

MARION TOWNHOUSES, LLC

SEQRA RESOLUTION (3101-26-07A)

A regular meeting of the Onondaga County Industrial Development Agency (the "Agency") was convened in public session on September 10, 2026, at 8:30 a.m., local time, at 335 Montgomery Street, Floor 2M, Syracuse, New York.

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

PRESENT: Randy Wolken
Deka Eysaman
Michael Greene
Alan Marzullo
Sally Santangelo

ABSENT: Christina Hollenback
Mark Muthumbi

ALSO PRESENT: William J. Barlow Jr., Executive Director
Jeffrey W. Davis, Esq., Agency Counsel
Amanda M. Fitzgerald, Esq. Agency Counsel

The following resolution was offered by Michael Greene, seconded by Alan Marzullo, to wit:

RESOLUTION OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY DETERMINING THAT A CERTAIN PROJECT FOR MARION TOWNHOUSES, LLC WILL NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, 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, Marion Townhouses, LLC , a New York limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requests that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A)(1) acquisition of an interest in an approximately 2.96 acre parcel of land located at 1 Marion Gardens Terrace (tax map no. 031.8-01-17.2) in the Town of Van Buren, Onondaga County, New York (the "Land"); (2) the construction on the Land of approximately eight (8) market rate residential townhouse units and related parking; and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as 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 Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State, as amended, and the regulations of the Department of Environmental Conservation of the State promulgated thereunder (collectively referred to hereinafter as "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 prepared and submitted an Environmental Assessment Form (the "EAF"), a copy of which is attached hereto as Exhibit "A" and is also on file in the office of the Agency and readily accessible to the public; and

WHEREAS, the Town Board of the Town of Van Buren (the "Town Board") previously declared its intent to act as lead agency for the purpose of conducting a coordinated environmental review of a Planned Unit Development District ("PUD"), which included the Project; and

WHEREAS, after conducting a thorough review of the Project and its potential effects, the Town Board determined that the Project would not result in any significant adverse environmental impacts and issued a negative declaration for the PUD on December 18, 2007 ("Town PUD Resolution"); and

WHEREAS, the Town Board reaffirmed its prior SEQRA determination when it approved the Site Plan for the PUD that included the Project on June 9, 2020

WHEREAS, the Agency's involvement in the Project was not contemplated when the Town Board performed the coordinated SEQRA review and issued and reaffirmed the negative declaration for the PUD and Site Plan that included the Project; and

WHEREAS, had the Agency's involvement been known at the time the Town Board declared its intent to act as lead agency under SEQRA, the Agency would have, as an involved agency, consented to the lead agency designation by the Town Board and been bound by the negative declaration that was issued; and

WHEREAS, the Agency reviewed the EAF, the February 2020 Site Plan application and Site Plan, as amended in August 2022; and

WHEREAS, the Agency reviewed the Town Board's SEQRA negative declaration for the PUD zoning determination and the Town Board's subsequent re-affirmation of the SEQRA determination for its approval of the Site Plan.

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 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, all the representations made by the Town Board in connection with its SEQRA determination, 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 Town Board's lead agency status, hereby reaffirms, accepts, and adopts the negative declaration that was issued by the Town Board applicable to 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>
Randy Wolken	X		
Deka Eysaman	X		
Michael Greene	X		
Christina Hollenback			X
Alan Marzullo	X		
Mark Muthumbi			X
Sally Santangelo	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 September 10, 2026, 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 10th day of September, 2026.

(SEAL)

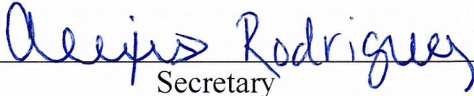

Secretary

Exhibit A

RESOLUTION NO. *07B-07-052*
OF THE TOWN BOARD
OF THE TOWN OF VAN BUREN

A RESOLUTION MAKING A DETERMINATION OF ENVIRONMENTAL
NON-SIGNIFICANCE AND APPROVING ZONING MAP AMENDMENT
APPLICATION OF HYACINTH LAND DEVELOPMENT, LLC

WHEREAS, Hyacinth Land Development, LLC ("Applicant") filed an application requesting an amendment of the Zoning Map of the Town of Van Buren, and

WHEREAS, the requested amendment would effect a change of the zoning classification of the property owned by Hyacinth Land Development, LLC, consisting of 46.29 acres located at the northwesterly corner of Ellsworth Road and Van Buren Road and being known as Town of Van Buren tax map parcel numbers 031-02-03, 031-02-4.1 and 031-02-6.2 to PUD District (Planned Unit Development) to permit the development of a planned development consisting of a mix of residential and commercial uses under conditions and parameters recommended by the Town of Van Buren Planning Board, and

WHEREAS, an environmental assessment form has also been prepared and reviewed, and

WHEREAS, upon notice duly published and posted as required, a public hearing on this requested Zoning Map Amendment was held by this Town board, and

WHEREAS, the provisions of Section 239-m of the General Municipal Law have been heretofore complied with, and in a report dated December 5, 2007, the Onondaga County Planning Board made twelve (12) specific recommendations to be addressed by the applicant prior to final approval of the project, and

WHEREAS, this Board, after due deliberation, finds it in the best interest of the Town of Van Buren to adopt the amendment to the Zoning Map requested by the Applicant and further finds the same to be in accordance with the comprehensive plan for the Town of Van Buren.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the amendment of the Zoning Map sought by the Applicant is an unlisted action, with the Town of Van Buren Town Board being the only involved agency and that the action will not have any significant adverse effects upon the environment. The basis for this determination is that the proposed local law effects an amendment to the zoning map that is consistent with the Town's comprehensive plan, and that development of the project in accordance with the conditions of approval stated herein shall avoid any potential adverse impacts, and

IT IS FURTHER HEREBY RESOLVED, that the Zoning Map of the Town of Van Buren is hereby amended to change the zoning classification of the following described Premises to PUD (Planned Unit Development District): tax map parcel numbers 031-02-03, 031-02-4.1 and 031-02-6.2, and it is hereby further

RESOLVED, that the permitted uses and dimensional lot requirements shall be in accordance with the uses and dimensional controls set forth in the P.U.D. Zoning Plan prepared

by Plumley Engineering dated July 2007, Project No. 2005152 – Van Buren Road Property, last revised 11/09/07, and that except to the extent otherwise stated herein, all development and use of the subject premises shall be in accordance with the Zoning Code of the Town of Van Buren, and all design and development of and on the site shall also be in accordance with the final site plan approved by the Planning Board of the Town of Van Buren and the recommendations of the Onondaga County Planning Board as stated in its report dated December 5, 2007.

Dated: December 18, 2007