_\_\_ Fax:\_\_\_\_\_

Website:\_\_\_\_\_ E-mail:\_\_\_\_\_

Federal ID#:\_\_\_\_\_ NAICS:\_\_\_\_\_

State and Year of Incorporation/Organization: \_\_\_\_\_

Owner (if different from Applicant/Project Operator): \_\_\_\_\_

Owner Address: \_\_\_\_\_

Federal ID#: \_\_\_\_\_

State and Year of Incorporation/Organization: \_\_\_\_\_

List of stockholders, members, or partners of Owner:

\_\_\_\_\_

**B) Individual Completing Application:**

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Address:\_\_\_\_\_

Phone:\_\_\_\_\_ Fax:\_\_\_\_\_

E-mail: \_\_\_\_\_

**C) Company Contact (if different from individual completing application):**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**D) Company Counsel:**

Name of Attorney: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**E) Business Organization (check appropriate category):**

☐ Corporation

☐ Partnership

☐ Public Corporation

☐ Joint Venture

☐ Sole Proprietorship

☐ Limited Liability Company

☐ Other (please specify): \_\_\_\_\_

Year Established: \_\_\_\_\_

State in which Organization is established: \_\_\_\_\_

**F) List all stockholders, members, or partners with % of ownership greater than 5%:**

Name

% of ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**G) Applicant Business Description:**

Estimated % of sales within Onondaga County: \_\_\_\_\_

Estimated % of sales outside Onondaga County but within New York State: \_\_\_\_\_

Estimated % of sales outside New York State but within the U.S.: \_\_\_\_\_

Estimated % of sales outside the U.S.: \_\_\_\_\_

(\*Percentage to equal 100%)

**H) Applicant History:** If the answer to any of the following is “Yes”, please explain below. If necessary, attach additional information.

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation? ☐ Yes ☐ No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐ Yes ☐ No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy? Please attach any explanations. ☐ Yes ☐ No

**I)** Has the Project Beneficiary received assistance from OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past? If yes please attach an explanation and please give year, project name, and description of benefits and address of project.

☐ Yes ☐ No

## Section II: Project and Site Information

A) Project Location: Location where the investment will take place. If Company is moving, the new location should be entered here and the current location should be in Section I.

Address: \_\_\_\_\_

Legal Address (if different): \_\_\_\_\_

City: \_\_\_\_\_ Village/Town: \_\_\_\_\_

Zip Code: \_\_\_\_\_ School District: \_\_\_\_\_

Tax Map Parcel ID(s): \_\_\_\_\_

Full Market Value: \_\_\_\_\_ Footage of Existing Building: \_\_\_\_\_

Census Tract: \_\_\_\_\_

B) Type (Check all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> New construction                         | <input type="checkbox"/> Purchase of machinery and/or equipment    |
| <input type="checkbox"/> Expansion/Addition to current facilities | <input type="checkbox"/> Brownfield/Remediated Brownfield          |
| <input type="checkbox"/> Renovation of existing facility          | <input type="checkbox"/> LEED Certification                        |
| <input type="checkbox"/> Housing Project                          | <input type="checkbox"/> Demolition and Construction               |
| <input type="checkbox"/> Renewable Energy Project                 | <input type="checkbox"/> Acquisition of existing facility/property |
| <input type="checkbox"/> Retail                                   | <input type="checkbox"/> Other:                                    |

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

\* For a Retail Project (also see page 14)

\* For a Renewable Energy Project (also see page 15)

\* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to:

- ☐ i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
- ☐ (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☐ (iii) the size of the lot upon which the Project sits or is to be constructed;
- ☐ (iv) the current use of the site and the intended use of the site upon completion of the Project;
- ☐ (vi) describe your method for site control (Own, lease, other).

E) Select Project type for all end users at Project site (you may check more than one):

**\*\*Please check any and all end users as identified below**

- |  |  |
|--|--|
| <input type="checkbox"/> Industrial                              | <input type="checkbox"/> Bank Office                     |
| <input type="checkbox"/> Acquisition of Existing Facility        | <input type="checkbox"/> Retail ( see page 14)           |
| <input type="checkbox"/> Housing Project ( see page 17 )         | <input type="checkbox"/> Mixed Use                       |
| <input type="checkbox"/> Equipment Purchase                      | <input type="checkbox"/> Facility for Aging              |
| <input type="checkbox"/> Multi-Use Tenant                        | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project ( see page 15) | <input type="checkbox"/> Other _____                     |
| <input type="checkbox"/> Commercial                              |  |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) For the Agency to consider this Project, please provide the following information:

1. Does the Project consist of new construction or expansion or substantial renovation of an existing facility?  
☐ Yes ☐ No
2. Will the Project create new employment opportunities or retain existing jobs that may otherwise be lost?  
☐ Yes ☐ No
3. Does the Project beneficiary serve a customer base primarily outside of Onondaga County?  
☐ Yes ☐ No

H) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☐ No

I) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?

☐ Yes. What is the status? ☐ No. When will the plans be submitted?

\_\_\_\_\_

2. Has the project received site plan approval from the town or local planning board?  
☐ Yes      ☐ No
3. If no, what is the anticipated approval date? \_\_\_\_\_
4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)
5. Environmental Information
  - a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>
  - b. Have any environmental issues been identified on the property?  
☐ Yes      ☐ No  
If yes, please attach an explanation.

## Section III: Construction

### A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment*			
Engineering/Architect			
Financial Charges			
Legal			
Other			
Management/Developer Fees			
<b>Total Project Cost</b>			

**Note: Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.**

B) TOTAL Capital Costs \$ \_\_\_\_\_

Project refinancing: estimated amount  
(For refinancing of existing debt only) \$ \_\_\_\_\_

Sources of Funds for Project Costs:

1. Bank Financing \$ \_\_\_\_\_
2. Equity (excluding equity that is attributed to grants/tax credits) \$ \_\_\_\_\_
3. Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_
4. Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_

5. Public Sources (Include sum total of all state and federal grants and tax credits) \$ \_\_\_\_\_

-Identify each state and federal grant/credit:

\_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_

6. Total Sources of Funds for Project Costs \$ \_\_\_\_\_

C) Employment and Payroll Information

1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours; or
2. Up to three part time, permanent, private-sector employees on Company's payroll, who have worked at the project location for a combined minimum of thirty hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours.

1. Are there people currently employed at the project site?  
☐ Yes      ☐ No      If yes, provide number of FTE jobs at the facility: \_\_\_\_\_

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	
Estimate the number of construction jobs to be created by this Project:	
Estimate the average length of construction jobs to be created (months):	
Current annual payroll at facility:	
Please list, if any, benefits that will be available to either full and/or part time employees:	
Average annual benefit paid by the company (\$ or % salary) per FTE job:	
Amount or percent of wage employees pay for benefits:	
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.
- ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the Project.

E) Financial Assistance sought (estimated values):

- ☐ Real Property Tax Abatement (PILOT): \_\_\_\_\_
- ☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): \_\_\_\_\_
- ☐ Sales and Use Tax Exemption (4% Local, 4% State): \_\_\_\_\_
- ☐ Tax Exempt Bond Financing (Amount Requested): \_\_\_\_\_
- ☐ Taxable Bond Financing (Amount Requested): \_\_\_\_\_

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/  
bridge financing): \$ \_\_\_\_\_

Estimated Mortgage Recording Tax Exemption Benefit (product of  
mortgage amount as indicated above, multiplied by .0075): \$ \_\_\_\_\_

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax – said amount to benefit from the Agency’s Sales and Use Tax exemption benefit:

\$ \_\_\_\_\_

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ \_\_\_\_\_



## Section IV: Estimate of Real Property Tax Abatement Benefits

Section IV of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

### A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff.

## SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?  
☐Yes   ☐No
2. Is the Project located in a distressed area? A distressed area is a census tract that has  
a) a poverty rate of a least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.  
☐Yes   ☐No
3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?  
☐Yes   ☐No
4. Is the predominate purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the Town, City, County or Village of where the Project will be located.  
☐Yes   ☐No

## SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?
  - ☐ Yes, please provide a copy of the lease
  - ☐ No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
  - ☐ Yes
  - ☐ No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?
  - ☐ Yes. Please provide copy.
  - ☐ No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
  - ☐ Yes. Please provide copy.
  - ☐ No
6. Is the entire parcel being used for the solar project?
  - ☐ Yes
  - ☐ No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: \_\_\_\_\_
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
  - ☐ Yes, explain.
  - ☐ No

*\*PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR GUIDANCE & BEST PRACTICE*

### OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.
8. Absent a showing otherwise by the Company, deemed acceptable by the Agency in the sole and absolute discretion, the Company must close with the Agency on a project prior to consideration of any requested organizational structure or project entity ownership changes.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

## SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.



## Section VIII: Local Access Policy Agreement

**In absence of a waiver permitting otherwise**, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

**Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.**

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency**.

In consideration of the extension of financial assistance by the Agency Wallace Supply, LLC dba JSWG Supply, LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of May 26, 2023 (date).

Company: Wallace Supply, LLC - JSWG Supply, LLC

Representative for Contract: Craig Wallace

Address: 2609 Dearborn Street City: Easton State: PA Zip: 18045

Phone: 610-258-5651 Email: cwallace@johnstonesupply.com

Project Address: 6808 Crossbow Drive City: East Syracuse State: NY Zip: 13057

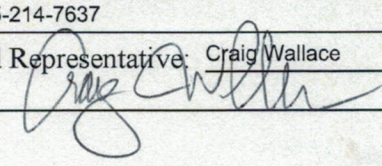
General Contractor: VIP Structures

Contact Person: Christine Stevens

Address: 101 North Salina Street City: Syracuse State: NY Zip: 13202

Phone: 315-214-7637 Email: cstevens@vipstructures.com

Authorized Representative: Craig Wallace Title: SVP / General Manager

Signature: 



## Section VIII: Local Access Policy Agreement

**In absence of a waiver permitting otherwise**, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

**Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor** is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency**.

In consideration of the extension of financial assistance by the Agency 6808 Crossbow Drive, LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of May 10, 2023 (date).

Company: 6808 Crossbow Drive, LLC

Representative for Contract: Joshua W. Podkaminer

Address: 126 North Salina Street City: Syracuse State: NY Zip: 13202

Phone: 315-423-9390 Email: jwp@jwpccommercial.com

Project Address: 6808 Crossbow Drive City: East Syracuse State: NY Zip: 13057

General Contractor: VIP Structures

Contact Person: Christine Stevens

Address: 101 North Salina Street City: Syracuse State: NY Zip: 13202

Phone: 315-214-7637 Email: cstevens@vipstructures.com

Authorized Representative: Joshua W. Podkaminer Title: SVP / General Manager

Signature: 

## Section IX: Agency Fee Schedule

\* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee (All projects except Solar Projects)	\$1,000	Due at time of application
Non-refundable Application Fee (Solar Projects Only)	\$10,000	
Legal Deposit (All projects except Solar Projects)	\$2,500	Due at time of application
Legal Deposit (Solar Projects Only)	\$5,000	
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds Bond refinancing and refunding	.0025 of TPC	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	
Amendment or Modification of IDA documents, including but not limited to name or organization change, refinancing, etc. Consent to the amendment or modification of IDA documents prior to closing on the project shall be given at OCIDA's sole and absolute discretion.	Up to but not to exceed 5% of Agency Fee as noted on the Cost Benefit Analysis at time of project approval. Attorney fees determined by OCIDA Legal Representative.	Due at time of Request

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.



## Section X: Recapture of Tax Abatement/Exemptions

**Information to be Provided by Companies:** Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

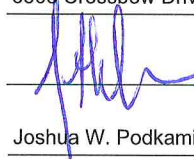
Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

**I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.**

Name of Applicant Company

6808 Crossbow Drive, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Joshua W. Podkaminer - Managing Member

Date: May 10, 2023

## Section X: Recapture of Tax Abatement/Exemptions

**Information to be Provided by Companies:** Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

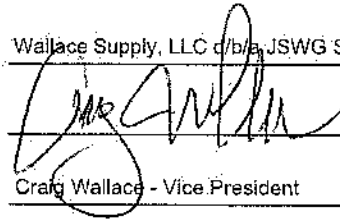
Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

**I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.**

Name of Applicant Company

Wallace Supply, LLC d/b/a JSWG Supply, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Craig Wallace - Vice President

Date: May 18, 2023

## Section XI: Conflict of Interest

### Agency Board Members

1. Patrick Hogan, Chairperson
2. Janice Herzog, Vice Chairperson
3. Sue Stanczyk, Director
4. Kevin Ryan, Director
5. Fanny Villarreal, Director
6. Cydney Johnson
7. Elizabeth Dreyfuss

### Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Nancy Lowery, Secretary
4. Svetlana Dyer, Assistant Secretary
5. Karen Doster, Recording Secretary
6. Alex Rodriguez, Assistant Treasurer

### Agency Legal Counsel & Auditor

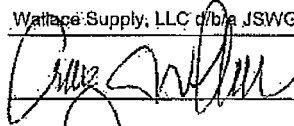
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company

Wallage Supply, LLC d/b/a JSWG Supply, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Craig Wallage - Vice President

Date: May 18, 2023

## Section XI: Conflict of Interest

### Agency Board Members

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2. Janice Herzog, Vice Chairperson
3. Sue Stanczyk, Director
4. Kevin Ryan, Director
5. Fanny Villarreal, Director
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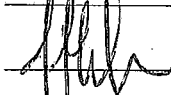
1. Jeffrey Davis, Esq., Barclay Damon LLP
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3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company

6808 Crossbow Drive, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Joshua W. Podkaminer - Managing Member

Date: May 10, 2023

## Section XII: Representations, Certifications, and Indemnification

\_\_\_\_\_ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the \_\_\_\_\_ (title) of \_\_\_\_\_ (name of corporation or other entity) named in the attached Application (the “Applicant”), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, “Employment Reports”) that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.

## Section XII: Representations, Certifications, and Indemnification

\_\_\_\_\_ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the \_\_\_\_\_ (title) of \_\_\_\_\_ (name of corporation or other entity) named in the attached Application (the “Applicant”), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, “Employment Reports”) that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.

- F. Prevailing Wage:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a “covered project” pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.
- G. Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.
- H. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- I.** The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- J.** The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.
- K.** The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency’s involvement in the Project.
- L.** The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

- M.** The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.
- N.** The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- O. Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.



Name of Applicant Company:

6808 Crossbow Drive, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative:

Joshua W. Podkaminer

Date: May 10, 2023

STATE OF NEW YORK

)

COUNTY OF ONONDAGA

) ss.;

Joshua W. Podkaminer, being first duly sworn, deposes and says:

1. That I am the Managing Member (Corporate Officer) of 6808 Crossbow Drive, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this May 10th day of May, 20 23.

(Notary Public)

**MICHAEL E. SHANNON**  
Notary Public, State of New York  
No. 02SH6089545  
Qualified in Onondaga County  
Commission Expires April 29, 20 27

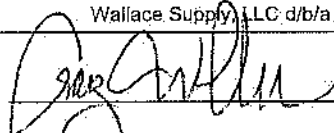
End of Application

Rev 12.14.22

Name of Applicant Company:

Wallace Supply, LLC d/b/a JSWG Supply, LLC

Signature of Officer or Authorized Representative:

  
Craig Wallace - Vice President

Name & Title of Officer or Authorized Representative:

Craig Wallace - Vice President

Date: May 18, 2023

~~STATE OF NEW YORK~~

~~COUNTY OF ONONDAGA~~

)

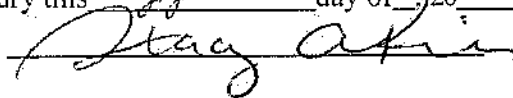
) ss.;

Craig Wallace, being first duly sworn, deposes and says:

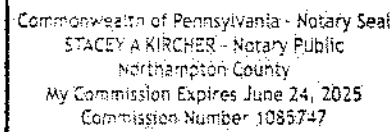
1. That I am the Vice President (Corporate Officer) of Wallace Supply, LLC d/b/a JSWG Supply, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 22nd day of May, 2023.



(Notary Public)



End of Application

Rev 12.14.22

Section II:

C) Project Narrative:

6808 Crossbow Drive is the first of two warehouse buildings planned to be built on Crossbow Drive. The 30,000 SF building is shown as Building A on the enclosed site plan (approved by the Town of Dewitt).<sup>1</sup> As shown on the application cover page, this is a development project, with a developer/landlord entity and a tenant who will lease the building, “triple net”, for a minimum of ten years (possibly longer). Without the financial assistance provided by OCIDA, the project would not be undertaken, as it would not be financially viable for either the tenant or the landlord/developer. OCIDA benefits will reduce the project cost (sales tax, mortgage recording tax) for the developer/landlord. This reduction in project costs enables the developer/landlord to provide the tenant with a slightly more affordable lease rate. This enables the tenant to sign a lease (and be able to grow its business). Furthermore, the OCIDA benefits, in reducing project cost, help the developer/landlord to be able to make the project financially viable and obtain construction lending. In addition, the OCIDA benefits help the tenant, first by the affordable lease rate, and secondly, through the creation of the PILOT, which eases the real estate tax burden that will be borne by the tenant under the “triple net” lease.

**TENANT INFORMATION**

**What is Johnstone Supply?**

Johnstone Supply is a wholesale distributor and provider of parts, equipment and services, with a primary focus of residential and light commercial HVAC products and a secondary focus of refrigeration and plumbing. It is a national company that provides over 75,000 products and millions of special-order parts through relationships with hundreds of the HVAC industry’s top manufacturers. It has over \$4B in annual sales, with 450 independently owned wholesale locations across the U.S. and Canada supported by six Regional Distribution Centers. Johnstone is recognized for its selection, service, and time-saving tools for the HVAC contractors who are its customer base. Parts and equipment are sold to HVAC contractors who do installations and repairs. The company also serves government buildings, schools, apartment complexes, hotels, hospitals, retirement communities, and a variety of other facility maintenance. Every item involved in heating, cooling, or hot water comes from a wholesale distributor such as Johnstone Supply; local access to parts and equipment is vital.

Contractors rely on Johnstone Supply for more than just parts and equipment. Johnstone helps customers providing training and assistance, in areas such as inventory management systems, installations, and knowledge and sales of high-efficiency equipment to reduce fossil fuel reliance and reach climate goals (including how to use the NYSERDA rebate program). These resources help contractors grow their business and increase employment. Johnstone believes in creating a “win” for its customer (and its customer’s customer), and the company.

**History and ownership**

*National level.* The company was started in Oregon in 1953 to serve the needs of local contractors. Over the subsequent 40 years, the company grew to over 30 locations throughout the western United States. The founder, wanting to pass the success of the company to its hard-working staff, formed a cooperative, the Johnstone Supply Cooperative, where each location owner could own and operate its individual business, yet co-op members could band together to share experience, resources, operational benefits, and group buying power. Launched in 1981, the cooperative expanded over the next 40 years. It was supported by a centralized corporate office providing stores with shared merchandising, warehousing, marketing,

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<sup>1</sup> Building B will be a separate parcel; it is not part of this OCIDA application.

purchasing, and financial reporting services. Members, store locations, distribution centers, and product lines continued to expand. Following the addition of a capital partner in 2021, the co-op was converted to Johnstone Supply LLC and continues to operate as a wholesale distributor based in Portland, Oregon, exclusively providing products and services to 75 individual Johnstone Business Owners.

*Local level.* A&B Supply Company of Easton, Pennsylvania, was formed in 1969 and joined the Johnstone Supply Member Cooperative in 1991. The company grew to operate its current 14 locations in Maryland, New York, Pennsylvania, and Virginia. It is now known as “Johnstone Supply – The Wallace Group,” a third-generation family-business still based in Easton. The ownership group includes Tom Wallace, Craig Wallace, Eric Wallace, and Jeff Green. Its locations in New York State (Depew, Tonawanda, Rochester and Syracuse) were acquired in 2021. We have invested in our team, facilities, and inventory since we made acquisitions in New York State.

### **Johnstone Supply & Onondaga County: current status, planned growth, new facility**

The Syracuse location has approximately 918 customers with \$3.3 million in revenue for 2022. The branch serves Onondaga County, the North Country, and points South along the Route 81 corridor. The Syracuse location underperforms compared to its Johnstone peers yet has demonstrated potential for future growth; based on average market share data from across Johnstone locations nationwide, this branch has the potential for sales of approximately \$20.5 million. Our goal is to reach that number and to continue that growth over the next five years and beyond. Achieving the goal will require us to expand our workforce.

Achieving the goal also requires us to move to a new location:

- The current leased facility is in a state of serious disrepair.
- There is no truck dock, which greatly hinders our efficiency delivering and receiving product.
- The warehouse is too small to support current business, let alone any growth.
- There is limited office space for sales staff, leadership, and no training facility.

We began our search for a new facility in 2021. We conducted an exhaustive property search with three real estate brokers including Joshua W. Podkaminer. We found that the Syracuse and Onondaga County market has a very underwhelming selection of warehouses available when compared with markets we serve in other states. The search yielded no good or viable options:

- Buildings were too small. Most of the buildings we viewed were around 16,000 SF, whereas our typical location is 20,000 SF or more. Distribution centers with storefronts exceed 30,000 SF.
- Ceiling heights were too low. Most buildings in Syracuse were only 16 feet high, whereas our facilities in other markets have heights ranging from 20 to 25 feet.
- Condition. Most of the buildings required extensive fit-outs and/or renovations.
- Sufficient docks. This was often an issue.
- Location. We needed a convenient, easily accessed location, so that our customers have easy access to our building and to major highways. In addition, we receive deliveries daily.

When it became evident that no available (or soon-to-be available) building would meet our needs, we decided that build-to-suit new construction would be the best option, albeit a costly one. We knew that we wanted to stay in Onondaga County and continue to serve our existing and growing customer base here. In addition, we decided that the new facility should serve as a distribution center serving our locations in Rochester and Buffalo, as well as, Central NY and Southern Tier. The Rochester and Buffalo locations have small footprints and can only stock a limited supply of high-volume equipment in these stores. Serving them from Pennsylvania adds costs and lead time, whereas serving them from Onondaga County is preferred, with its central location. It is closest to our current DC-area network, allowing trucking companies to reach locations quickly, and we can deliver products in all geographic directions.

In short, the new facility will allow us to grow our business. It will help our customers with their businesses. Our customers will know that we have the inventory, team, and facility to support their operations. Our growth will create new sales and new employment in Onondaga County (and elsewhere in New York State). We will expand our staffing in sales, customer service, technical service advisors, warehouse team, and management. We will expand our delivery fleet to four trucks and drivers. We are confident that we will hit our revenue goals. However, in order to make the new facility project viable for us as the tenant, we need lease rates that meet our budget, and we need contained and predictable expenditures for real estate taxes also to meet our budget. This is why the OCIDA benefits are crucial for us as the tenant and for the developer/landlord of our new facility.

#### **DEVELOPER/LANDLORD INFORMATION**

The project's developer/landlord, like all developers around our state and nation, faces the joint challenges of record-high construction costs and high interest rates. In addition, the project has faced additional requirements that have that increased costs: related to additional surveying, appraisal, planning, design, land acquisition, and future construction):

- Enhanced stormwater requirements. Because of the site's location in the Onondaga Lake Watershed, and because the site is located upstream of the area of Ley Creek that routinely floods, the Town of Dewitt required additional stormwater controls. The site is also in the Onondaga Lake Watershed and therefore requires additional stormwater management.
- Setback and turn radius requirements. The development of this site required keeping the building away from high voltage power lines and the need to meet the requirements for setbacks and turn radius. To achieve this, additional land was purchased from the Town.
- Enhanced construction materials. The project will use higher quality materials than many existing and new warehouse buildings in our market. For example, insulated metal panels, rather than standard metal clad, will achieve energy efficiency, improved aesthetic, and greater longevity.

These factors have resulted in additional project costs including, but not limited to, surveying, design, approvals, land acquisition, appraisals, and the planned construction.

Despite these challenges, the developer wishes to bring the project to fruition, provided that the OCIDA benefits can be obtained. In addition to the benefit that the project will provide to the tenant and to the county's economy (as described below), the project fills a gap in the local real estate market. Onondaga County currently faces a great shortage of warehouse properties. As is widely predicted by economic development and real estate professionals, this shortage is likely to become exacerbated with the arrival of Micron and its supply chain companies. Building A's 30,000 SF is a common size requirement for warehouses in our area.

#### **D) Description of Project:**

The project is being developed for Wallace Supply, LLC dba JSWG Supply, LLC to occupy the building under a 10-year lease. Wallace Supply, LLC dba JSWG Supply, LLC has the option to self-manage the property as they will be the sole occupant or retain local management services.

- i) 30,000 SF building with the following breakdown of use:
  - Showroom: 2,562 SF
  - Training: 1,000 SF
  - Warehouse / Distribution: 25,000 SF
  - Building Utilities: 438 SF
  - Offices: 1,000 SF

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

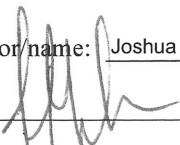
### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

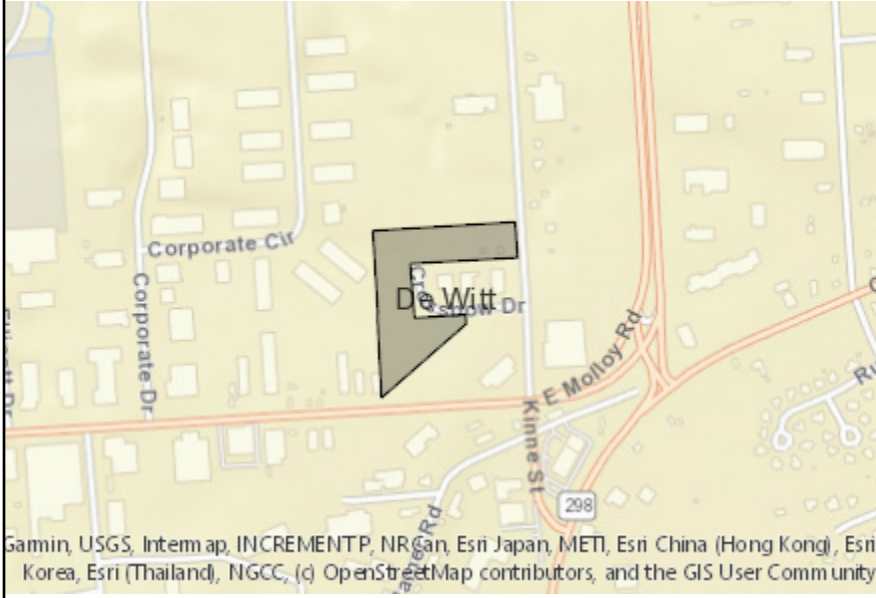
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban	Rural (non-agriculture)	Industrial	Commercial	Residential (suburban)
<input type="checkbox"/> Forest	Agriculture	Aquatic	Other(Specify):	
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stormwater will be conveyed by pipes, sheet flow, and drainage structures into on-site Stormwater Facilities		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Searching 'Cross Bow Drive' in the NYS Remediation Database Search yielded no listed results.		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Joshua Podkaminer</u> Date: <u>4/18/22</u>		
Signature: <u></u> Title: <u>Developer, SIOR, CCIM</u>		





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

1MINUTES OF A REGULAR MEETING  
OF  
THE PLANNING BOARD OF THE TOWN OF DEWITT

March 23, 2023

A regular meeting of the Planning Board of the Town of DeWitt, New York was held at the Town Offices, 5400 Butternut Drive, DeWitt, New York, on March 23, 2023 at 7:00 p.m. The meeting was also accessed remotely through Zoom technology and in accordance with New York Open Meetings Law.

There were present:

Peter Webber, Chairperson  
Leif Kallquist  
Doug Arena  
Joe Mueller  
Kathy Kotz  
Nathan Brown attended by Zoom  
Kevin Porter

There was a quorum of the members of the Planning Board present. Also present were Jamie L. Sutphen, Attorney; Doug Miller, Town Engineer; and Mark Parrish, Planning Board Engineer and Terry Brown, Interim Director of Planning and Zoning attended the meeting. Peter Webber was Chairperson of the meeting and Jamie L. Sutphen acted as Secretary.

Ms. Kotz made a motion seconded by Mr. Mueller to approve the minutes of the March 9, 2023. The motion carried with all members voting in favor.

There were two work sessions on March 21<sup>st</sup>: Crossbow and Cooke Loch. There are currently no work sessions scheduled for the next meeting.

**1124 Nottingham Road Subdivision – PB-670-23**  
**Subdivision**  
**1124 Nottingham Road**  
**Tax Map #: 070.1-02.07.0**  
**(5 Minutes)**

1Michael Shannon, Esq. was present for the applicant and provided a brief overview. The Board is aware of the particulars of this project.

Mr. Webber made a motion, seconded by Mr. Porter, as follows:

Motion to approve the subdivision plan as presented with the following findings and conditions:

1. This is a Simple Division of land under the Code as no new lots are created; this involves movement of a lot lines.

2. The lot line adjustment between two residential neighbors does not have an impact on parties other than these neighbors. The Board takes note that the lot configuration allows one lot continued access to a back wooded lot; and although unusual in shape, does not adversely affect the neighborhood or neighbors and is for the convenience of these two parcels.
3. Accordingly, and in light of the above, this Board waives the Public Hearing requirement for subdivision as permitted by the Code where there are no new lots created and there is no public interest in this lot line adjustment.
4. This Board has also reviewed the EAF submitted by the applicant and issues a negative SEQRA declaration for the project, finding no significant adverse environmental impacts.
5. Applicant must file the subdivision map in the Onondaga County Clerk=s Office in accordance with the rules of Onondaga County and provide a copy of the stamped filed map with the Town of DeWitt Department of Planning and Zoning.

The motion was approved unanimously.

**Dollar General – PB-668-23  
Public Hearing  
Site Plan/Subdivision  
3905 Court Street Road  
Tax Map #: 031.-12-03.1  
(15 Minutes)**

Victor Mikel and Bob Ledue attended the meeting by Zoom for the applicant.

Mr. Arena made a motion, seconded by Ms. Kotz to open Public Hearing. The Public Hearing was opened.

A brief overview of the project was presented by the applicants and the plans were transmitted on zoom. View of the building to show that roof top utilities are screened.

There were no comments from the public and the Public Hearing was closed.

There will be a final review and any comments delivered to the applicant. Final storm water review will be finalized - the DOT road cut will be reviewed, and the details will be distributed. It was noted that fabric on awnings is going to be permitted.

Final comments will be delivered so that a potential approval may occur at the next meeting.

The matter was tabled.

**Ethan Allen – PB-614-21**  
**Site Plan/Subdivision**  
**100 Dewey Avenue**  
**Tax Map #: 064.-01-22.1**  
**(15 Minutes)**

Jeremy Arts, Ray Trotta and Kathleen Bennett were present for the applicant. Brief overview of the architecture including the clock. This is the Rolex standard and main street is operational clock – the non-operational needs to

The final architectural matters were discussed. There was also discussion regarding parapet utilities and treatment of the clock tower we had and will be part of the resolution.

Mr. Webber made a motion, seconded by Mr. Arena, as follows:

Project:

This Board has reviewed the Site Plan Application dated 11/22/2021, and as amended, of Ray Trotta-The Holland Trotta Project, Applicant, and Ethan Allen Global, Inc., Owner, filed with the Clerk of the Town of DeWitt, for site plan approval pursuant to the provisions of Chapter 192 Zoning of the Code of the Town of DeWitt. The final Site Plan set presented and reviewed is dated February 16, 2023, and includes the architectural building elevations last dated February 16, 2023. This Board has further reviewed the plan for re-subdivision of properties in connection with the project. The subdivision application is made by owners of Ethan Allen Global, Inc, owner of Tax Map No. 064.-01-22.1, and Sonia Wepf and Ann Dupree, owners of tax map numbers: 064.-01-01.1 and 064.-01-02.1. The Subdivision Plan considered by this Board is last dated 2/17/2023.

Findings:

This applicant first came to this Board with proposed plans for redevelopment of the Ethan Allen site at 100 Dewey Ave in the Town in 2019, as the existing building had become vacant of its only single-use retail tenant. The Site plan has undergone many iterations in order to meet Site Plan Regulations and Design Guidelines of the Town of DeWitt and to improve the overall workability, traffic circulation, parking and aesthetics of the project site.

The most significant change to the plans over time was that the applicant acquired options to purchase adjacent land in order to better meet the requirements of the Town Codes.

The project is primarily located in the Business Transitional zoning district of the Town, with a portion of the building being a non-conforming structure, since part of the building on the site encroaches into a residential zoning district. Such encroachment was permitted to exist as it was previously permitted by a Specific Permit. However, the Town Zoning Code no longer allows for such encroachment by Special Permit. Accordingly, the building, in its

current location in as much as it encroaches into the residential zone is “non-conforming”. The Site Plan as presented herein allows the non-conforming structure to remain as the building is not being enlarged or modified to increase the non-conformity, and further, the non-conforming portion of the building will continue to house its only its currently permitted non-conforming use as a “warehouse in connection with the existing retail”.

The plan as presented was diligently worked on and revised multiple times to be responsive to the requirements of the Site Plan and the Design Guidelines, but also, due to this Board’s great sensitivity to the surrounding residential neighborhoods; to be as compatible as possible with the adjacent residential lands, while reasonably maintaining this allowed use in the Business Transitional Zone of the Town.

This Board has heard from the public on both informal and formal basis over the several years that this project has been pending. A Public Hearing was held on the Site plan and Subdivision plan on December 15, 2022. The Subdivision presented is a resubdivision/combining of lots and no new lots are created; accordingly, the Planning Board may waive the requirement of a public hearing, per Town Code, However, due to the public interest in this project, the Board held a combined public hearing on Subdivision and Site plan at its December 15, 2022 meeting. The public hearing was duly published, and notices were sent to neighboring and adjacent properties in excess of the parameters required by the Town Code. Many members of the public expressed their views relating to the project in person, by “zoom” interaction and in writing. This Board has carefully considered all such comments.

This Board has reviewed the OCPB referral on the Site Plan dated March 23, 2022, and notes the following modification therein:

“Per the New York State Department of Transportation, a drainage study or Stormwater Pollution Prevention Plan (SWPPP) is required to show that the proposed development would not create additional stormwater runoff into the state's drainage system. The applicant must contact the Department to determine the scope of the study. To further meet Department requirements, the applicant must submit traffic data and a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.”

This Board accepts this modification; however, notes that this Board, through its Engineers have reviewed the SWPPP presented to the Board and has further reviewed the traffic and lighting in connection with the project and finds all mitigation as presented by the applicant and reflected in its site plan to be satisfactory.

This Board has further reviewed the OCPB referral on the Subdivision dated March 15, 2023, which found no significant intercounty impacts from the Subdivision.

This Board, by recommendation made March 10, 2022, recommended to the Zoning Board of Appeals that it grant a variance to this project to allow for 75 parking spaces, while 135 would be required by the Code. The ZBA granted a variance allowing for no less than 82 parking spaces on the site.

The Site Plan and Subdivision actions are unlisted actions under SEQRA and the Board acted as Lead Agency on both of these actions. The Board reviewed the EAFs dated 11/18/2021 and 8/1/2022, respectively. As to each of the matters in the Part 2 of the EAF, this Board answers that the projects present no to small environmental impact. This Board has specifically considered at length the question in Part 2 of the EAF, “Will the proposed action result in an adverse change in the existing level of traffic...” In answering this question in the negative, this Board is acutely aware of the concern of the neighbors over this issue. This Board finds that this site has operated for many years as a retail facility. Even with the potential addition of retailers, the building size is not changing; the use is not changing, and the traffic flow has been accommodated as much as reasonable. With site now allowing for a considerable increase in parking and improved site circulation, this site is expected to continue to be sufficient to accommodate the retail uses and attendant consumers visiting the site and exiting onto main thoroughfares. Notwithstanding this finding, this Board recognizes that improvements to traffic patterns would better serve this neighborhood when this retail facility is back up and running to its fullest capacity. Accordingly, this site plan approval has made accommodation for closure of a part of Dewey Ave., should same occur in the future. Reducing through-traffic through the residential neighborhood would be desirable. This Board has received advice from the Town Highway Supervisor, Fire Department and Police Department; all of which support the idea that with proper configuration, the closure of Dewey would not affect safety or welfare of the residential neighbors. This plan allows for a “turnaround easement” on the applicant site and other site improvements, should the Dewey Ave. closure come to pass. This Board recommends same to the Town Board; however, it is not in the purview of this Board to require same as a part of this site plan approval and subdivision process. Accordingly, with respect to SEQRA, this Board finds that the proposed actions will not result in a significant adverse environmental impact and issues a negative SEQRA declaration for the Site Plan and Subdivision.

Conclusion/Conditions:

In consideration of the findings as set forth above, this Board hereby approves the Site Plan last dated 2/16/2023 and the Subdivision dated 2/17/2023 with the following conditions:

- The portion of the building which is located in the residential zone may be utilized only as warehouse use with said warehouse use to be only in connection with the existing retail on the site.
- As stated above, this Board accepts the OCPB modification per referral dated March 23, 2023, as a condition of this approval.
- Notwithstanding that closure of Dewey Road may or may not occur, the turnaround and attendant improvements as shown on the Site Plan and approved as part of this approval, must be constructed.
- The Applicant must file the subdivision map in the Onondaga County Clerk’s Office in accordance with the rules of Onondaga County and provide a copy of the stamped filed map with the Town of DeWitt Department of Planning and Zoning.

- Simultaneously with the filing of the subdivision map, the applicant must file an written easement in favor of the Town of DeWitt regarding the turnaround easement as shown on the subdivision and site plan. The easement must be reviewed and approved by the attorney for the Town of Dewitt Planning Board prior to filing and a copy of the filed easement must be filed with the Town of DeWitt Department of Planning and Zoning.
- The filing of the subdivision map and the easement as set forth above are conditions of Site Plan approval.
- Rooftop equipment must be below the parapit.
- Non-operational sides of tower clock must be a treatment other than a “clock”; review of Planning Board of this treatment is required.
- This approval is made with the further condition that this approval is for plans and other submitted documents "Site Plan Documents" that have been signed by the Planning Board Chairperson and the applicant and requires that all of the work shown be completed by the applicant in order for a Certificate of Occupancy or Compliance to be issued. Any proposed changes, additions or deletions to the scope of work or materials from the Site Plan documents are NOT approved and are subject to further Site Plan Review pursuant to Town of DeWitt Code Section 192-122.

The motion was approved unanimously.

The Chairperson thanked the town, neighbors, and applicant for all they have done to assist in getting this project to an end point.

**NCL Group – PB-674-23**  
**Subdivision**  
**5972-5974 Court Street**  
**Tax Map #: 031.-02-02.0**  
**(10 Minutes)**

Patrick Culligan was present for the applicant by Zoom. There was discussion about the lot lines and the access points for the lot. Applicant will ask his surveyor to make modifications to the map.

The matter was tabled.

**Canalway Commons – PB-571-21**  
**Site Plan/Subdivision**  
**5761 Celi Drive**  
**Tax Map #: multiple**  
**(35 Minutes)**

Rob Seeley was present for applicant and presented some of the site plan changes including building discussion regarding primary front yard, which is the issue at hand.

In discussions of primary front yard, Mr. Arena noted there's still work with DOT to do re: traffic intersection on Bridge Street and Celi Drive. He noted the pulling of the building toward the street frontage, as it is developed toward Celi Drive. He opined, therefore, that Celi Drive appears to be the primary street. He opined further that a primary artery road (Bridge Street) should not be considered the front. It is his opinion that the public side, pedestrian access, is not Bridge.

Significant discussion ensued regarding the legislation, its purpose as well as precedent.

Rob Seeley presented that the applicant considered Bridge Street as the main front, and expressed reasoning.

The proposed resolution was discussed among the Board members, including all matters affecting a finding of "primary" front yard and modifications made thereto. This finding will be specific to this building/project.

Mr. Webber made a motion, seconded by Ms. Kotz to pass the following resolution:

Town of DeWitt Planning Board finding of Primary Front Yard pursuant to Town Code Section 192-72.

The Town Board recently passed legislation being Section 192-72, which now allows the Planning Board to determine where there are multiple "front" yards on a site, as defined by the Town Code, which of the multiple front yards may be considered "primary". The intended result is that a "front" yard drive through, which would otherwise be prohibited, may now be permitted in the non-primary front yard.

The project presented has, as defined in the Town Code, a "front yard" on Bridge Street and Celi Drive. While the project also appears to face Erie Boulevard, Erie Boulevard is a side yard due to there being a small intervening state-owned parcel between Erie Boulevard and the project site.

It is important to note in making the findings herein, this Board has worked with this applicant over many months' time to present a plan that is appropriate for the neighborhood, meets Zoning Code and Design Guidelines; presents an appropriate architectural facade for the property and circulates traffic in a way that will be appropriate for the site and safe for the traveling public. In addition to the Code prohibiting same, this Board did not encourage the drive-through activity to "face" Bridge Street due to aesthetic and site circulation reasons.



The Planning Board analysis of the project in light of Section 192-72 is as follows:

*The Planning Board will determine which of the multiple front yards on the site is the “primary” front yard of the site by considering the following:*

*1. The potential flow of traffic around the site and access to the street(s)*

This Board has worked with this applicant over many months’ time to present a plan that is appropriate for the neighborhood, meets code and design guidelines; presents an appropriate architectural facade for the property and circulates traffic in a way that will be appropriate for the site and safe for the travelling public. The views of the traffic, parking and circulation from Erie Boulevard, Bridge Street and Celi Dr. have all been considered in the development of this site plan. It is important to note that, intentionally, the primary “drive-thru” activities which include ordering and paying for food as well as the menu boards are all on the side yard. Only the pick-up portion of the drive-through activity is located on the Celi Dr. side of the property. The flow of internal traffic in this regard supports that Erie Boulevard is the more primary front yard.

*2. The orientation of other buildings in the area which may have frontage on the street(s)*

Celi Dr. is a very lightly traveled street; it being used primarily to serve the few businesses that face on it and not a generally traveled street. Bridge Street, on the other hand, is a widely traveled through-street in the Town. A multitude of large and small businesses have their businesses and the buildings facing Bridge Street, with a driveway cut. Certainly, this applicant would prefer access to such a widely traveled, however, no road cut access from Bridge Street would be permitted by the DOT due to this project being at a major intersection and safety would not allow same.

*3. The street(s) from which the front of the building is most visible to the public*

This Board finds that Bridge Street is most certainly a primary street in the Town, particularly as compared to Celi Drive, which is, at best, a tertiary street with minimal vehicular traffic. With respect to this project in particular, the view to the traveling public to the project is most prominent from Bridge Street and Erie Boulevard.

*4. Primary site access and circulation*

While the site is accessed from Celi Dr. As previously stated, the project “appears” to be at the corner Bridge Street and Erie Boulevard; with Celi Dr. being akin to a private road serving the few businesses thereon. The traffic “circulation” that faces Celi Dr. with respect to the proposed fast-food use is limited to, in essence, an exit lane of traffic for personal delivery (as opposed to window delivery) of the food purchase. The primary site circulation occurs on the Bridge Street and Erie Boulevard sides of the site. The front door of the building faces Bridge Street. The “operations” of the building are on the Celi Drive side. Celi Drive is a one-way in part.

In enacting this legislation, the Town Board recognized the certain parcels with more than one technical front yard should not be burdened by the prohibition of front yard drive-throughs where the sites may be able to appropriately accommodate a front yard drive-through. This Board agrees when considering the criterion laid out in 192-172, that this is such a parcel wherein the site is appropriate to accommodate a drive-through in the non-primary front yard.

**This Board finds that the Primary front yard for purposes of Section 192-72 and this project is Bridge Street, and specifically as to this proposed building only, and that Celi Dr. is not the primary front yard. Accordingly, a drive-through is not prohibited on Celi Dr.**

Per 192-72, when the ZBA considers the Specific Use Permit in connection with the drive-through on Celi Dr., for this particular project; this Board recommends that the drive-through activity permitted on Celi Drive not include menu boards or speakers so as be “appropriate for the particular lot and location” per Section 192-123. None are proposed and that is suitable.

The motion carried with 6 members voting in favor and 1, Mr. Arena, voting against the motion.

**O'Reilly – PB-676-23  
Site Plan  
3160 Erie Boulevard  
Tax Map #: 044.-06-06.1  
(10 Minutes)**

Aga Bachelder and Alex Sanchez were present for the applicant. This is a reuse of existing Naturetime. No repairs; parts only. This will be a leased building. The only changes to the building would be door/windows in kind – no other changes to architecture. The applicant was advised that the parking and circulation change in the front would not be permitted.

Accordingly, if that is removed, the only issue is the location of the generator and that will be in the back. The applicant needs to return only for approval of that one issue. Parking is not reconfigured or site plan in any way. The Board recommends the applicant work with the Codes Office to obtain the approvals, except the generator, which will be presented to Board.

The matter was tabled.

**Little Jaws Big Smiles – PB-675-22**

**Site Plan**

**4605 East Genesee Street**

**Tax Map #: 062.-05-29.1**

**(10 Minutes)**

Craig Polhemus, Zausmer Frisch and Chris Freeman were present for the applicant. Applicant recently purchased the building. The addition is proposed and the parking is less than it was, but still Code compliant.

The building architectural in the front (facing Genesee) are acceptable and building is handsome, per Board. The landscaping is going to be cleaned up. The color palate of shingles and siding were shown, as well as the materials, which will be vinyl. Applicant wants to be respective of the residential neighbors.

Comments will be delivered. Applicant may be coming to a work session for further review.

The matter was tabled.

**Cryomech Phase II – PB-645-22**

**Banked Parking**

**6682 Moore Road**

**Tax Map #: 022.-05-19.0**

**(10 Minutes)**

Christian Freeman was present for the applicant. There was discussion regarding the recommendation and the 40 space reserve parking.

There was discussion regarding the purpose of the request. Mr. Webber made a motion, seconded by Mr. Kallquist, as follows:

The applicant has requested a variance to allow it to put certain of the required parking in

Reserve specifically 40 spaces. This Board does not have the authority, per the Code to allow for reserve parking in the high tech zone. However, a variance to allow the reserve is within the sole discretion of the ZBA.

This Board has worked on site plan issues with this applicant over many years time.

And, in fact a recent site plan approval allowed for an easement to the off-site proposed parking currently shown on the site plan. The processes as explained by the applicant in the past and number of employees required to work in the facility, may ultimately require the parking number, which Code requires. However, applicant has presented evidence that same will not be required in the foreseeable future. So, reserve is warranted and the saving of cost and resultant greenspace from not building out parking is desirable. There would still be 251 number of spaces.

Therefore, this Board recommends that the ZBA grant the parking to be put in reserve as shown on the plan; with the requirement that should there be a showing that parking will be required for functionality of the site, that it must be built out. However, this Board does not recommend that a variance be granted to reduce the required parking permanently.

The motion was approved unanimously.

**Crossbow Park – PB-633-22 and 664-22  
Subdivision and Site Plan  
6808 Crossbow Park Drive  
Tax Map #: 018.-01-05.2  
(20 Minutes)**

Mr. Mueller recused himself from the discussion and vote. Christian Freeman was present for the applicant and provided an overview of the project again. Also answers to the comments just given by Mark Parrish and Doug Miller in conjunction with Planning Board today were addressed including discussion of the storm water treatment.

Mr. Webber made a motion, seconded by Ms. Kotz, as follows:

**Findings:**

This Board has reviewed the Site Plan last dated March 23, 2023, as well as the Subdivision Plan last dated March 20, 2023. Additionally, the Planning Board has reviewed the OCPB referral of 8/17/2022 on the Site Plan which offered comments, but no modifications and the OCPB referral of 1/11/2023 on the Subdivision application, which noted no significant adverse inter-community or county-wide implications.

With respect to the site Plan, this Board has been through a significant review process with the applicant to achieve a site plan appropriate and reasonable for these industrial zoned parcels of land, with same being in conformance with the Town zoning ordinance. The Board has reviewed the architectural elements of this proposal and finds same satisfactory for approval. The engineering and site plan elements have been reviewed and applicant has made the modifications as required by the by the Planning Board engineer, with some additional minor modifications to the engineering comments being under final review.

The subdivision is a simple subdivision under the Town Code and the Board finds that no additional lots are created, rather just movement of lot lines. Lot 1A per the subdivision map now includes a small triangular parcel of land which is owned by the Town of DeWitt. This town-owned parcel was

subject to public referendum in order to be sold the applicant for this project, so public input was obtained through that process. Further, the Town has consented to this subdivision as a final Contract has been entered into with the Town for purchase of this parcel.

### **SEQRA**

The EAFs submitted by the applicant on both Site Plan and subdivision have been reviewed, these being unlisted actions for SEQRA. This Board particularly notes that any environmental impacts required per Part 2 SEQRA are small or none. Rather particularly, the reconfiguration of the road and accesses is an improvement to the area and surrounding parcels. Specifically, and with respect to the turnaround easement shown on the plan, the filed easement dated January 14, 1988 as well as the subdivision map filed December 7, 1987 has been reviewed and this Board determines the easement is satisfactory to protect the Towns interests whereas, although the turnaround is labeled “temporary” until the road is extended on the map, there is no end date in the written document. Such an extension remains something that could occur. The easement runs with the land, and the applicant will make any required improvements to the turnaround to assure appropriate access for emergency and/or other vehicular traffic.

Accordingly, this Board issues a negative SEQRA declaration for this project and this Board finds no significant adverse environmental impacts from the Project.

### **Approval/Conditions:**

The Site Plan and Subdivision Plan as noted above are approved with the following conditions:

1. The applicant must grant an easement to the Town for sewer over the triangular parcel to be abandoned. 1Simultaneously with the filing of the subdivision map, the applicant must file a written easement in favor of the Town of DeWitt regarding the easement and it must be shown on the subdivision plan. The written easement must be reviewed and approved by the attorney for the Town of Dewitt Planning Board prior to filing and a copy of the filed easement must be filed with the Town of DeWitt Department of Planning and Zoning.
2. The Subdivision and Site Plan approval are subject to the actual transfer of title of the triangular parcel from the Town to the applicant and any conditions of the Town in connection with the transfer.
3. This project requires a reciprocal cross access easement between two parcels on the site, which is noted on the Site plan and Subdivision.

Simultaneously with the filing of the subdivision map, the applicant must file a written Declaration of Easement relative to this easement, which must be reviewed and approved by the attorney for the Town of DeWitt Planning Board prior to filing and a copy of the filed easement must be filed with the Town of DeWitt Department of Planning and Zoning.

4. 1The Applicant must file the subdivision map in the Onondaga County Clerk's Office in accordance with the rules of Onondaga County and provide a copy of the stamped filed map with the Town of DeWitt Department of Planning and Zoning.
5. The 1 filing of the subdivision map and the easements as set forth above are conditions of Site Plan approval.
6. Lot 3C on the subdivision map contains a pre-existing non-conforming "residential" use which may remain, but must otherwise be treated with the non-conforming use section of the Town zoning code.
7. The location of and size of signs on the parcel are approved as being in conformance with the Town Code. Colors and other matters within the purview of the Town on signs shall be approved administratively, provided same are in conformance with the Code.
8. The Site Plan is subject to final engineering review and approval of Mark Parrish, Ramboll, relative to the additional details provided to the Town on March 22<sup>nd</sup> and the comment letter provided by the Town Planning Board Engineer. Applicant must address any modifications as may be required by Planning Board Engineer and add same to the plan, after which the final plan may be stamped and signed by the Planning Board Chairperson.
9. This approval is made with the further condition that this approval is for plans and other submitted documents "Site Plan Documents" that have been signed by the Planning Board Chairperson and the applicant and requires that all of the work shown be completed by the applicant in order for a Certificate of Occupancy or Compliance to be issued. Any proposed changes, additions or deletions to the scope of work or materials from the Site Plan documents are NOT approved and are subject to further Site Plan Review pursuant to Town of DeWitt Code Section 192-122.

The motion carried with 6 members voting in favor and 1, Mr. Mueller, abstaining.

**6620 Fly Road Subdivision (Upstate Medical) – PB-667-23**  
**Subdivision and Site Plan**  
**6620 Fly Road**  
**Tax Map #: 029.-02-27.1**  
**(2 Minutes)**

Mr. Webber made a motion, seconded by Mr. Arena to call for a Public Hearing on this project.

The motion was approved unanimously.

Mr. Mueller made a motion, seconded by Mr. Kallquist to adjourn meeting and the meeting adjourned at 9:15 p.m.

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Jamie L. Sutphen, Secretary

- ii) Lot Size: 3.87 acres. This includes all of the existing 6808 Crossbow Drive, 57.39% of 6822 Crossbow Drive, and Lot 10 - 0.16 acres being acquired from the Town of Dewitt.
- iii) Site is vacant land. Intended use is a warehouse distribution building for Wallace Supply, LLC dba JSWG Supply, LLC.
- iv) Intentionally Blank
- v) Contract buyer for the property is JWP ECSI, LLC. It will be assigned to 6808 Crossbow Drive, LLC upon receipt of all necessary approvals including OCIDA projects incentives and an agreement for project financing.

H) Wallace Supply, LLC dba JSWG Supply, LLC currently leases space on Canal Street in the City of Syracuse. This facility does not have the land or structure to accommodate Wallace Supply, LLC dba JSWG Supply, LLC requirements. They have searched the market, including the City of Syracuse, for a new facility and City of Syracuse does not have facility options to meet the requirement.





# OFFICE OF THE MAYOR

MAYOR BEN WALSH

May 5, 2023

Mr. Robert Petrovich, Executive Director  
Onondaga County Industrial Development Agency  
335 Montgomery Street, 2<sup>nd</sup> Floor  
Syracuse, NY 13202

RE: Johnstone Supply OCIDA Application

Dear Mr. Petrovich,

I am writing to express my support on behalf of the City of Syracuse for the pending project before the Onondaga County Industrial Development Agency (OCIDA) for the relocation and expansion of Johnstone Supply. The project involves relocation from leased space within Syracuse to three parcels of land on Crossbow Drive located in the Town of DeWitt in order to construct and develop a new facility campus.

I am aware that Johnstone Supply and the Wallace Group have been working with commercial real estate brokers in order to identify vacant land or existing facilities that would be conducive for their needs but struggled to find a property within city limits. I recognize the marketplace is currently challenging for this type of warehouse space, especially modern warehouse space. Understanding the need for this in order to facilitate the retention and expansion of Johnstone Supply within Onondaga County and the Central New York Region, space and the commitment to expand their workforce, I am supportive of the request before OCIDA for the project on Crossbow Drive in the Town of Dewitt for tax abatements including sales tax, mortgage recording tax, and property tax exemptions through a PILOT.

Please contact my office at 315-448-8005 if you have any questions.

Sincerely,

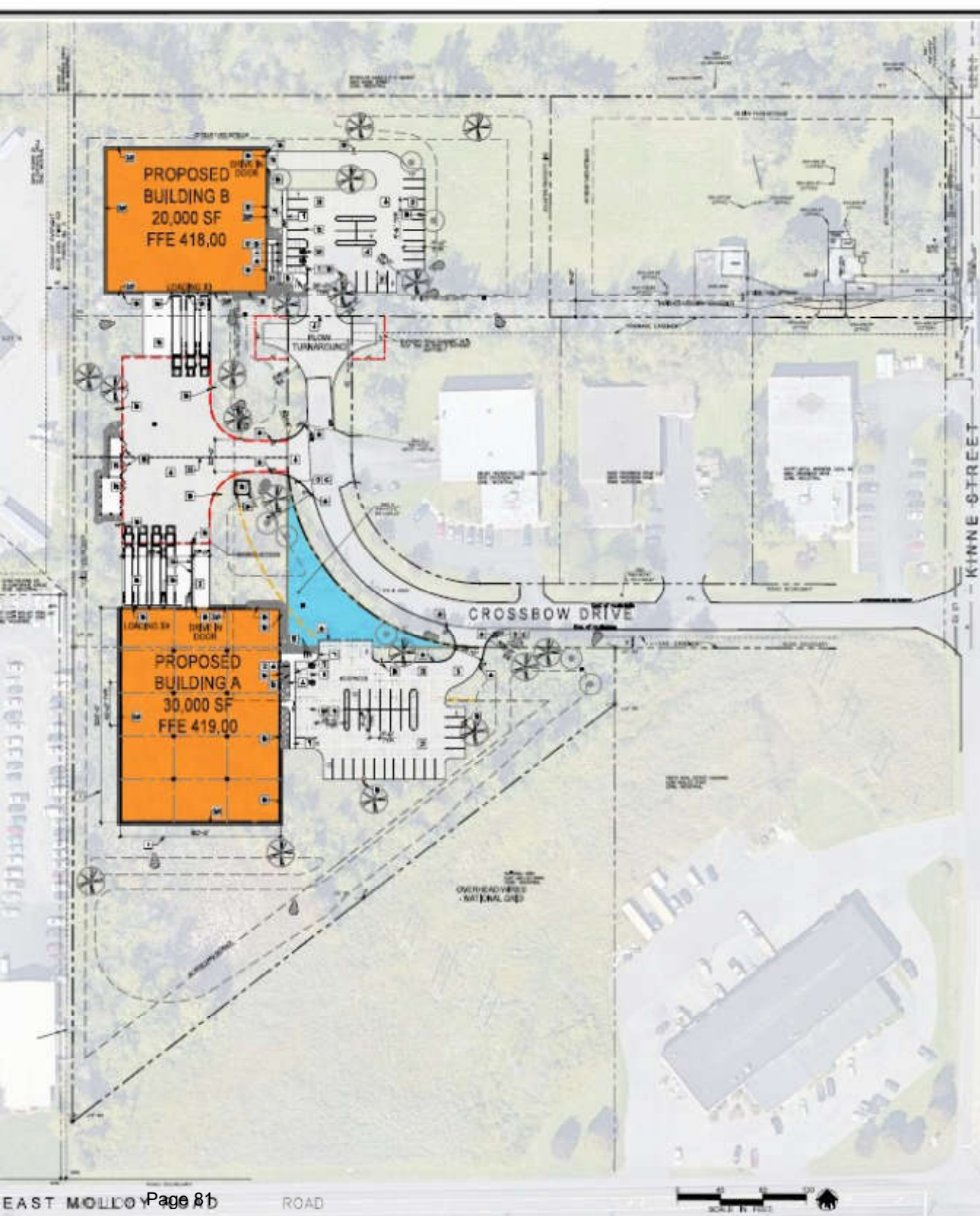
Ben Walsh  
Mayor



Office of the Mayor  
233 E. Washington St.  
201 City Hall  
Syracuse, N.Y. 13202

Office 315 448 8005  
Fax 315 448 8067

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SIGN SCHEDULE			
KEY	MARK PLATE	MARK SIZE	MINIMUM LOT AREA
A		NO PARKING ANY TIME	1/4 ACRE
B		NO PARKING	1/4 ACRE
C		STOP	1/4 ACRE
NOTES:			
1. ALL SIGNS SHALL BE PLACED TO THE RIGHT OF THE ROAD.			
LAYOUT CONSTRUCTION NOTES			
1. DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO BUILDING.			
2. INSTALL PERMANENT MARKING AND PAINTING TO THE RIGHT OF THE ROAD.			
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# CROSSBOW PARK

## CROSSBOW DRIVE

Page 8b

ROAD

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ARCHITECTURE  
ENGINEERING  
CONSTRUCTION  
DEVELOPMENT

May 24, 2023

Mr. Bob Petrovich  
Executive Director  
Onondaga County Industrial Development Agency  
335 Montgomery Street, 2nd Floor  
Syracuse, NY 13202

**Re: OCIDA Board meeting – June 8<sup>th</sup> / Cryomech**

Dear Bob:

I write to you in advance of participating in the June 8th OCIDA meeting on behalf of our Cryomech project.

As we discussed at the December 2022 meeting, we are coming back to the OCIDA Board to provide you and the board with a six-month update on the project. In addition, as you know, the sales tax exemption OCIDA has granted had a shorter than normal duration due to the two-part closing. We respectfully request an extension of sales tax benefits through to the end of the project, which is planned for October 2024. We are on-track with the real property purchase and expect to be ready for "final" OCIDA closing this fall.

Sincerely,

Vincent Raymond  
Vice President of Client Relations



May 23, 2023

Onondaga County Industrial Development Agency  
333 West Washington Street  
Syracuse, New York 13202

**Re: Onondaga County Industrial Development Agency  
Southworth-Milton, Inc. d/b/a Milton CAT  
IDA Project Number: 3101-20-22B**

Ladies and Gentlemen:

As you know, the Onondaga County Industrial Development Agency (the "Agency") granted various incentive to Southworth-Milton, Inc. d/b/a Milton CAT (the "Company") on June 1, 2021 pursuant to the above Project. Specifically, the Agency provided exemptions from certain sales and use taxes on eligible material purchases in an amount up to \$1,040,000.00.

The Company broke ground on the Project and is in the final stages of construction. As with any other projects around the country, this Project has faced a significant increase in construction costs, labor costs and lead times. More specifically, the cost of materials has risen by as much as 30% from the Company's original projections from the winter of 2020 and the spring of 2021.

Through the end of calendar year, the Company has expended \$10,320,097.23 in material costs and has been benefitted from state and local sales and use tax exemption in the amount of \$825,607.67. However, based on the anticipated costs of the remaining

**Corporate**  
100 Quarry Drive  
Milford MA 01757  
508.634.3400

84 Concord Street  
North Reading, MA 01864  
978.276.2400

One Cat Lane, Rt. 2  
Richmond, VT 05477  
802.434.4228

14 Kendrick Road Rt. 28  
Wareham, MA 02571  
508.291.1200

500 Commerce Drive  
Clifton Park, NY 12065  
518.877.8000

2158 Plainfield Pike  
Cranston, RI 02920  
401.946.6350

294 Ainsley Drive  
Syracuse, NY 13210  
315.476.9981

30 Industrial Drive  
Londonderry, NH 03053  
603.665.4500

4610 E. Sable Drive  
Batavia, NY 14020  
585.815.6200

79 Robertson Boulevard  
Brewer, ME 04412  
207.989.1890

55 Industrial Park Drive  
Binghamton, NY 13904  
607.772.6500

16 Pleasant Hill Road  
Scarborough, ME 04074  
207.883.9586

400 Wheeler Street  
Tonawanda, NY 14150  
716.799.1320

materials to be acquired, the Company anticipates that it will require additional state and local sales and use tax exemption totaling approximately \$415,000.00. In sum, material costs would generate the potential for additional state and local sales and use tax exemption in the approximate amount of \$200,000.00 over the original amount of \$1,040,000.00 approved for the Project.

Therefore, we would request the Agency increase the exemptions from certain sales and use taxes on eligible material purchases for the Project from \$1,040,000.00 to \$1,240,000.00

We thank the Agency for its consideration and its continuing support of the Project. Please do not hesitate to contact me with any questions at 608-634-5830.

Sincerely,

Southworth-Milton, Inc. d/b/a Milton CAT

By: 

Bradlee T. Farrin

Corporate Facilities Manager

**Corporate**

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