

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

SEQRA FINDINGS RESOLUTION

October 8, 2013

At a regular meeting of the Onondaga County Industrial Development Agency convened in public session on October 8, 2013 at 8:00 a.m. at 333 West Washington Street, Suite 130, Syracuse, New York, the following members were:

PRESENT:

Donna DeSiato
Dan Queri
Mike Allen
Lisa Dell
Victor Ianno
Janice Herzog

ABSENT:

Jessica Crawford

ALSO PRESENT:

Mary Beth Primo, Executive Director
Anthony P. Rivizzigno, Esq., Agency Counsel

Upon motion duly made and seconded, the following resolution was duly adopted by the Agency with its members voting as follows:

Aye

Nay

Donna DeSiato
Dan Queri
Mike Allen
Lisa Dell
Victor Ianno
Janice Herzog

RESOLUTION
ADOPTING A SEQRA FINDINGS STATEMENT FOR
THE CLAY BUSINESS PARK PROJECT

WHEREAS, the Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by 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 1970 Laws of New York, and Chapter 676 of the 1975 Laws 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 industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, educational or cultural facilities, railroad facilities, horse racing facilities and continuing care retirement communities, among others, for the purpose of promoting, attracting, encouraging and developing recreation, and 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 and to improve their recreation opportunities, 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, improve, maintain, equip or furnish one or more "projects" (as defined in the Act); or to cause said projects to be acquired, constructed, reconstructed, improved, maintained, equipped or furnished; to sell, convey, mortgage, lease, pledge, exchange or otherwise dispose of said projects; to acquire by purchase, grant, lease, gift, pursuant to the provisions of the eminent domain procedure law, or otherwise and to use, real property or rights or easements therein necessary for its corporate purposes in compliance with the local zoning and planning regulations; and to sell, convey, mortgage, lease, pledge, exchange or otherwise dispose of any such property in such manner as the Agency shall determine; and

WHEREAS, the Agency seeks to develop the Clay Business Park (also known as White Pine Commerce Park) to accommodate office, research, light manufacturing and/or warehousing or other industrial uses; and

WHEREAS, the Clay Business Park project site is located at the northeastern corner of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay; the site covers an area of approximately 339 acres and is owned by and under the control of the Agency; an existing rail line crosses the northwestern portion of the site which is served by public and private infrastructure including electric, natural gas, public water, fiber optic cable and broadband communications; and

WHEREAS, the Agency is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et. seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, undertaking the Project is an Action as defined by SEQRA; and

WHEREAS, the Agency is the Lead Agency for environmental review of the Clay Business Park Project; and

WHEREAS, the Agency has determined that the Action is a Type I Action, as that term is defined in the Regulations, and that coordinated environmental review is required under SEQRA; and

WHEREAS, the Agency has undertaken and completed a coordinated environmental review with the SEQRA Involved Agencies; and

WHEREAS, the Agency determined that the Project may result in one or more significant adverse impacts to the environment; and

WHEREAS, the Agency prepared a Draft Generic Environmental Impact Statement (DGEIS) for the Project; and

WHEREAS, the Agency previously determined that the DGEIS is complete and adequate for public review; and

WHEREAS, upon notice in a newspaper of general circulation in Onondaga County, public comments on the Project and the DGEIS were received by the Agency at public hearing in the Town of Clay, held on October 16, 2012; and

WHEREAS, written comments on the Project and the DGEIS were received by the Agency during the public comment period from August 28, 2012 to October 29, 2012; and

WHEREAS, in consideration of and in response to the comments received, the Agency prepared a Final Generic Environmental Impact Statement (FGEIS); and

WHEREAS, the Agency reviewed and considered the FGEIS and on September 10, 2013, deemed it to be complete; and

WHEREAS, a reasonable time period, not less than 10 calendar days, has elapsed since the FGEIS was deemed to be complete, affording Involved Agencies and the public time in which to consider the FGEIS; and

WHEREAS, the Agency, in accord with the Regulations, has prepared a SEQA Findings Statement for the Project; and

WHEREAS, the Findings Statement:

1. Considers the relevant environmental impacts, facts and conclusions disclosed in the FGEIS; and

2. Weighs and balances relevant environmental impacts with social, economic and other considerations; and
3. Provides a rationale for the Agency's decision; and
4. Certifies that the requirements of the Regulations have been met; and
5. Certifies that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

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

1. The Agency hereby approves and adopts the SEQRA Findings Statement for the Clay Business Park.
2. The Agency shall file the Findings Statement with:
 - a. The Chief Executive Officer of the Town of Clay;
 - b. All Involved Agencies;
 - c. Any person who has requested a copy; and
 - d. The Agency's records regarding the Project.
3. This resolution shall take effect immediately.

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

I, the undersigned, Executive Director 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 October 8, 2013 with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such Resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of the meeting; (B) the meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the Open Meetings Law), such 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 9 day of Oct, 2013.



MARY BETH PRIMO, Executive Director