

**PEREGRINE HOLDINGS LLC
(PSL OF FAYETTEVILLE LLC & FAYETTEVILLE MC OWNER LLC)**

**SEQRA RESOLUTION
(3101-22-09A)**

A regular meeting of the Onondaga County Industrial Development Agency (the "Agency") was convened in public session on December 20, 2022, at 8:00 a.m., local time, at 335 Montgomery Street, 2nd Floor, Syracuse, New York.

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
Steve Morgan
Susan Stanczyk
Fanny Villarreal

ABSENT: Kevin Ryan
Victor Ianno

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

The following resolution was offered by Janice Herzog, seconded by Steve Morgan, to wit:

**RESOLUTION OF THE ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY DETERMINING THAT A CERTAIN
PROJECT FOR PSL OF FAYETTEVILLE LLC AND
FAYETTEVILLE MC OWNER LLC 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 Peregrine Holdings LLC (the "Applicant"), on behalf of itself and/or entities formed or to be formed on its behalf, requested that the Agency undertake a project (the "Project") and subsequently notified the Agency that such Project would be undertaken with the entities formed on its behalf being PSL of Fayetteville LLC (the "Operating Company") and Fayetteville MC Owner LLC (the "Real Estate Holding Company"), such Project for the benefit of the Operating Company and the Real Estate Holding Company consisting of the following: (A)(1) the acquisition of a leasehold interest in an approximately 3.85 acre parcel of land located at 3965 Medical Center Drive (tax map no. 086.-01-03.7) in the Town of Manlius, Onondaga County, New York (the "Land"); (2) the construction on the Land of a single-story building totaling approximately 37,000 square feet and consisting of approximately sixty-four (64) units and ancillary interior and exterior amenities, including parking (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"), which Project Facility will be used by the Operating Company as an assisted senior living residence with memory care services for persons with Alzheimer's disease and other memory-related health concerns; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property 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 or the Operating 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 or the Real Estate Holding Company and agreed upon by the Agency; and

WHEREAS, the Applicant 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 Applicant 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 Town of Manlius Planning Board (the "Planning Board") previously 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 Planning Board determined that the Project would not result in any significant adverse environmental impacts and issued a negative declaration for the Project on October 24, 2022; and

WHEREAS, the Agency's involvement in the Project was not contemplated when the Planning 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 Planning 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 Planning Board and been bound by the negative declaration that was issued for the Project;

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

Section 1. Based upon an examination of the EAF prepared by the Applicant, 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 Applicant, the Real Estate Holding Company and the Operating 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 an "Unlisted" 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 Planning Board's lead agency status, hereby reaffirms, accepts, and adopts the negative declaration that was issued by the Planning 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;

Section 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 December 20, 2022, 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"), 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 21 day of December, 2022.

(SEAL)



Secretary

Exhibit A

Project: _____

Date: _____

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

ORIGINAL

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Marlins Planning Board
Name of Lead Agency

10-24-22

Date

Joseph Lupia
Print or Type Name of Responsible Officer in Lead Agency

Chairman
Title of Responsible Officer

Joseph A. Lupia
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ORIGINAL

Member Beecher made a motion, seconded by Member Salamone and carried unanimously to open the Public Hearing at 6:42PM.

Hearing nothing from the public, Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to close the Public Hearing at 6:43PM.

The Board asked the Applicant what the size of the congregation is and how many weddings the location has. Mr. Zahn said 40-50 people and they hold maybe 1 wedding every 3 years. And they do not plan to rent the church out to any other church.

Member Poltenson made a motion, seconded by Member Beecher and carried unanimously to approve the Site Plan Amendment for Syracuse Chinese Christian Church, based on the map prepared by RSA Architects, titled Overall Site Plan and dated 03-03-22 with revision dates of 10-07-22 and 10-21-22, project number 2118, such approval shall be contingent on the Planning Board attorney reviewing the easement across the neighbors property from NYS Route 5 to the site.

Time: 6:54PM - Peregrine Development, LLC – 217 Montgomery St, Syracuse, NY 13202 - Public Hearing – Site Plan and Special Use Permit - Peregrine Assisted Living Center – Medical Center Drive, Fayetteville, NY 13066 - Tax Map # 086.-01-03.7

Rod Ives was present and spoke on behalf of the application.

Member Beecher made a motion, seconded by Member Rossetti and carried unanimously to waive the reading of the Public Hearing notice.

Member Beecher made a motion, seconded by Member Salamone and called unanimously to declare the Planning Board Lead Agency for SEQR.

Attorney Frateschi summarized the project as a _37,300 sq. ft. building situated on a 3.85-acre parcel that is on an RA property in close proximity to a medical center and a large adult housing facility. He reviewed the 11 questions in Part 2 of the EAF with the Board and the Board agreed unanimously that the action would have no, or a small impact on the environment because the size of the building on the lot provides enough room to manage traffic and drainage, the neighboring uses fit within the proposed use of this project and Medical Center Drive has the capacity to accommodate the uses proposed by the applicant.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Chairman Lupia stated that the Board has heard from the Onondaga County Planning Board regarding this project and they encourage the Applicant to add pedestrian access by providing additional sidewalks, crosswalks and such to adjacent parcels.

Member Salamone made a motion, seconded by Member Theobald and carried unanimously to open the Public Hearing at 6:59PM.

1. Robert Janovsky – 159 Avriel Drive – is opposed to the project; is concerned about traffic issues.

Hearing nothing more from the public, Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to close the Public Hearing at 7:02PM.

Conversation ensued regarding the sidewalk on the property. Mr. Ives said the sidewalk is on Peregrine's property and will be maintained by them. The Board asked Mr. Ives to extend the existing sidewalk on the western edge of the property.

Member Theobald made a motion, seconded by Member Kelly and carried unanimously to approve the Site Plan for Peregrine Development LLC, dated 08-25-22 with a revision date of 10-13-22, project #22-2099; the package includes the following pages:

1. Title Sheet C-1
2. General Notes C-2
3. Survey/Existing Conditions C-3
4. Site Preparations Plan C-4
5. Neighborhood Plan C-5
6. Layout Plan C-6
7. Offsite Improvement Plan C-6.1
8. Grading and Drainage Plan C-7
9. Detailed Grading Plans (1" = 10' scale) C-7.01 to C7.04
10. Erosion and Sediment Control Plan C-8
11. Utility Plan C-9
12. Landscaping Plan C-10

The following conditions were also placed on the Site Plan Approval:

1. The SWPPP has to be approved by the Planning Board Engineer
2. Extend the sidewalk to the western edge of the property
3. Remove the 2 free-standing monument signs from the plans
4. re-date the maps for tonight's Planning Board Meeting.

Attorney Frateschi read the Special Permit Criteria questions. Will the project have an adverse effect on adjacent lands, the immediate neighborhood or on the character of the community is the ultimate question.

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion? The Board said yes
2. Is the community protected from unnecessary noise, lighting and odors? The Board said yes.
3. Does this plan protect the community from inappropriate design and other

- matters of significance? The Board said yes.
4. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes.
 5. Can any adverse impact be mitigated with compliance with reasonable conditions? And are there any conditions? The Board said no.
 6. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Member Beecher made a motion, seconded by Member Rossetti and carried unanimously to approve the Special Use Permit for Peregrine Development, LLC for a period of 7 years, set to expire on October 24, 2029.

Time: 7:24PM - A&E & SNY Center – Suite 38, 5781 Bridge Str, E Syracuse 13057
Discussion - Site Plan – Med Spa – Behind Resort Lifestyles
Tax Map # 086.-01-03.9

Rod Ives was present and spoke on behalf of the Application.

Chairman Lupia asked Mr. Ives about the SWPPP. Mr. Ives stated that it has not been updated as of yet but it was part of the Zone Change Application.

Conversation ensued regarding the size of the building and the use of the space labeled “future.”

Chairman Lupia and Member Beecher asked if the stone dust sidewalk could be paved. It would compliment the building so much better. Mr. Ives indicated that he would check with his client. The Planning Board indicated a strong desire for the stone dust sidewalk to be paved as part of the site plan approval.

Chairman Lupia asked Engineer Miller if, from an Engineering standpoint, is the Board ready to schedule a Public Hearing? Engineer Miller said there are still a couple of things needed but is comfortable with the Board setting a date for the Public Hearing.

Member Beecher made a motion seconded by Member Rossetti and carried unanimously to hold a Public Hearing on November 28, 2022, at approximately 6:35PM.

Time: 7:41PM - Twin Shores Properties, LLC – 1333 13th Str, E. Moline, IL 61244
2nd Presentation – Twin Shores – Fietta Properties – North Burdick Street
Tax Map #'s 086.-02-02.1, 086.-02-03.0, 086.-02-04.1, 086.-02-05.1, 086.-02-05.3 and 086.-02-06.1

Tom Cerio and Joe Durand were present and spoke on behalf of the application. Mr. Cerio stated that they are only speaking about the Commercial part of the project. He also stated that the existing houses will be coming down that are situated on this lot. They would like to create 7 lots for the entire property, 5 of them are for the CA Zone