

TC Syracuse Development Associates, LLC

Public Hearing
October 22, 2019

The Public Hearing of the Onondaga County Industrial Development Agency, held on this day, Tuesday, October 22, 2019 at the Town Hall, Town of Geddes, 1000 Woods Road, Solway, New York was called to order at 10:03 a.m. by Public Hearing Officer Genevieve Suits.

ATTENDEES:

Genevieve Suits, Public Hearing Officer
Robert Petrovich
Nate Stevens
Jeff Davis
Damian Ulatowski
Mitch Latimer, Carpenters Local 277
Loretta Constantineau
Robert Constantineau
Michael Plumb, Jr.
Hal Henty
Kevin J. Meaker
Barry Gordon
Barb Gordon
George Ball
Dave Morrell
Dan Garrow
Kim Garrow
Libbie Messina
Vince Messina
Darlyn Frase
Mark LaLoma

Dave Hewitt
Pat Sentoff
Bruce Sentoff
Mark Path
A Dibla
Mary Kuhn
Lizbeth Herrick
Craig Herrick
David Thomas
Sue Hammond
Tom Magnoruk
John Smith, WAER News
Shantelle Willow WAER News
Judy Rios
Kay Cloud
John Dien
Elain Klocek
Rae Kramer
Barbara Laws

The Public Hearing was conducted regarding the application and project described as follows:

TC Syracuse Development Associates, LLC Enter into a straight lease transaction for a project consisting of the construction of an approximately 3,783,000 sq. ft. state of the art warehouse/distribution facility.

Location: 7211 & 7219 Morgan Road
Town of Clay

NOTICE IS HEREBY GIVEN that a public hearing, pursuant to Article 18-A of the New York State General Municipal Law, will be held by the Onondaga County Industrial Development Agency (the "Agency") on Tuesday October 22, 2019 at 10:00 AM, local time, at the Town Hall, Town of Clay, 4401 Route 31, Clay, New York, in connection with the following matters:

TC Syracuse Development Associates, LLC., (the "Applicant"), has requested that the Agency enter into a straight lease transaction for a project consisting of the construction of an approximately 3,783,000 sq. ft. state-of-the-art warehouse/distribution facility, located at 7211 & 7219 Morgan Road in the Town of Clay (the "Project"). The Project will be initially operated and/or managed by the Applicant. TC Syracuse Development Associates, LLC. is requesting approximately \$20,000,000 in sales tax, \$1,687,500 in mortgage recording tax and \$49,084,564 in property tax exemptions.

The Agency contemplates that it will acquire an interest in the Project by accepting title to or leasehold interest in the Project and leasing the Project to the Applicant pursuant to a lease or installment sale agreement. The financial assistance to be provided will be exemptions from state and local sales taxes, mortgage recording tax and a Payment in Lieu of Tax Agreement consistent with the policies of the Agency.

A representative of the Agency will be at the above-stated time and place to hear and accept written comments from all persons with views in favor of or opposed to the proposed financial assistance to the Applicant or the location or nature of the Project.

A copy of the Applicant's application including a cost/benefit analysis is available at the office of the Agency for review by interested persons.

(A question was asked to repeat the square footage of the project. Public Hearing Officer Suits stated 3,780,000.)

Public Hearing Officer Suits asked if anyone had any comments in favor of the proposed project. There were none.

Public Hearing Officer Suits then asked if anyone wanted to speak in opposition to the proposed project.

Darlyn Mass: Good morning I am Darlyn Mass. I live on Morgan Road. One of the small parcels that was noted on the meeting of September 30 and my concerns are several. One is environmental. I am concerned with the fumes from tractor trailers. 20 to 25 an hour going by our house. We live about on the corner of Liverpool bypass and Morgan Road so I am concerned with environmental effects of all the fumes that will be coming into our home. I am concerned with water issues. There are draining issues. We have had drainage issues. We have a couple of properties, homes on the property, and we often have flooding in the basement so I am concerned with environmental issues. I know that we have, I am not really that knowledgeable about Saw Mill Creek but I know that we have plans for stone basins to take water overflow when this project comes into existence. I have heard some concerns about Wetzel Road handling waste management and I consider that a concern. My parents have lived in this house for about 60 years. My father has Alzheimer's so there are personal concerns with his well-being. If we move the environmental change will be very difficult for him to manage. He is already confused. No one has approached us regarding purchasing this small plot on the corner of Liverpool bypass and Morgan Road so I am concerned financially for my parents and my family regarding what the value of our home will be once the traffic on Morgan Road is increased considerably. I am concerned with getting in and out of the driveway from our home

on Morgan Road. These are some of my concerns. Those are my major concerns: Traffic, water issues, fumes. I know that we are looking at sound management. I would like to also express a concern to the people who live on the Sheridan Circle; they will also be largely affected by the noise and by the increased traffic and the fumes. I don't know what the environmental investigations at this point. I don't know if DEC is involved. I have spoken with somebody with the DEC so these are the issues I am concerned with. Thank you for listening.

Barry Gordon: My name is Barry Gordon and my spouse Barbara is here with me. We lived in Onondaga County since 1969. We lived in the house we live in in the Town of Lysander since 1976. I am concerned, we are concerned and other people we know about the literally monstrous scale of this thing. And I could go on with forever with a list of specific questions but two in particular are we are told that this will bring in more revenue than a golf course would bring in. My question is what about the cost of services of this in terms of roads, police and everything else relative to the golf course. The other major concern, again it is one of many concerns I have, is why are we not being told who it is, who is going to be occupying this. Is it known who is going to be occupying this? Why is this kept a secret from us when we the people of Onondaga County are in effect being asked to give a big gift and for instance if it is, the rumor of course is that it is Amazon/Whole Foods or something like that, and if it is that organization, we are going to be giving a nice gift to the world's richest man when we have all sorts of needs right here in terms of roads and schools and just keep going. Thank you.

Lyzbeth Herrick: Hi, my name is Lyzbeth Herrick. I have been a resident here for many many years. I live in Fairway East and I have many concerns about this project. It seems that we are looking at tax exemption of over \$60,000,000 for a scope of a project that is mammoth and it would benefit perhaps one of wealthiest men in the world. Why are we doing this? What will it bring to our community, to our city, to our county? Will it benefit us in the long run and I think we need to look at all of these questions and we need to take the time to do this. It seems that a project of this scope with an impact of health on our citizens and our students, our children, we are not giving it the time. Is there an environmental impact study? Have we been in touch with SUNY ESF, with DEC? Have we heard the impact of 100's of tractor trailers and cars added to this community? We all know that diesel fumes are far more toxic than gasoline fumes. Where are the studies, the impact of adding that 100's of tractor trailers to our roads and the fumes that we will have to consume? What will it do to the health of our citizens and our children? There are schools in the Liverpool Village; there are schools on Morgan Road and on Wetzel Road. How will it impact them? In addition, how will it impact the other services, our sewage treatment services? We already have a problem with fines we have to pay as tax payers for the runoff that we can't deal with. What is going to happen to the runoff? We are putting in 1,000,000 square foot of a building and hard surface impervious parking lot. That runoff will be huge and it will be toxic and where will it go and how will it be treated? How will we provide the 11,000,000 gallons of water annually that the facility is going to use. Who is going to pay for the upgrades and the maintenance for the roads, electrical services, the communication services? How are we going to pay for that? Apparently we are going to have to pay for that since we are giving them such a huge tax break. How are we going to support the people that work there? Will there be unions? Will get they get health care? Will they get retirement? I think this is an opportunity for us as a community to be part of the environmental statement that we wish for our children that we are supposed to be putting in place for our children. What gain is there for cutting down hundreds of trees and paving over thousands of acres of green area? Isn't that the opposite of what we have been taught all these years about think globally and act locally? Isn't it

time for us to say what are we really doing for the future of our community, for our children, for its citizens. I think we need to take a long, hard look at this project and evaluate it carefully and speak out, all of us in opposition. Thank you.

Vince Messina: My name is Vince Messina. I live in Bayberry along with my bride. I want to thank you for making some of the comments that I intended to make. I had been at several meetings and during which one individual stated that the amount of money that will be coming from the payment in lieu of taxes is game changer for the school district and I agree this project is a game changer. What I have here is an article, one of many that have been published equating elevated levels of CO2 to increased incidents of Alzheimer's. The amount of CO2 produced by the trucks that will be coming and going, as has been suggested by others, is the game changer. And for those of us that have dealt with family members that have Alzheimer's we know how difficult that game is. This is an article that is one of many online, that I won't read the whole thing, but this is an article online that discusses the impact of Amazon warehouses in other communities. I'll just read the conclusion although I like the article and am happy to share. In general we do not find any evidence that the warehousing employment gains the county experiences and if you are an Amazon fulfillment center opens translate into economically meaningful increases in the total number of jobs in the overall private sector. As I said, I have been to several meetings and I have made some of these comments already to OCIDA so they recorded them so I am not going to go through everything I have here but I will say this, this building not being held to LEED certified which is certainly not in keeping with the recently passed New York State Climate Leadership and Community Protection Act. This project should use some type of renewable energy. It should have a green room. Let's look at progress. It is not building buildings and employing people at minimum wage or near minimum wage, but is learning from the mistakes of the past. The developer proposal states that the parking area will be an inverted surface as we have already heard. This is not in keeping with the County's Save the Rain program. Standards for Save the Rain suggest that you use an impervious surface so that water does not run off into the homes of neighboring, into Saw Mill Creek which ultimately runs into Onondaga Lake. 25 trucks per hour or so, cars in the 100's every day, there is going to be runoff especially in the spring when there is snow melt, that runoff is going to end up in the creek, ultimately in Onondaga Lake that we have been spending years and millions to clean up. County Water Department experts have recommended that this project be treated as a new development, not redevelopment. The golf course is 70 years old which predates modern codes and standards for development. The nature of this project is not a redevelopment, it is a totally new face and a significantly different outcome would be. This is important given the amount of water, 11,000,000 gallons. She is correct it is over 11,000,000 gallons per year. Now we certainly have the benefit of having a lot of fresh water in Central New York but that water ultimately is going to end up in our waste treatment system. Even if the developer builds its onsite waste treatment as has been suggested, that water still has to go someplace, into a system that is already overwhelmed. Wetzel Road was just upgraded, now is it upgraded to manage this, this amount of water? If it was upgraded in a matter that would have handled this amount of water, how do they know that it would have this amount of water? I want to address the lack of transparency. There was a notice in today's paper about this meeting. Today's paper. Why wasn't it in Sunday's paper? Why don't we know the name? Why are we giving tax breaks? There are many inconsistencies in the environment impact studies. You are not aware perhaps that they are all available from the Town of Clay website. There are a lot of documents pertaining to this project. None of the traffic studies mention anything about school buses on Morgan Road. They don't mention BOCES. They don't seem to care or at least take

into consideration the school bus traffic and the students that would be impacted. I want to talk briefly about some of the inconsistencies in some of those impact studies. Environmental Impact Study Section C.2 says do any comprehensive plans include the site, the answer is yes and it goes on to say if yes, does the comprehensive plan include specific rights and recommendations, the answer is no. I don't see how that can be comprehensive. Section D.1-H, does the proposed action include the construction of pond reservoir, etc. Answer, no. That is followed by D.2-E stating that storm water runoff will be redirected on site by retention basins. Another inconsistency. Section E.2-M there is potential for project noise to occasionally exceed existing sound. Continuing on it states no negative acoustical impact is anticipated. How can we trust that statement when they have already said they are going to be building sound retention barriers around the site to mitigate some of that noise. Section E.1-C is the site used for public recreation. The answer, no. It's a public golf course. Section E.1-O are there any endangered species. Within 2 miles of there are species of bats that are endangered. Bats are important for controlling mosquito population. We have significant issues with mosquito borne illnesses. The CO2 and the noise will certainly drive those away and further exacerbate already difficult situations for many of us with health issues. All of this is from the study by the developer. Such studies are known to favor a developer. No decision should be made until an independent study has been completed and presented for public comment. Carrier came and went, GE came and went. What happens to this building when it's empty? Will the developer at least be willing to create an account that would pay for future development or demolition or removal? There are, as many as us have said, too many issues with this project that can't be ignored and I would hope that OCIDA presses the developer to resolve these issues. Had this thing been scheduled to be built over by the train tracks in East Syracuse, over by 34A where there aren't significant numbers of residents, where there is better public transportation, where there is better access to interstate highway system for instance, I never would have looked this up but given the environmental impact, given the health impact, I ask that you not pursue this until these issues are satisfactorily resolved.

Kay Cloud: Hi my name is Kay Cloud and I just moved here a year ago from Southern California to get away from the bad air and the busy traffic and have a quality life and this has been lovely here and it is extremely disturbing to see that something of this magnitude would be coming in like this at a cost to the community of an enormous amount of money and being rammed through in no time whatsoever. Little comment, little input, no (applause – unintelligible) about the community and I can't see how a small commission, if I am understanding what is going on here, a small group of 10 or 12 people can make a commitment that enormous without having the community behind it. And I just got exposed to this issue and started doing a little reading and I read the minutes from the previous meeting and the developer is being questioned and they ask, will there be local contractors used to construct this and the developer says yeah sure except for well ya know maybe when we actually bid everything out most people wouldn't be able to do it fast enough so they get a chance to bid on it but there are no guarantee that we will do local people. That is just an example of, I think, this is just being rammed through without the community's input and the community's commitment to it.

Mary Kuhn: Hi my name is Mary Kuhn and I want to echo exactly what you were talking about. The fast track nature of this with very little public input I think is wrong. I think the fact that we had so little notice about this. It is at 10:00 am when people are working. This should be a public notice. This should be happening after work hours. It is clear there are a lot of issues here. The lack of transparency is stunning to me with a project of this size. The amount of

money. The disruption of the community. We are assured that we have 1,000 jobs at \$30,000 a year. I was told by one of the OCIDA members that it will have excellent benefits. How do we know this if we can't be told who it is? I am concerned too about the use of local labor if we were to build. For 1,000 jobs with a 15 year PILOT, probably with a warehouse that is going to be automated, do we have a guarantee that those 1,000 jobs will remain for the 15 years of the PILOT. What happens if there isn't a business? It seems that they are building it speculatively. What happens if we don't have a business? There are too many questions and too little time. The idea of fast track for the Town of Clay to change zoning and Onondaga County. I live in DeWitt and I think the issues that the natives here have raised are critically important but the tax breaks impact our entire region and we need transparency. Lack of transparency is just horrific to me. The environmental issues. Any building needs to be considered green building. We don't know anything about that and the lack...we have a tunnel study done by a tunnel company and now we have had a feasibility study done by a developer. There are too many questions for this project to move forward at a rapid pace. Thank you.

Sue Hammond: Hi my name is Sue Hammond and I live in North Syracuse in the Town of Clay. I lived here for I can't remember; my parents moved here in 1949 so the area has been in my family for longer than a lot of people have been alive here. The first thing when you opened and you stated all these figures lickety split in terms of the number of tax exemptions that they are asking for. It boggles my mind and then you said that all of this stuff would be available in the office for review. Well here is my problem, I, luckily the town, the town is much more cooperative. I have filed the information form with OCIDA to get a copy of the environmental studies. As I understand, they are supposed to be the lead agency and the other day I received the answer and it says we will do our best to review any records identified as responsive to your request and notify you of the availability of such records within 40 or more business days due to the high volume FOIL requests currently pending and the procedures required to respond. Luckily our town board was considerably more open because when I went up to them and asked them for a copy of the study basically I got within a few days. I was able to go over and review it, sit down and review it, look it over and see what ever copies I wanted but as part of transparency where OCIDA's concerned I am wondering, (inaudible) print out of all these tax exemptions, how long is it going to take for that to be made available. Do you know? By the time they make this available the project will wham bam thank you ma'am lickety split. So in terms of transparency with this project I think that is a grave issue. The other issues is in terms, other people have already expressed who is going to be doing this. I mean I can't believe that nobody knows. I mean do these development associates who said they are building it on spec. On spec for who? How many companies, how many companies want a \$3,000,000 five story warehouse. I mean seriously. I was told that they mumbled at the other town open meeting. Well, well, well, we really don't know who it is. We may have two or three interested parties. OK even if there are other interested parties other than Amazon, obviously they are very very large companies who make a lot of money. So the question again going back to this, what do they need all these tax breaks for and from the statements that were stated in the beginning it sounds like the amount of tax exemptions in total between the recording tax and blah blah and property tax and blah blah blah blah, are going to considerably exceed any increase in tax revenue we are going to be getting. Basically this is a loss. This is a lowest of tax. This is not a gain. There are 3 parts and the first has to be completed by the applicant which is I guess whatever the heck their name is, TC Associates but Part 2 has to be filled out by the lead agency which I have been told is OCIDA. So Part 2 is supposed to be filled out with regard to answers provided by the developer in Part 1. So we have impact on land. I'm serious people have to read

this because it is fascinating. Impact on land says will the proposed action involve construction under physical observation of, blah, blah, blah, blah and it says yes. OK that's a good answer but then on D it says the proposed action may involve excavation and removal of more than 1,000 tons of natural material. OK, then apparently the answer to that is no or small impact may occur. This raises an entire issue with a lot of these issues where they say no or small impact. Small impact. Who defines small? Seriously what is the definition of small? I mean small to these guys may be pretty large to a bunch of the rest of us, OK, who, actually live in the area. So I mean I found that absolutely fascinating. The proposed action may involve construction that continues for more than a year. And they had to say moderate to large impact. I mean come on they just said right in their Part 1. Then we go to impacts and service water and it says the proposed action may affect one or more wetlands or other service water bodies, streams, rivers, ponds or lakes. Now to this they checked no. No. Now if it's no, then why do they need to apply for a plan for a storm water permit? There is going to be no impact. Then somebody else addressed the issue of a pond. The proposed action they created a new water body. Well after the answer no above to the main menu they don't even have to answer all of the rest of these little questions. They didn't address that here. Proposed action you are creating a new water body. Well the above thing said no in general but again what about the pond. I mean they have got a pond in there. And then it says the proposed action may involve construction within or adjoining a fresh water or title wetland or in the basin of the water of the other body. Again there is no little check in the box because they checked above and yet they have said in permit process that they are going to need permits from the DEC for fresh water impact and for wetlands apparently. Here again we got this no or no answer. Proposed action cause soil erosion otherwise create a source of storm water drainage that may lead to siltation or other degradation of receiving water bodies. Again because they pressed a little bit they didn't even answer this here. They didn't even answer. Again why do they need these permits from the DEC? Impacts on flooding. This is interesting, technically speaking because it says the proposed action may result in development on land subject to flooding and they answer no. Now maybe you're not a flood plain but the subject of flooding, we have already heard from testimony from people that in fact there are seasonal flooding areas there. But they said no so that means they don't have to answer all these other questions among which says the proposed action may result, or require modification of existing drainage patterns. Again there is no answer here but obviously it is going to change existing drainage paths because otherwise why do they need to build these two additional culverts into your creek and also additional culvert along the wetlands. Not only that but if you look at the information in Part 1 they talk about impermeable surfaces, impermeable land on which this project is going to be developed. They talk about right now there is only a certain number of acres of impermeable surfaces. Now but after the project, according to my calculations the amount of impermeable surface is going to increase by about 9 times. Of course it is going to change its existing drainage pattern. Again here we go with this aside with Part 2 it really doesn't reflect the information that even the developer provided. Then number 6 impacts on air they also checked may include a state regulated air emission source. Now again technically speaking, it may not require a state regulated emission source, on the dotted line here. However they said no, and then there are a whole bunch of action questions here that they didn't have to answer. For example if it requires a federal and state emission permit, well ok maybe it doesn't, I am not going to check into that but then it says the proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutant but again they didn't answer that so we have no idea, no idea how much of the designated air pollutants are going to be emitted from this project. There is no estimation at all and if you look at Part 1 as people have already pointed out, with all

these hundreds and hundreds of trucks not even just going back and forth across here but come on this is a warehouse and the purpose of the warehouse, with all of the parking spaces, is that you're going to have trucks parked there. They are going to be in and out. Are they diesel? Are they going to be turned off while they are being loaded and unloaded? Or are the diesel engines going to be left on for all this time. So again in a sense, technically speaking you don't have a stationery air emission problem according to the letter of the law but in fact what amounts to because of all the trucks, wind up with the equivalent of a stationery air emission. So technically speaking right, we don't need permits etc. but that is not really the issue is it? The real issue is is this going to increase the air emissions. Are these going to be electric trucks? I mean seriously. Impact on open space and recreation, well I think somebody has already addressed that. The proposed action may result in a loss of recreational opportunities or a reduction of an open space resources as designated in any adopted municipal open space plan. So maybe this isn't an official recreational open space but it is a public golf course so it is going to be a loss of recreational opportunities but OCIDA in the Part 2 answered no. Impact on critical environmental areas. You don't have one here unfortunately, which is something you guys might want to look into making some of these apply for a critical environmental area status for some of these important areas because that has implications in terms of development. Impact on transportation well they do answer yes. How can they not? It says projected traffic may exceed capacity of existing road network. These are sub questions you have to answer here and they say no or small impact may occur. I mean seriously. Seriously no or small impact. It says a proposed action will degrade existing transit access and they say no or small impact. And then down here it says the proposed action may alter the present pattern of movement of people or goods. And again they answer no or small impact. I mean seriously this is the agency proposing environmental impact on this area for the purposes of completing SEQR. Impact on energy they did say yes. The proposed action may require a new or an upgrade to an existing substation. Now they say no or small impact, well I don't know. Might it require an existing substation. I don't know the answer to that. Impact on noise, odor and light. The proposed action may result in an increase in noise, odor or outdoor light and they say yes. Well I mean, you got to say yes to that but then it says the proposed action may produce sound above noise levels established by local regulation and under that they say no or small impact. Now again which is it? What is a small impact? How do they know how much noise is going to be generated here? I mean there should be a way to figure it out, OK, but ya know small. What is the definition of small? The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center or nursing home and then they say no or small impact because they even say in here they may impact, they don't anticipate they having to blast but they might and if they do, they don't get the proper permits and store the plastic stuff safely and transport it safely. The proposed action may result in routine odors for more than one hour a day and they say no or small impact. I mean seriously, having no odors. This is a 24/7 operation. A little bit more than one hour a day. Now we got the proposed action may result in light shining onto adjoining properties and they say no or small impact. Now they are claiming they are using really great lighting so that it is going to shine down. OK, that is not going to shine in the neighborhood. The proposed action may result in lighting creating sky-glow brighter than existing area conditions and they say no or small impact. I mean I don't know I lived used to live in Schroepel before the law was put up and when I first moved up there on Pleasant Lake I could see the Milky Way which I hadn't seen in years. And as soon as the Great Northern Lights would which was considerably below, as soon as they turned on their lighting, ooops the Milky Way disappeared. So I don't know if you people can still see the Milky Way anymore. I know you could see it when you were kids but you can't see it anymore. Impact on human health. The

whole category they say no. So they didn't have to answer any of the rest of the stuff. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. But even in Part 1 they yes in fact there was a spill, it was quite some time ago but it was remediated and the DEC says its fine now. OK but they sort of kind of mention it here but not here in Part 2. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environmental and human health. Well they supposedly, I mean in place, well we can sort of drive by that one, who the heck knows what they are going to do. Then it says the proposed action may result in an increase in the rate of disposal or processing of solid waste. Well again, in the beginning they said no and yet it is very clear that they put in one hundred thousands of gallons, or how many tons a day that they are going to be taking off this site during construction or maybe even during operation but their answer is well, ya know that's OK because we are going to have a private contractor and that private contractor it is up to him. They are going to take it off the site, we don't know what they are going to do with it, that is not our problem but there is a bunch, but don't worry about it, it's a private contractor. Consistency with community plans. They said yes, well actually the wording is a little weird. It says consistency with community plans and the question is the proposed action is not consistent with adopted land use plans and they said yes which you how are you going to argue with an honest answer but I think what they mean is yes it is consistent. So now it says the proposed action's land use components may be different from or in sharp contrast to, current surrounding land use patterns and they say no or small impact may occur. The fact of the matter is right now you you've got, in your community plans and I have to assume it has to do with your master plan, right now this is zoned R Rec 1, Rec 1. And they want to change a Rec 1 designation to an I 1. Now I am sorry, it seems to me, maybe I'm getting old and have been breathing too much CO2, but it seems to me that a Rec 1 and an I 1 are kind of diametrically opposed here. So how can both of them be consistent, ya know, with community plans over the master plan? Then it says the proposed action will cause, the proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use patterns. They say no or small impact. Then what they are doing is saying right across the street is Raymour and Flanigan so this is just another warehouse but the fact of the matter is they identify that there are residential areas to the north and the south of this. Ok and they are plopping this huge industrial warehouse right in the middle of it. So I would question no or small impact. No or small impact on the small people that live around there. I mean I guess maybe if that is what small means. The proposed action will cause a permanent population of the city, town or village in which the project is located to grow by more than 3%. They say no or small impact. The fact of the matter is how much is a projection for the community to grow. I mean how many of these people are going to be working here or are going to move here and if they are not already here then they are from outside and that goes back to employment. Are we guaranteed that these 1,000 jobs are going to be for the people in Clay who are asked to approve this project. No, we have no idea who is going to those jobs. What kind of jobs are they going to be? OK, there are some office jobs but most of them are warehouse jobs which is interesting because when we get energy requirements, the substation is only another issue. Let's see what we are going to do is we are going to make our warehouse, assuming most of the people are working here, are going to be working, wherever they are from, who knows where they are from? It says additionally, the temperature inside the building will be controlled by use and occupancy in the office areas. The temperature will maintain at 70 degrees Fahrenheit in winter and 75 degrees in summer. So if you work in the office perfect but it says the temperature in the warehouse areas will be maintained at 60 degrees in the winter months and 85 degrees in the summer months. So you're so desperate for a

job that you are willing to work in a warehouse where it is going to be 85 degrees in the summer time. I kind of feel bad. It's probably going to save on their energy requirements so they can keep them below so they need to build a substation. I don't know this whole, I don't know how anybody, anybody, could give this proposal based on the information, even provided by the developer, a proposal a negative environmental dec. It boggles my mind. So at the very least because all of these questions that you folks want answered and haven't been answered and on the basis of this as far as I'm concerned, I don't know how to characterize it but I would just say inconsistent Part 2 with the information provided by the developer. At the very least it should be given a positive environmental declaration because what that means is then the developer would have to do a full environmental impact statement. And who ever does, whoever addresses this whether it is the town board, I certainly hope the determination isn't going to be left to OCIDA because very simply, in Part 3 how it is going to make the determination, the determination whether positive or neg, and see this is why this process is so important because if it gives it a neg dec basically then all of the rest of this is just going to flow. They all cross their t's and dot their i's and the developer will say, well look we did everything you told us to do so you can't just say no because you don't like it. OK. We can sue you. We can sue you, OK, for refusing to give us a permit for this. OK, because your decision is arbitrary and capricious. And arbitrary and capricious means, yeah we decided to listen to the people that live in the town. Even though by law you guys have done everything you are supposed to do, you know you crossed your t's and dotted your i's, you can't really, I'm telling you I really don't, this is unsaid and this is why the town board, OK, the town board and all the people who live here in this community I think are in an enormous amount of pressure to approve this thing. An enormous amount of pressure. If you see the advertisements from Mr. Ryan running for Onondaga County Executive in one of his TV ads. I saw it. Vote for Ryan, ya know, and up in the right hand corner it says brought 1,000 jobs for a warehouse in Clay. So he is running under county executive and its one of his TV ads. So in other words he has already assumed that this is a done deal. And getting back to this Part 3 where the Agency decides. It says considering both the magnitude and importance of each identified potential impact, I guess that was a little Freudian slip there, it is the conclusion of the Onondaga County Industrial Development Agency as lead agency that and they checked, I have a copy. I didn't print this, I have the copy, and it says this project will result in no significant adverse impact on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued. So OCIDA has already apparently indicated its willingness to issue a negative dec because they kind of assumed they could just kind of run this process through and so many people pointed out we didn't even know what the heck is going on. Here we are.

Jeff Davis: Excuse me. I would just like to comment on that. What you are reading from is a submission from the applicant. Part 2 and Part 3. That is not an OCIDA document. Sue Hammond: Well hang on a second. Jeff Davis: No, excuse me. What you are reading from is a submission by the applicant that was submitted with their application as recommended responses for consideration. OCIDA has not made a SEQR determination. They have not completed Part 2 nor have they completed Part 3. Sue Hammond: Well that is interesting because it says Part 1 is to be completed by the applicant. OK. Then it says Part 2 is to be completed by the lead agency so this copy...well if this wasn't completed by the lead agency why wasn't that information appended. Why didn't it say oh, PS we didn't do this. All of this stuff that I am reading from we didn't do this. Jeff Davis: We cannot control what is put on the Town of Clay website. If you go to the OCIDA website the Part 2 and Part 3 are not there as SEQR lead agency. Those were submitted by the applicant. We cannot control what the applicant submits.

What is on the OCIDA website is only the most recent version of the Part 1. Sue Hammond: OK so that raises another issue. Jeff Davis: I am not getting into any more questions back and forth. Sue Hammond: I didn't ask you a question to begin with sir. Jeff Davis: I am just letting you know what you are talking about is not the OCIDA determination. You made a statement that OCIDA had already made a SEQR determination so I needed to clarify. That is an incorrect statement. OCIDA has not made any SEQR determination. (someone in audience says thank you) Sue Hammond: I am just reading from these documents. That's all. Jeff Davis: I understand but your statement was that OCIDA had made a SEQR determination and completed Part 2 and Part 3 and that is just for the public that is here, that has not happened. OCIDA has not made any SEQR determination. Sue Hammond: What I said was, Part 3 in which the determination is decided whether positive or negative, it says Part 3 is to be filled out by the Agency. So I just had the document here that says Part 3 and it says considering both the magnitude and importance of each identified potential impact is the conclusion of the Onondaga County Industrial Development Agency as lead agency that a neg dec. So if this is false information again this is lack of transparency. Why hasn't this been pointed out. Ya know, I guess this is, you are kind of rushing this thing through here. As I said I didn't feel anybody could give this negative declaration. I really don't. It's just kind of laughable. So at the very least if they give a positive declaration that doesn't mean for all you people, anybody here, anybody in the town who wants this project, that doesn't mean they are rejecting the project. OK, all that is saying is there are a whole lot of significant questions that need to be answered that have not been answered, issues that have not been dealt with and we really do need a positive declaration and we need a full environmental impact statement that addresses substantively not just well no or small or we don't really know, substantively. A lot of these issues that have been raised here, we had two minutes at that prior meeting, public meeting with the town board, the planning board and OCIDA. Two minutes to stand up and this was at a time when we didn't even have any of this information. Ok so what could we stand up and say, duh well ya know I don't know, like jobs and maybe taxes but ya know umm but I don't really this big warehouse there. OK, I mean that's it and I'm sorry, I hate to tell you guys but a lot of cases, a lot of people saying, they don't like something is not sufficient, not really sufficient to allow a town board or a planning board to turn down a project because they could get their keister sued. OK if they followed all the proper procedures according to law. OK and that is how sometimes town boards and planning boards who really are in tune with the residents that they are supposed to represent. Over the kitchen table they would say I really don't like this thing and I really don't want it but according to law when we've gone through all procedures ya know we really need to OK the project because ya know they can sue us. If you wanna talk a multimillion dollar corporation who has offices, the engineering firm (inaudible) has offices all over the Country, in Dubai and Abu Dhabi and all that kind of stuff. I mean they have a fortune so does Amazon or any of these other big companies. They have a fortune and you really wanna think a town board, as great as it is here in town, can stand up to that sort of thing. So a lot of times what happens is developments get approved because the developer threatens to sue them if they don't. So as I said I really think this is the avenue in which, this is the tool that a town board or planning board can use, a legal tool they can use. They can say look, ya know, ya know, maybe we don't like this project but the reason we are refusing this project is because we have determined that it will have a significant environmental impact and furthermore, that impact outweighs any advantages that the developer proposes for this community.

Barry Gordon: Again Barry Gordon. My wife Barbara Gordon is here. For the residents of Clay I have to say Barbara had a very distinguished career at Liverpool High School but that is

irrelevant. I understand this is not a question and answer session but I would like to know, when I am in a situation like this who is in the room and those of us who have gotten up to speak have identified ourselves. Now I met Nate on the phone yesterday. Met him again today. You are. Genevieve Suits: Genevieve. Barry Gordon: The attorney's name again please. Jeff Davis: Jeff Davis. Barry Gordon: Anybody else representing either OCIDA or Trammel Crow in the room that would like to identify themselves. Robert Petrovich: I'm Robert Petrovich. I'm executive director of the IDA. Barry Gordon: Anybody else. I also suggest people Google Trammel Crow and don't just look at the first page but look beyond that.

Public Hearing Office Suits asked anyone else who has not made a comment yet.

Rae Kramer: My name is Rae Kramer and I only got here recently so I'm sorry if what I'm going to say is repetitious. I don't live in Clay. I live in the City of Syracuse and is the case with all major development projects, what affects one part of the county affects the whole county and I just have one question to pose, with a project the size that this is anticipated to be, how can there not be an environmental impact statement. It seems totally self-evident seeing the solar panels outside, was enormously encouraging and seems in the direct contradiction if there is any resistance or unwillingness to have the project in the light of day receive an environmental impact statement. Thank you.

Elaine Klocek: My name is Elaine Klocek. I live off of Morgan Road, Town of Clay. The trucks will be going by my area. They are talking about this huge warehouse. The warehouse themselves that are local you can have 4 guys work in a warehouse getting the stuff ready for 20 – 30 trucks. They are talking more trucks. The trucks run when they are loading and unloading. They don't turn them off. They leave them on. They are saying 1,000 jobs. I don't think there is going to be 1,000 jobs. The people driving the trucks are they counting them as jobs because those truck drivers will be coming from Ohio, Pennsylvania, someplace else. They will drive the truck. There is going to be trucks nonstop between airport and Morgan Road because the planes come in to drop off their stuff. UPS, whatever, planes they are all over there. Also they want a big tax break. I want a big tax break. I pay taxes on my house. My house, the taxes go up. They wanna come in and pay no tax for 25 years. Cool for them. Bad for me. They don't come up with 1,000 jobs, actual jobs with actual people from Onondaga County then they don't get a tax break. Their tax break should be written in. If you can't say job for janitor and custodian and warehouse workers, then these truck drivers and they have to be local and I don't mean a mailbox, I mean a real house. If they can't produce 1,000 jobs and have a plan for the 1,000 jobs, no tax breaks. My feeling is they shouldn't get a tax break, they are making money, on them. Thank you.

Pat Sentoff: My name is Pat Sentoff. I've lived in the Town of Clay for 35 years. This is my 40th year of teaching, part time now. So I am here to talk for the younger generation. They are not going to work in that warehouse. That warehouse is going to be robotized within a few years. I have a daughter who is an engineer. I have brothers and cousins who are engineers. That warehouse will be robotized. Even the trucks may be robotized and we will have a golf course that my daughter who went to Liverpool High School got to learn the game of golf, she was on the golf team and just as many guys were on the boys golf team and they played on that golf course every day because a community member owned that property and saw that as investment in the future. This warehouse once it's built you can't put it back. You can't put a genie back in a bottle and for the kids that go to BOCES across the street, who usually drive

because they are usually juniors and seniors, it is going to be a nightmare. For the kids who take the bus to Liverpool High School and Morgan Road School that are almost adjacent to that property, it is going to change their lives. When the kids go outside to have recess is going to be a lead filled air quality nightmare. So I am just here to talk to the next generation. Kids don't come back here. Not because of jobs, but because of other life quality issues that we have not in the Town of Clay been focusing on. Quality of life isn't just money, there is a lot more involved. Onondaga Lake Park is in town, it too is pretty close to this. You know when you are walking on the path at Onondaga Lake Park and the thruway traffic goes over your head, multiply that by 65 more trucks an hour. So and lead that is going in the air. Electric trucks would be a lovely thing but I don't see it happening and until it does this is not going to improve quality of life in Town of Clay. For us we are old, we can move, or our children, who are not old and they are not here they are in school because this meeting was at 10:00 in the morning. Participation in government class should be here sitting (Inaudible). Thank you.

Mary Kuhn: Again my name is Mary Kuhn. I don't want to continue, we have had wonderful information and it is not a question and answer and I understand that and I'm going to ask that same question other than what happens with all of this with and in Part 2 and Part 3 have really not been completed and the vote is October 31, how does this happen? And I really do want an answer to, we have old people here, like myself because it is 10:00 in the morning. Imagine if it was 6:00 pm and younger people were here. A lot of questions have been raised, nobody was here in support. Everybody is worried. What happens with our comments? I think that is a question that deserves an answer. Can you answer that question, what happens with all these comments? I know you said they get recorded and put in a book. How does it impact your decision making which seems to need to happen in 11 days and the lady that was quoting from something that said OCIDA, you said isn't OCIDA. How does those 2 key parts get completed, our concerns get articulated and how does it get included in the decision that is supposed to be made in 11 days? Jeff Davis: As I said at the beginning of the meeting, I will answer your questions, I will repeat what I said at the beginning of the meeting. All the comments that were from this public hearing, there was a prior public hearing also held on September 20, we have also received all written comments from and all comments were provided to the Town of Clay. Town of Clay has also provided to OCIDA, so any written comments you submitted have also been provided to OCIDA. OCIDA on its own website has an opportunity where people can submit comments. We have received all those. Those all go to the Board members as packets of information so that they are aware of all the comments that have been generated from the public on the project so that prior to determination by the Board and a vote, they have a full understanding as to what comments have been received by the public both for and against. There is a meeting scheduled for October 31, at which point the Board will consider and continue on the process of the application. At that point something will happen, what their vote is one way or the other, I don't know. It is up to the Board Members but all this information will come into that so they can be informed voters.

Mary Kuhn: And there will not be another opportunity to have an evening where more people who are working, working at school can participate? Jeff Davis: The Town of Clay has had their own meetings which happened in the evening. Mary Kuhn: I appreciate and this will impact the Town of Clay way more but the Town of Clay is in the County of Onondaga which is where I live and there is a lot of people that will be affected by this in a variety of ways. Certainly not as direct as the people who live right here, so I guess the answer is no other then. Is the Town of Clay meeting, people from outside the Town of Clay will have an opportunity to

Speak as well? Supervisor Ulatowski: It is a public hearing. Mary Kuhn: It is in the evening? Supervisor Ulatowski: It's in the evening. It's tomorrow night. Mary Kuhn: So, that is another opportunity. So, all of these things will be considered by OCIDA as they make the decision. I'm assuming the decision on the 31st is to decide whether to give the tax breaks or not. Is that the decision that gets made on the 31st? Jeff Davis: Potentially. That is what is on the agenda.

(Unsure who spoke): Is it within the purview of the Town's Board responsibilities to request a referendum of the town? The whole issue always is a very small group of people have been identified as the decision makers and what you are hearing today and at the prior meeting and what I imagine you would hear if there were another session in the evening, is resistance to the idea of encouraging this project. And seems to me that a referendum which could take place at the next election which is coming soon would be a way to gauge the support or lack of support of the people of Clay.

Public Hearing Officer Suits: Again let me reiterate, we are here just to listen not to answer questions. Are there any other comments?

Public Hearing Officer Suits then asked if anyone wanted to make any general comments about the proposed project.

Sue Hammond: Hi, Sue Hammond from Syracuse. A general comment again I want to direct on the general procedure. When is this then proceeded? In terms of information that has been provided by the relevant agency and the comment I would like to make is if OCIDA hasn't completed Part 2 and Part 3 then when OCIDA does complete Part 2 and Part 3, will that information be available in a timely fashion and will there be enough time for people to review the official Part 2 and Part 3 before the decision is made? I would just like to say I think that is certainly a reasonable ask of our transparent agencies.

Mary Kuhn: Mary Kuhn. I just think as a general comment with so many questions, I don't understand why at some point there isn't a requirement to answer those questions. With the State with the I81 thing, the State DOT is required by law to respond to all concerns, not every single question but to groups of questions that relate. There have been an enormous number of very important questions and my comment is why there isn't a responsibility and a requirement? Maybe we should get our County Executive to say there is a requirement to answer some of these questions.

Darlyn Frase: I'm Darlyn Frase and I just wonder in our community we have ESF, the Environmental School of Forestry and I wonder if they have taken any interest in this issue? I remember a month or so ago seeing them on TV saying something about students and looking for opportunities to explore and be involved and I wonder if ESF has been approached regarding Liverpool Golf Course and water and the environmental issue? And if they haven't, I don't know if anyone in this group knows of anyone on the ESF Board or whatever. If we could get some involvement quickly, we might be able to have a little more impact. In just speaking generally it seems like everything is moving very quickly and we do want to have money coming into our county but I'm sure there are other companies and other opportunities that can afford us some of those benefits.

Barry Gordon: Barry Gordon for the third time. If this has been answered I apologize I didn't hear. It is not a question, but I am wondering who has paid for the environmental impact statement of the environmental investigation that has been done so far? Has it been the proposed developer or has it been the Town, County, whoever? Again I can't ask a question but I think that is a relevant question to be asked.

Rae Kramer: The room is really enough that we ought to be able to do it from our seats. Rae Kramer. I just want to add again an observation that there is not universal enthusiasm for the whole concept of climates and tax breaks and to back to the Destiny situation, there are a number of people who are saying this was kind of a fast grab. To reflect on them a little, the developer is not doing anybody any favors and with those lost tax revenues we could within this in this room make a list of a hundred places that the money could be much much better used. Thank you.

Public Hearing Officer Suits asked if there were any other comments.

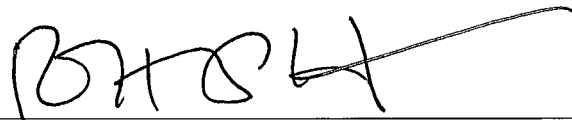
The Public Hearing Officer also noted written comments have been received as of October 22, 2019. Comments are kept on file and available for public viewing at 333 West Washington Street, Suite 130, Syracuse, New York.

The notice for Public Hearing has been read. The opportunity for comments for and against the proposed project has been noted. There being no further business, Public Hearing Officer Suits closed the hearing at 11:22 a.m.

Dated: October 22, 2019

ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By:

A handwritten signature in black ink, appearing to read 'R. M. Petrovich', written over a horizontal line.

Robert M. Petrovich, Executive Director