

**CAMILLUS MILLS REDEVELOPMENT COMPANY, INC. &
CAMILLUS MILLS PHASE II, LLC**

**SEQRA RESOLUTION
(3101-21-08A)**

A regular meeting of the Onondaga County Industrial Development Agency was convened in public session, remotely by conference call or similar service pursuant to New York State Executive Order 202.105 on May 11, 2021, at 8:00 a.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT: Patrick Hogan
Janice Herzog
Victor Ianno
Susan Stanczyk
Kevin Ryan
Fanny Villarreal

ABSENT: Steve Morgan

ALSO PRESENT: Robert M. Petrovich, Executive Director
Jeffrey W. Davis, Esq., Agency Counsel
Amanda M. Fitzgerald, Esq., Agency Counsel

The following resolution was offered by Janice Herzog, seconded by Victor Ianno, to wit:

**RESOLUTION DETERMINING THAT A CERTAIN PROJECT WILL
NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE
ENVIRONMENT PURSUANT TO THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT**

WHEREAS, Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

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

WHEREAS, pursuant to an application (the “Application”) submitted to the Agency by Camillus Mills Phase II, LLC (the “Operating Company”) and Camillus Mills Redevelopment Company, Inc. on behalf of themselves and/or entities formed or to be formed on behalf of the foregoing, the Operating Company and the Real Estate Holding Company requested that the Agency undertake a project (the “Project”) for the benefit of the Operating Company, the Real Estate Holding Company and/or entities formed or to be formed on behalf of the foregoing consisting of the following: (A)(1) the acquisition of a leasehold interest in an approximately 1.97 acre parcel of land located at 52 Genesee Street (tax map no. 002.-01-02.1) in the Village of Camillus, Onondaga County, New York; (2) the construction on the Land of an approximately 60,500 square foot building, consisting of approximately fifty-eight (58) market rate apartments, and approximately 6,500 square feet of commercial/retail space, approximately ninety-seven (97) parking spaces and related amenities (the “Facility”); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Facility Equipment”) (the Land, the Facility and the Facility Equipment being collectively referred to as the “Company Project Facility”) such Company Project Facility to be leased and subleased by the Agency to the Real Estate Holding Company and further subleased by the Real Estate holding Company to the Operating Company; and (4) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively the “Equipment” and together with the Company Project Facility, the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real estate transfer taxes and mortgage recording taxes (subject to certain statutory limitations) (the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Company Project Facility to the Real Estate Holding Company or such other person as may be designated by the Real Estate Holding Company and agreed upon by the Agency and the lease (with an obligation to purchase) or sale of the Equipment to the Operating Company or such other person as may be designated by the Operating Company and agreed upon by the Agency; and

WHEREAS, the Company has requested that the Agency enter into a payment in lieu of tax agreement (the “Proposed PILOT Agreement”) with respect to the Project Facility; and

WHEREAS, pursuant to SEQRA, the Agency is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQRA) to be taken by the Agency and the approval of the Project and grant of Financial Assistance constitute such an action; and

WHEREAS, to aid the Agency in determining whether the Project may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form (the “EAF”), a copy of which is on file in the office of the Agency and is readily accessible to the public; and

WHEREAS, the Village of Camillus Board of Trustees (“Village Board”) previously classified the Project as a Type I action under SEQRA and declared its intent to act as lead agency for the purpose of conducting a coordinated environmental review of the Project; and

WHEREAS, after conducting a thorough review of the Project and its potential effects, the Village Board determined that the Project would not result in any significant adverse environmental impacts and issued a negative declaration for the Project on April 19, 2021; and

WHEREAS, the Agency’s involvement in the Project was not contemplated when the Village Board performed the coordinated SEQRA review and issued the negative declaration for the Project; and

WHEREAS, had the Agency’s involvement been known at the time the Village Board declared its intent to act as lead agency for the coordinated review of the Project, the Agency would have, as an involved agency, consented to the lead agency designation by the Village Board and been bound by the negative declaration that was issued for the Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

(1) Based upon an examination of the EAF prepared by the Company, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency’s knowledge of the area surrounding the Project Facility, all the representations made by the Company in connection with the Project, and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(a) The Project consists of the components described above in the third WHEREAS clause of this resolution;

(b) The Project constitutes a “Type I” action (as said quoted term is defined in SEQRA);

(c) The Agency, in recognition of the fact that it would have been an involved agency and consented to the Village Board’s lead agency status, hereby reaffirms, accepts, and adopts the negative declaration that was issued by the Village Board for the Project, attached hereto as Exhibit “A”, which shall be filed in the office of the Agency in a file that is readily accessible to the public;

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Patrick Hogan	X		
Janice Herzog	X		
Victor Ianno	X		
Steve Morgan			X
Susan Stanczyk	X		
Kevin Ryan	X		
Fanny Villarreal	X		

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) ss.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 11, 2021, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matter therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting, (B) said meeting was in all respects duly held, (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), as modified by New York State Executive Order 202.105, said meeting was open to the general public and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law, and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of May, 2021.

(SEAL)

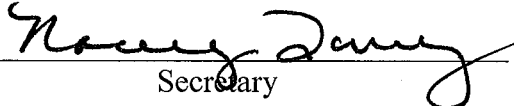

Secretary

Exhibit A

**VILLAGE OF CAMILLUS BOARD OF TRUSTEES
SEQRA RESOLUTION REGARDING CAMILLUS MILLS
PHASE II AND III DEVELOPMENT**

WHEREAS, on March 15, 2021, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), the Village of Camillus Board of Trustees (“Village Board”) announced its intent to serve as lead agency with respect to applications submitted on behalf of Camillus Mills Redevelopment Company and Camillus Mills Phase II, LLC (collectively the “Applicant”) with regards to the completion of proposed Phases II and III of the ongoing Camillus Mills redevelopment project to be located at 52 Genesee Street (Tax Map No. 002.-01-02.1) (the “Parcel”) together with site, parking, utility, and lighting improvements sufficient to accommodate a 60,500± square foot three-story mixed use Phase II building containing 58 residential apartments and several commercial spaces, along with an approximately 6,484± square foot two-story Phase III mixed use or fully commercial building (collectively, the “Project”); and

WHEREAS, the Village Board, which also serves as the de facto Village Planning Board pursuant to Village of Camillus Zoning Law §110-8, has determined that the Project is a Type I action as defined under SEQRA and its implementing regulations 6 NYCRR Part 617 (collectively “the SEQRA Regulations”); and

WHEREAS, on March 18, 2021, the Village Board notified all potentially involved and interested agencies of its intention to act as lead agency for the Project’s environmental review and circulated the Project’s Full Environmental Assessment Form (“FEAF”), Part 1 together with relevant Project application materials; and

WHEREAS, no other agency asserted legal authority or jurisdiction to serve as lead agency for the Project; and

WHEREAS, the Village Board convened and continued properly noticed and held public hearings in the Village of Camillus municipal building located at 37 Main Street, Village of Camillus, New York, on April 19, 2021, during which public hearing(s) the Village Board elicited input and evidence from members of the public, the Applicant, and other involved or interested parties on the Project’s development and construction plans, site design plans, operational plans, and application materials, with a focus upon potential impacts upon the environment and community; and

WHEREAS, official notice of the April 19, 2021 meeting and public hearing was advertised in the Syracuse Post Standard newspaper for the requisite period of time under

NYS Village Law and Village of Camillus Zoning Law prior to said meetings and public hearings; and

WHEREAS, the Village Board has carefully and fully considered the environmental record prepared for this action, including but not limited to all application materials submitted, together with any comments received from the public and involved or interested agencies; and

WHEREAS, the SEQRA Regulations provide that for a Type 1 action “the lead agency making a determination of significance must: (1) consider the action as defined in sections 617.2(b) and 617.3(g) of [the SEQRA Regulations]; (2) review the FEAF Part 1, the criteria [for determining significance contained in the SEQRA Regulations] and any other supporting information to identify the relevant areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation”; and

WHEREAS, the SEQRA Regulations also provide that to determine whether a proposed Type 1 action “may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in [section 617.7(c)(1) of the SEQRA regulations]”; and

WHEREAS, after reviewing and completing FEAF Parts 1, and 2, and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1) of the SEQRA Regulations and analyzing the relevant areas of environmental concern, the Planning Board has determined that the Project will not create any significant-adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Camillus hereby determines that the Project will not have a significant adverse effect upon the environment such that an environmental impact statement will not be prepared, for the reasons set forth in the Applicant’s January 28, 2021 SEQRA submission(s) as were amended by Applicant’s March 8th submissions, and the Village Board’s Determination of Significance shall be reflected upon the FEAF Part III, and that a negative declaration is hereby issued pursuant to SEQRA.

IT IS FURTHER RESOLVED, that this Resolution will be filed as required by the SEQRA Regulations and shall be readily accessible to the public and made available upon request, subject only to the limitations established by the NYS Freedom of Information Law.

IT IS FURTHER RESOLVED, that the Village Mayor is authorized to sign the FEAF and file all necessary documents with the appropriate departments and agencies as required by the SEQRA Regulations.

