



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

DAVID H. KNAPP
Chairman

KATHERINE M. FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202

Phone: 315.435.2070 Fax: 315.435.8434

www.ongov.net

VIRTUAL SESSION

Contact JamieMcNamara@ongov.net for access

RESOLUTIONS NOS. 85 - 88

OFFICE OF THE CLERK

June 23, 2020

Listed below are the resolutions to be presented to the County Legislature at the June, second day, special session. The meeting will be held at **12:00 p.m. on Tuesday, June 23, 2020.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mrs. Abbott-Kenan**
- D. PRESENTATION OF COMMUNICATIONS
 - 1. Public Comment: **Written statements should be submitted via email to DebbieMaturo@ongov.net or via USPS mail to the above address. *Statements will be accepted through 11:00 p.m. on June 23, 2020 and will become part of the permanent record.**
- E. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 6)

12TH DISTRICT – MR. KNAPP

- 1. **NO. 85 (WAIVER)** Confirming Appointment of Jamie McNamara as Clerk of the Onondaga County Legislature (16-0-1 Jordan)
- 1a. **NO. 86** Amending Resolution No. 372-1967, Regarding the Imposition and Disposition of Sales and Compensating Use Tax Pursuant to Articles 28 and 29 of the tax law of the state of New York (10 Ervin, Abbott-Kenan, Ryan, Chase, McBride, Williams, Rowley, Burtis, Cody, Knapp -6 May, Kuhn, Holmquist, Bush, Kinne, Tassone – 1 Jordan)

14TH DISTRICT- MR. JORDAN – ENVIRONMENTAL PROTECTION

- 2. **NO. 87** A Resolution Calling a Public Hearing in Connection with the Proposed Establishment of an Extension to the Onondaga County Consolidated Sanitary District, and the Construction of the Improvements Proposed Therefor (16-0-1 Jordan)
- 3. **NO. 88** Authorizing the County of Onondaga to Act as Lead Agency with Respect to a Warehouse and Distribution Facility and Related Improvements under the State Environmental Quality Review Act; Approving the Classification of a Type I Action; Accepting the Environmental Assessment Form; Accepting and Adopting the Negative Declaration; and Authorizing the Filing, Distribution and Publication of the Negative Declaration (16-0-1 Jordan)

- F. UNFINISHED BUSINESS
- G. ANNOUNCEMENTS FROM THE CHAIR
- H. ADJOURNMENT

Respectfully submitted,

Deborah L. Maturo

DEBORAH L. MATURO, Clerk
ONONDAGA COUNTY LEGISLATURE



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

DAVID H. KNAPP
Chairman

KATHERINE FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202

Phone: 315.435.2070 Fax: 315.435.8434

www.ongov.net

REVISED

TO: All Legislators

FROM: 
Deborah L. Maturo, Clerk
Onondaga County Legislature

DATE: June 16, 2020

RE: NOTICE OF VIRTUAL SPECIAL SESSION

Please be advised that, per the attached request, a special session will be held in the Legislative Chambers on **June 23, 2020, at 12:00 p.m.** The session will be held virtually; please contact jamiemcnamara@ongov.net for access.

The purpose of the meeting shall be to consider resolutions entitled "A Resolution Calling a Public Hearing in Connection with the Proposed Establishment of an Extension to the Onondaga County Consolidated Sanitary District, and the Construction of the Improvements Proposed Therefor"; "Authorizing the County of Onondaga to Act as Lead Agency with Respect to a Warehouse and Distribution Facility and Related Improvements Under the State Environmental Quality Review Act; Approving the Classification of a Type I Action; Accepting the Environmental Assessment Form; Accepting and Adopting the Negative Declaration; and Authorizing the Filing, Distribution and Publication of the Negative Declaration", and any other appropriate business.

cc: media



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

DAVID H. KNAPP
Chairman

KATHERINE FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
Phone: 315.435.2070 Fax: 315.435.8434
www.ongov.net

June 16, 2020

Deborah L. Maturo, Clerk
Onondaga County Legislature
401 Montgomery Street
407 Court House
Syracuse, New York 13202

We, the undersigned, pursuant to Section 1A, Rule 2A of the Rules of the Onondaga County Legislature, hereby request that the Clerk notify all members of the Legislature of a special session to be held on **June 23, 2020, at 12:00 p.m.**, in the official Chambers of the Legislature at the Court House, Syracuse, New York. This session will be held virtually,

The purpose of the session shall be to consider the following resolutions entitled "A Resolution Calling a Public Hearing in Connection with the Proposed Establishment of an Extension to the Onondaga County Consolidated Sanitary District, and the Construction of the Improvements Proposed Therefor"; "Authorizing the County of Onondaga to Act as Lead Agency with Respect to a Warehouse and Distribution Facility and Related Improvements Under the State Environmental Quality Review Act; Approving the Classification of a Type I Action; Accepting the Environmental Assessment Form; Accepting and Adopting the Negative Declaration; and Authorizing the Filing, Distribution and Publication of the Negative Declaration", and any other appropriate business.

This 16th day of June 2020.

A blue ink signature of David H. Knapp, written over a horizontal line.

DAVID H. KNAPP
Chairman

A red ink signature of Brian F. May, written over a horizontal line.

BRIAN F. MAY
Republican Floor Leader

A blue ink signature of Linda R. Ervin, written over a horizontal line.

LINDA R. ERVIN
Democrat Floor Leader

ROLL CALL				JUNE 23, 2020 SESSION (2 nd DAY)
LEGISLATOR	PRESENT	ABSENT		
1. MAY	✓			
2. ROWLEY	✓			Called to order
3. BURTIS	✓			at 12:04 p.m.
4. TASSONE *		✓		
5. CODY	✓			
6. ABBOTT-KENAN	✓			
7. KUHN	✓			Brief recess at
8. RYAN	✓			12:07. Reconvened
9. CHASE	✓			at 12:15 p.m.
10. HOLMQUIST	✓			
11. McBRIDE *		✓		* Legislators
13. BUSH	✓			Tassone and
14. JORDAN		✓		McBride joined
15. KINNE	✓			the meeting just
16. WILLIAMS	✓			after attendance
17. ERVIN	✓			was taken
12. KNAPP	✓			
TOTAL	* 14	3		

June 23, 2020

Waiver

1.
085

Motion Made By Mr. Knapp

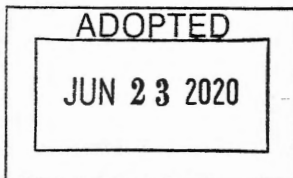
RESOLUTION NO. _____

CONFIRMING APPOINTMENT OF JAMIE McNAMARA AS CLERK OF THE ONONDAGA
COUNTY LEGISLATURE

RESOLVED, that the following person is hereby appointed Clerk of the Onondaga County
Legislature, effective June 29, 2020:

JAMIE McNAMARA
3626 Nadir Lane
Baldwinsville, New York 13027

McNamara - Clerk appt.
DLM
LT



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

23rd DAY OF June, 2020

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

20 JUN 16 AM 11:45
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

**ELECTION
OF CLERK**

**JUNE 23, 2020
SPECIAL SESSION**

LEGISLATOR	NAME	NAME	ABSENT	
1. MAY	McNamara			Chairman
17. ERVIN	McNamara			Knapp stated
6. ABBOTT-KENAN	McNamara			that a waiver
7. KUHN	McNamara			is needed.
8. RYAN	McNamara			and asked if
9. CHASE	McNamara			there was an
10. HOLMQUIST	McNamara			objection. No
11. McBRIDE	McNamara			objection; waiver
13. BUSH	McNamara			allowed.
14. JORDAN			✓	Legislator Holmquist
15. KINNE	McNamara			made a motion to
16. WILLIAMS	McNamara			nominate Janice
2. ROWLEY	McNamara			McNamara as
3. BURTIS	McNamara			Clerk of the Legislature.
4. TASSONE	McNamara			Seconded by
5. CODY	McNamara			Legislator Tassone.
12. KNAPP	McNamara			
TOTAL	16		1	

June 23, 2020

086

Motion Made By Mr. Knapp

RESOLUTION NO. _____

AMENDING RESOLUTION NO. 372-1967, REGARDING THE IMPOSITION AND DISPOSITION
OF SALES AND COMPENSATING USE TAX PURSUANT TO ARTICLES 28 AND 29 OF THE
TAX LAW OF THE STATE OF NEW YORK

WHEREAS, the Onondaga County Board of Supervisors, by Resolution No. 372-1967, imposed a tax on sales and use of tax pursuant to Articles 28 and 29 of the New York State Tax Law; and

WHEREAS, on November 29, 1979 the Onondaga County Legislature by Resolution No. 582-1979, amended Resolution No. 372-1967 by adding sections 2-A and 6(j), and approved a two- year phased plan to reduce and exempt the sales and use tax rate on residential energy sources and related services from the levy of sales tax, making those revenue sources exempt as of 1982 to the present; and

WHEREAS, the Onondaga County Legislature seeks to include residential energy sources and related services in the levy calculation of local sales and use tax to enhance revenues; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby amend Resolution No. 372-1967, as amended by Resolution No. 582-1979, by amending paragraph (1) of subdivision (j) of Section 6 thereof to read as follows:

- (1) Receipts from the retail sale or use of fuel oil (excluding diesel motor fuel) and coal used for residential purposes and the receipts from the retail sale or use of wood used for residential heating purposes shall be exempt from the tax on retail sales imposed by subdivision (a) of Section 2 and the compensating use tax imposed under Section 4 of this Resolution, and the receipts from every sale other than for resale of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the tax imposed by subdivision (b) of Section 2 of this Resolution. Notwithstanding any other provisions of this subdivision, the exemption set forth in this subdivision shall not apply to sales made or uses occurring during the period commencing on September 1, 2020 and ending on November 30, 2022.

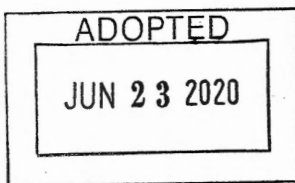
and, be it further

RESOLVED, that in all other respects Resolution No. 372-1967, as amended, remains in full force and effect; and, be it further

RESOLVED that this resolution shall take effect immediately; provided, however, that it shall apply to receipts from all retail sales and uses of residential energy sources and services as described above made, rendered or arising therefrom for the period commencing on September 1, 2020 and ending on November 30, 2022, although made or rendered under a prior contract, if a delivery or transfer of possession of such property or services is made on or after September 1, 2020 and on or before November 30, 2022; and provided further, that where such property or service is sold on a monthly, quarterly or other term basis and the bills for such property or services are based on meter readings, the amount received on each bill for such property or service for a month or quarter or other term shall be taxable receipts based on meters read on or after September 1, 2020 and on or before November 30, 2022, only where more than one-half of the number of days included in the month or other period billed are days subsequent to September 1, 2020 or prior to November 30, 2022, as applicable; and, be it further

RESOLVED, that the Clerk of Onondaga County Legislature is hereby directed to file certified copies of this Resolution by certified mail with the New York State Tax Commission at its office in Albany, the Clerk for the City of Syracuse, the Onondaga County Clerk, the Secretary of State, and the State Comptroller, in accordance with Section 1210(d) of the New York State Tax Law.

Onondaga Res Energy Sunset_1
yv
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

23rd DAY OF June, 2020

Deborah L. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.
May 30, 2020
DUN

20 JUN 23 AM 10:59

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

1a.

**JUNE 23, 2020
SESSION
(2nd DAY)**

LEGISLATOR	AYES:	NOES:	ABSENT:	
1. MAY		✓		
17. ERVIN	✓			
6. ABBOTT-KENAN	✓			
7. KUHN		✓		
8. RYAN	✓			
9. CHASE	✓			
10. HOLMQUIST		✓		
11. McBRIDE	✓			
13. BUSH		✓		
14. JORDAN			✓	
15. KINNE		✓		
16. WILLIAMS	✓			
2. ROWLEY	✓			
3. BURTIS	✓			
4. TASSONE		✓		
5. CODY	✓			
12. KNAPP	✓			
TOTAL	10	6	1	

2.

June 23, 2020

087

Motion Made By Mr. Jordan

RESOLUTION NO. _____

A RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH THE PROPOSED ESTABLISHMENT OF AN EXTENSION TO THE ONONDAGA COUNTY CONSOLIDATED SANITARY DISTRICT, AND THE CONSTRUCTION OF THE IMPROVEMENTS PROPOSED THEREFOR

WHEREAS, pursuant to Article 11-A of the Onondaga County Administrative Code, the Commissioner of the Department of Water Environment Protection (Commissioner) has heretofore recommended to this County Legislature the establishment of an extension to the Onondaga County Consolidated Sanitary District in the Town of DeWitt, County of Onondaga and State of New York, and the construction of improvements proposed therefor, in order to promote the public health and welfare of the County in the area to be served by the extension; and

WHEREAS, the Commissioner has duly filed his Report and Recommendations dated May 11, 2020, which has been duly approved by the County Executive; now, therefore be it

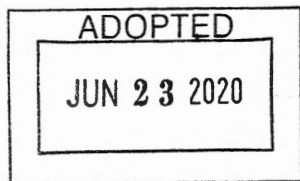
RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Pursuant to the aforesaid provisions of the Onondaga County Administrative Code, this County Legislature hereby tentatively approves the aforesaid Report and Recommendations of the Commissioner as heretofore filed with it.

Section 2. A meeting of the County Legislature of the County of Onondaga, New York shall be held in the Legislative Chambers in the County Court House, in Syracuse, New York, on July 7, 2020, at 12:55 o'clock P.M., prevailing Eastern Time, for the purpose of conducting a public hearing upon the aforesaid matter. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published and posted in the manner provided by law.

Section 3. This resolution shall take effect immediately.

PH Dewitt Ext
BMY
mmd
dak



FILED WITH CLERK
ONON. CO. LEG.
May 27, 2020
RMF

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

23rd DAY OF June, 2020.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

20 JUN 16 AM 9:57

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

COMMISSIONER'S REPORT

May 11, 2020

TO: Onondaga County Legislature
Onondaga County Court House
401 Montgomery Street, Room 407
Syracuse, NY 13202

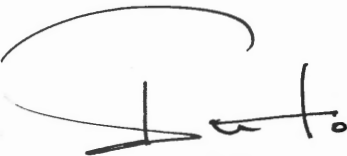
On May 6, 2020, the undersigned held a Commissioner's Hearing, open to the public, pursuant to subdivision (a) of Section 11.54 of the Onondaga County Administrative Code. In accordance with Governor Cuomo's Executive Order Numbers 202.1 and 202.14, the hearing was held remotely via a WebEx conferencing system. The purpose of the hearing was to hear public comment on:

Proposed expansion to the Onondaga County Consolidated Sanitary District.

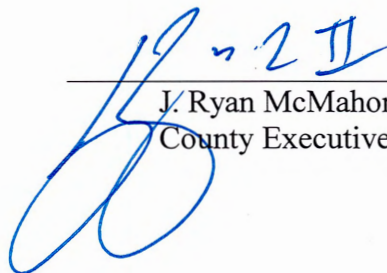
This hearing was properly posted and advertised. The hearing notice included instructions for participation remotely via WebEx conferencing. No one spoke in opposition to the proposal, either in person or remotely. It is recommended, based upon the undersigned review of the matter, that:

1. The Legislature set a date for a public hearing on the proposal.

Respectfully submitted,



Frank M. Mento, P.E.
Commissioner



J. Ryan McMahon, II
County Executive

RECEIVED
ONONDAGA COUNTY
LEGISLATURE
20 MAY 21 AM 9:55

COUNTY OF ONONDAGA
STATE OF NEW YORK
Department of WATER ENVIRONMENT PROTECTION

In the Matter of:

PROPOSED EXPANSION TO THE ONONDAGA COUNTY
CONSOLIDATED SANITARY DISTRICT.

A PUBLIC HEARING in the above-matter was conducted at the Onondaga County Department of Water Environment Protection, 3rd floor of the Administration Building, 650 Hiawatha Boulevard West, Syracuse, NY on Wednesday, May 6, 2020 at 4:00 p.m. The meeting was also available remotely through a WebEx conferencing system.

PRESENT IN PERSON: Frank Mento, Shannon Harty, Mary Gates

PARTICIPANTS via WebEx: None

HEARING OFFICER: Frank M. Mento, P.E.
Commissioner
Department of Water Environment Protection

I, Mary Gates, Administrative Assistant for Onondaga County, Department of Water Environment Protection, do hereby certify that the foregoing transcript of the Public Hearing, County of Onondaga, recorded at the time and place referenced above, is true and accurate to the best of my knowledge, skill and ability.

Reported By: Mary Gates
Administrative Assistant

Date: 5/11/2020

Mary Gates
Mary Gates
Administrative Assistant

PUBLIC HEARING
ONONDAGA COUNTY DEPARTMENT OF WATER ENVIRONMENT
PROTECTION
WEDNESDAY, May 6, 2020

The following occurred at 4:01 p.m.:

Commissioner Mento: This is a Commissioner's Hearing to hear public comment on the proposed expansion to the Onondaga County Consolidated Sanitary District; therefore,

It is 4:01 p.m., and I declare the hearing open. Are there any comments to be presented?

(No response).

Commissioner Mento: Since there is no one in attendance for this hearing and no one is participating via WebEx, I present the following statement for the record:

The County is considering an expansion to the Consolidated Sanitary District to provide services to a proposed development project located in the town of Dewitt. The proposed development includes construction of a warehouse and distribution facility on vacant land bounded by Kirkville Road and NYS Route 481. A map of the proposed site location and district boundary will be included with this Report and is available for inspection. The new facility will connect to existing sewer infrastructure on Fly Road and will generate approximately 55,000 gallons of sanitary wastewater per day. An environmental review under SEQRA is currently underway. The proposed project will be constructed at no cost to the County and will provide both temporary and long term employment for our community. The Final Report, once approved by the County Executive, will be forwarded to the Onondaga County Legislature and a public hearing will be scheduled.

That concludes my statement, and, as no one is in attendance, I declare this hearing to be closed.

(End of hearing at 4:05 p.m.)



ONONDAGA COUNTY SANITARY SEWER
DISTRICT EXTENSION REQUEST



- | Sewers | Structures |
|--------------|----------------------------|
| OCDWEP Sewer | Treatment Plant |
| Force Main | County Sewer Structure |
| Town Sewer | Sanitary District Boundary |

0 0.125 0.25

1 in = 500 feet

THE POST-STANDARD

LEGAL AFFIDAVIT

INV#: 0009586810



ONONDAGA COUNTY WATER ENVIRONMENT
MARY GATES
650 HIAWATHA BLVD W
SYRACUSE, NY 13204

Name: ONONDAGA COUNTY WATER ENVIRONMENT

Sales Rep: Pamela Gallagher

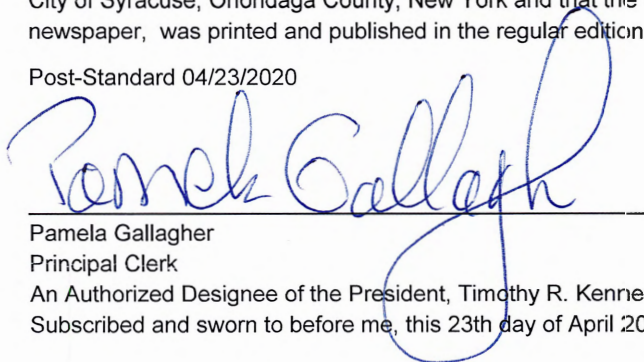
Account Number: 1004983

INV#: 0009586810

Date	Position	Description	P.O. Number	Ad Size
04/23/2020	Other Legals NY	NOTICE OF PUBLIC HEARING ONONDAGA COUNTY	Sewer Ext Final	1 x 212.00 CL

State of New York, County of Onondaga ss. Pamela Gallagher, of the City of Syracuse, in said County, being duly sworn, doth depose and says: this person is the Principal Clerk in the office of THE POST-STANDARD, a public newspaper, published in the City of Syracuse, Onondaga County, New York and that the notice, is an accurate and true copy of the ad as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following days, viz.:

Post-Standard 04/23/2020


Pamela Gallagher
Principal Clerk
An Authorized Designee of the President, Timothy R. Kennedy
Subscribed and sworn to before me, this 23th day of April 2020

JULIA FREEMAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FR6405211
Qualified in Onondaga County
My Commission Expires: 3/2/24


NOTARY PUBLIC

FOR QUESTIONS CONCERNING THIS AFFIDAVIT,
PLEASE CONTACT PAMELA GALLAGHER AT
(315) 470-2051 OR Legals@Syracuse.com

Date	Position	Description	P.O. Number	Ad Size
04/23/2020	Other Legals NY	NOTICE OF PUBLIC HEARING ONONDAGA COUNTY	Sewer Ext Final	1 x 212.00 CL

NOTICE OF PUBLIC HEARING ONONDAGA COUNTY DEPARTMENT OF WATER ENVIRONMENT PROTECTION Notice is hereby given that, pursuant to subdivision (a) of Section 11.54 of the Onondaga County Administrative Code, the undersigned Commissioner of Water Environment Protection of the County of Onondaga, New York, will hold a public hearing remotely, in accordance with Governor Cuomo's Executive Order Numbers 202.1 and 202.14, via WebEx conferencing system available at <https://ongov.webex.com/ongov/j.php?MTID=mac4c2b4f4562968202b214308bbe9b73> or by dialing +1-408-418-9388 and entering access code: 718310731 followed by "#" on the 6th day of May, 2020 at 4:00 p.m. to hear all persons interested in the following proposal consisting of: 1. Expansion to the Onondaga County Sanitary District, described as follows: All that tract or parcel of land situate in the Town of Dewitt, County of Onondaga and State of New York, being part of Military Lot No. 32 in said Town, bounded and described as follows: beginning at the intersection of the southerly boundary of Kirkville Road (Exeter Street) with the westerly boundary of lands conveyed to Coam Realty Corporation by deed recorded in the Onondaga County Clerk's Office (2241/335); thence S 3°40'06" W along said westerly boundary of lands conveyed to Coam Realty Corporation, a distance of 908.76 feet to a point curvature therein; thence southerly continuing along said westerly boundary of lands

erty boundary of lands conveyed to Coam Realty Corporation on a curve to the right having a radius of 1807.0 feet, an arc distance of 354.07 feet to a point in the northerly boundary of lands conveyed to Save the County, Inc. by deed recorded in the Onondaga County Clerk's Office (4382/95); thence southwesterly, southerly and southwesterly along said northerly boundary of lands conveyed to Save the County, Inc. the following courses and distances; 1) S 56°46'08" W, 618.26 feet; 2) S 82°16'56" W, 1074.03 feet; 3) N 86°26'57" W, 220.00 feet; 4) S 4°29'17" W, 300.00 feet; 5) S 59°26'56" W, 731.93 feet to a point in the easterly boundary of New York State Route 481, as appropriated; thence northerly and northeasterly along said easterly boundary of New York State Route 481, as appropriated, the following courses and distances; 1) N 0°17'09" E, 111.82 feet; 2) N 5°14'09" E, 617.83 feet; 3) N 32°48'34" E, 484.16 feet; 4) N 41°20'27" E, 236.26 feet; 5) N 52°59'41" E, 324.54 feet; 6) N 3°39'57" E, 630.33 feet; 7) N 42°43'03" E, 169.01 feet to a point in said southerly boundary of Kirkville Road (Exeter Street) (C.R. No. 53); thence easterly along said southerly boundary of Kirkville Road (Exeter Street) (C.R. No. 53) the following courses and distances; 1) S 86°13'25" E, 341.86 feet; 2) N 3°22'00" E, 26.38 feet; 3) S 86°38'00" E, 477.81 feet; 4) S 86°04'10" E, 75.50 feet; 5) N 78°04'40" E, 802.87 feet to the point of beginning. The

expansion will be constructed at no cost to the County. At such public hearing, any municipality and all persons owning property within the Onondaga County Sanitary District, or immediately adjacent thereto, shall be entitled to be heard. Onondaga County assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its program or activities on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability as provided by county policy and pursuant to Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Executive Order 13166. Onondaga County further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that Onondaga County distributes federal aid funds to another government entity, it will include civil rights language in all written agreements and will monitor for compliance. Please advise the Onondaga County Department of Water Environment Protection should you need any accommodation to facilitate your participation. Tom Ginestro, the contact for the Onondaga County Department of Water Environment Protection, can be contacted by telephone at (315) 435-2240 or by

(515) 455-2280, or by
e-mail at tomginestro@ongov.net for more information. Such public hearing will be recorded, transcribed and made available at www.ongov.net/wep.
Frank M. Mento, P.E.,
Commissioner.

NOTICE OF PUBLIC HEARING

STATE OF NEW YORK)
COUNTY OF ONONDAGA) SS:
CITY OF SYRACUSE)

Mary Gates being duly sworn, deposes and says: that (s)he resides in the city/town/village of Syracuse County of Onondaga, New York; that (s)he is over 21 years of age; that on April 27th, 2020, (s)he posted the notice, copy of which is hereto annexed, in five (5) conspicuous public places within the Onondaga County Sanitary District, and that the places in which said notice was posted are as follows:

1. City Hall, City of Syracuse
2. Town Hall, Town of Geddes
3. U.S. Postal Service
404 W. Manlius Street
E. Syracuse, NY 13057
4. U.S. Postal Service
401 W. Division Street
Syracuse, NY 13218
5. U.S. Postal Service
1801 Milton Avenue
Syracuse, NY 13209

Mary Gates
Signature

Subscribed and sworn to before me
this 28th day of April, 2020.

PAULA M. SHEPHARD
Notary Public, State of New York
Qualified in Onondaga Co. No. 01SH6366138
Commission Expires October 23, 2021
Notary Public affix stamp

Paula M. Shephard 4/28/20

**NOTICE OF PUBLIC HEARING
ONONDAGA COUNTY DEPARTMENT OF
WATER ENVIRONMENT PROTECTION**

Notice is hereby given that, pursuant to subdivision (a) of Section 11.54 of the Onondaga County Administrative Code, the undersigned Commissioner of Water Environment Protection of the County of Onondaga, New York, will hold a public hearing remotely, in accordance with Governor Cuomo's Executive Order Numbers 202.1 and 202.14, via WebEx conferencing system available at

<https://ongov.webex.com/ongov/j.php?MTID=mac4c2b4f4562968202b214308bbe9b73> or by dialing +1-408-418-9388 and entering access code: 718310731 followed by “#” on the 6th day of May, 2020 at 4:00 p.m. to hear all persons interested in the following proposal consisting of:

1. Expansion to the Onondaga County Sanitary District, described as follows:
All that tract or parcel of land situate in the Town of Dewitt, County of Onondaga and State of New York, being part of Military Lot No. 32 in said Town, bounded and described as follows: beginning at the intersection of the southerly boundary of Kirkville Road (Exeter Street) with the westerly boundary of lands conveyed to Coam Realty Corporation by deed recorded in the Onondaga County Clerk's Office (2241/335); thence S 3°40'06" W along said westerly boundary of lands conveyed to Coam Realty Corporation, a distance of 908.76 feet to a point curvature therein; thence southerly continuing along said westerly boundary of lands conveyed to Coam Realty Corporation on a curve to the right having a radius of 1807.0 feet, an arc distance of 354.07 feet to a point in the northerly boundary of lands conveyed to Save the County, Inc. by deed recorded in the Onondaga County Clerk's Office (4382/95); thence southwesterly, southerly and southwesterly along said northerly boundary of lands conveyed to Save the County, Inc. the following courses and distances; 1) S 56°46'08" W, 618.26 feet; 2) S 82°16'56" W, 1074.03 feet; 3) N 86°26'57" W, 220.00 feet; 4) S 4°29'17" W, 300.00 feet; 5) S 59°26'56" W, 731.93 feet to a point in the easterly boundary of New York State Route 481, as appropriated; thence northerly and northeasterly along said easterly boundary of New York State Route 481, as appropriated, the following courses and distances; 1) N 0°17'09" E, 111.82 feet; 2) N 5°14'09" E, 617.83 feet; 3) N 32°48'34" E, 484.16 feet; 4) N 41°20'27" E, 236.26 feet; 5) N 52°59'41" E, 324.54 feet; 6) N 3°39'57" E, 630.33 feet; 7) N 42°43'03" E, 169.01 feet to a point in said southerly boundary of Kirkville Road (Exeter Street) (C.R. No. 53); thence easterly along said southerly boundary of Kirkville Road (Exeter Street) (C.R. No. 53) the following courses and distances; 1) S 86°13'25" E, 341.86 feet; 2) N 3°22'00" E, 26.38 feet; 3) S 86°38'00" E, 477.81 feet; 4) S 86°04'10" E, 75.50 feet, 5) N 78°04'40" E, 802.87 feet to the point of beginning.

The expansion will be constructed at no cost to the County.

At such public hearing, any municipality and all persons owning property within the Onondaga County Sanitary District, or immediately adjacent thereto, shall be entitled to be heard.

Onondaga County assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its program or activities on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability as provided by county policy and pursuant to Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Executive Order 13166. Onondaga County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that Onondaga County distributes federal aid funds to another government entity, it will include civil rights language in all written agreements and will monitor for compliance.

Please advise the Onondaga County Department of Water Environment Protection should you need any accommodation to facilitate your participation. Tom Ginestro, the contact for the Onondaga County Department of Water Environment Protection, can be contacted by telephone at (315) 435-2260, or by e-mail at tomginestro@ongov.net for more information. Such public hearing will be recorded, transcribed and made available at www.ongov.net/wep.

Frank M. Mento, P.E., Commissioner.

2				JUNE 23, 2020 SESSION (2 nd DAY)	
LEGISLATOR	AYES:	NOES:	ABSENT:		
1. MAY	✓				
17. ERVIN	✓				
6. ABBOTT-KENAN	✓				
7. KUHN	✓				
8. RYAN	✓				
9. CHASE	✓				
10. HOLMQUIST	✓				
11. McBRIDE	✓				
13. BUSH	✓				
14. JORDAN	✓		✓		
15. KINNE	✓				
16. WILLIAMS	✓				
2. ROWLEY	✓				
3. BURTIS	✓				
4. TASSONE	✓				
5. CODY	✓				
12. KNAPP	✓				
TOTAL	16	0	1		

June 23, 2020

088

Motion Made By Mr. Jordan

RESOLUTION NO. _____

AUTHORIZING THE COUNTY OF ONONDAGA TO ACT AS LEAD AGENCY WITH RESPECT TO A WAREHOUSE AND DISTRIBUTION FACILITY AND RELATED IMPROVEMENTS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; APPROVING THE CLASSIFICATION OF A TYPE I ACTION; ACCEPTING THE ENVIRONMENTAL ASSESSMENT FORM; ACCEPTING AND ADOPTING THE NEGATIVE DECLARATION; AND AUTHORIZING THE FILING, DISTRIBUTION AND PUBLICATION OF THE NEGATIVE DECLARATION

WHEREAS, Montante Construction is proposing to construct a warehouse and distribution facility with associated parking on vacant industrial land located at 6834 Kirkville Road in the Town of DeWitt, which project includes, inter alia, subdivision of the parcel, off-site transportation improvements and the extension of the Onondaga County Consolidated Sanitary District (the "Project"); and

WHEREAS, an analysis of the potential environmental impacts of this Project, if any, has been undertaken pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the County has notified the involved agencies that Onondaga County is serving as Lead Agency on this Project and said agencies have approved the same; and

WHEREAS, the County has classified the proposed action as a Type I action pursuant to SEQRA, and based on the anticipated environmental impacts of the Project as determined by the completed Full Environmental Assessment Form, inclusive of all attachments, supporting studies and reports, (collectively, the "EAF") the County has made a preliminary determination that the proposed action will have no significant environmental impacts; now, therefore be it

RESOLVED, that the County is hereby designated, authorized and ratified to act as Lead Agency pursuant to SEQRA; and, be it further

RESOLVED, that this Onondaga County Legislature, for the purposes of SEQRA, determines that the proposed action is a Type I Action; and, be it further

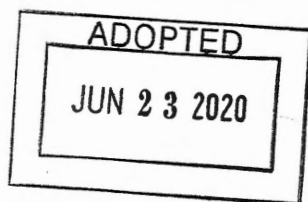
RESOLVED, that the EAF for this Project has been prepared and reviewed and is on file with the Clerk of the Legislature; and, be it further

RESOLVED, that the EAF is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is accepted by this Onondaga County Legislature; and, be it further

RESOLVED, that in accordance with article 8 of the Environmental Conservation Law, this Onondaga County Legislature does accept and adopt the Negative Declaration for the Project, as set forth in Part 3 of the EAF, and has determined that the proposed action will not have a significant adverse effect on the environment; and, be it further

RESOLVED, that the Onondaga County Executive, or his designee, is authorized to take such actions to comply with the requirements of SEQRA, including without limitation, the execution of documents and the filing, distribution and publication of the EAF and Negative Declaration, and any other actions to implement the intent of this resolution.

Project Orange
BMY
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

23rd DAY OF June, 2020

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.
June 2, 2020
KMF

20 JUN 16 AM 9:57

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

20 JUN -4 PM 3: 36

NEGATIVE DECLARATION

**NOTICE OF DETERMINATION
OF NO SIGNIFICANT EFFECT
ON THE ENVIRONMENT**

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

In accordance with Article 8 (State Environmental Quality Review a/k/a "SEQRA") of the Environmental Conservation Law (the "Act"), and the statewide regulations under the Act (6 N.Y.C.R.R. Part 617) (the "Regulations"), the County of Onondaga has considered the proposed construction and operation of a warehouse distribution facility in the Town of DeWitt (the "Action"), as described more fully in the summary attached hereto as Exhibit "A." The Agency has determined: (i) that said proposed Action is a "Type I Action" pursuant to the Regulations, and therefore coordinated review and notification is required with respect to said Action; (ii) that the Agency has appropriately engaged in a coordinated environmental review of the Action; (iii) that upon due consideration, the Agency has concluded that said Action will result in no major impacts and therefore will not have a significant adverse effect on the environment; and (iv) therefore that an environmental impact statement is not required to be prepared with respect to said Action. THIS NOTICE IS A NEGATIVE DECLARATION FOR THE PURPOSES OF THE ACT.

1. Agency:

Onondaga County.

2. Contact for Further Information:

Benjamin Yaus, Esq.
Onondaga County Department of Law
421 Montgomery Street, Floor 10
Syracuse, New York 13202
Email: BenjaminYaus@ongov.net
Phone: (315) 435-2170

3. Action Identification:

The Action consists of the construction and operation of an approximately 112,000 square foot warehouse distribution facility, with associated parking and services (collectively, the "Distribution Facility"), on approximately forty-two (42) acres of property owned by Magnum Properties, Inc., and located at 6834 Kirkville Road, in the Town of DeWitt, Onondaga County, New York. (the "Property"). The Property is situated east of Interstate 481 and south of Kirkville Road in the Town of DeWitt, County of Onondaga with a central Lat/Long location of: 43.075776° N, -76.0417198° W. The Property currently consists of vacant land.

The Applicant proposes the subdivision of six parcels, totaling approximately 74 acres and under the common ownership of Magnum Properties, Inc., into two new lots, Lot 1 (32.03 acres) and Lot 2 (42.31 acres), and to develop Lot 2 for the Distribution Facility. The Applicant requires permits and/or approvals from the Town of DeWitt, including subdivision approval and site plan approval from the Town of DeWitt Planning Board, and has requested through the County Department of Water Environment Protection (“WEP”) that the Agency consider expanding the Consolidated Sanitary District (“CSD”) to include the Property.

4. Action Description:

Montante Construction (“Montante” or the “Applicant”) proposes the construction and operation of a warehouse distribution facility on the Property situated in the Town of DeWitt High Tech Zoning District, within the Transportation and Distribution Node Overlay District. The Project will involve the development of approximately 42 acres of vacant land, which consists of approximately 30 acres of successional old field, 8.5 acres of forested and emergent wetland, 2.5 acres of successional northern hardwood forest, and 0.75 acres of open water stream and riparian areas associated with Butternut Creek, into a warehouse and distribution facility (the “Project”). The Property has been previously disturbed due to fill, grading, and tree removal. A gravel driveway and some underground utility infrastructure exist at the site, and the Applicant intends to utilize all existing infrastructure that can be reused, including water and sewerage lines. However, because the Property currently falls outside WEP jurisdiction, the Applicant has requested an extension of the CSD to include the Property. In furtherance of this request, WEP reviewed the Project and held a public hearing. Legislative approval by the Onondaga County Legislature upon completion of SEQRA is required to finalize the requested CSD extension.

The Project involves the construction and operation of an 112,000 square foot warehouse and distribution facility along with office space and associated permitted uses. The Project will be anchored by a national e-commerce company (the “Company”) operating warehouse and distribution space. The Company will use the warehouse and distribution facility to process normal consumer goods, products, material and merchandise and will not include any hazardous materials on the Property. The facility is intended to sort packages for outbound routes to enable last mile delivery to customers in the Syracuse area. Approximately 102,500 square feet of the warehouse and distribution facility will be dedicated to warehouse space, while the remaining 10,000 square feet will be dedicated to office space. See Project Plans in Appendix B as attached to Applicant’s March 2020 SEQRA Supporting Documentation. On the western side of the facility, a rack staging area for vehicle loading will be installed and covered by an approximately 43,500 square foot canopy. Project site improvements include approximately 920 parking spaces for employees and delivery vans, 13 tractor-trailer loading docks on the south side of the facility with 11 tractor-trailer parking spaces, site lighting, stormwater management features, necessary utilities,

signage, and landscaping. In addition, the Project will require the construction of an internal drive, points of ingress/egress along Kirkville Road, associated off-site traffic improvements on Kirkville Road, and potential off-site sewer improvements.

In November 2019, the Town of DeWitt Town Board (the “Town Board”) adopted two (2) local laws establishing the Transportation and Distribution Node Overlay District and amending the Town’s zoning map to apply the Overlay District to the Property. Upon adoption, the proposed warehouse and distribution facility became a permitted use, subject to the bulk regulations relating to the High Tech District. In taking this legislative action, the Town Board completed an environmental review pursuant to SEQRA and unanimously rendered a Negative Declaration.

5. Action Location:

The Action will be located in the Town of DeWitt, Onondaga County, New York.

6. Lead and Involved Agencies:

Lead Agency: Onondaga County

Involved Agencies: Town of DeWitt Planning Board, New York State Department of Transportation (“NYSDOT”); New York State Department of Environmental Conservation (“NYSDEC”); Onondaga County Department of Transportation (“OCDOT”), and; Onondaga County Department of Water Environment Protection (“WEP”).

7. Reasons for Determination of Non-Significance:

See Exhibit “A” attached hereto.

DATED: June __, 2020

Exhibit A

Criteria for Determining Significance

As proposed, the reasonably anticipated environmental effects of the proposed construction and operation of a warehouse distribution facility proposed to be located at 6834 Kirkville Road, in the Town of DeWitt, Onondaga County, New York, Tax Map No. 043.-06-07.0 (the “Action” or “Project”) will not be significant. This conclusion is a result of Onondaga County’s (the “Agency”) thorough evaluation of the Project’s attributes and potential environmental effects against the criteria provided in New York State Department of Environmental Conservation (“NYSDEC”) regulations at 6 N.Y.C.R.R. § 617 *et. seq.* A summary of this evaluation follows.

External Project Information Review

The Agency’s review of the potential environmental impacts of the Action included analysis of the following documents and information, incorporated by reference herein:

1. The original site plan and subdivision applications and site survey regarding the Project submitted by Montante Construction (“Montante” or “Applicant”);
2. Montante’s February 5, 2020 Request for Extension of Onondaga County Consolidated Sanitary District (“CSD”);
3. Full Environmental Assessment Form (“FEAF”) for the Project, including the following supporting exhibits submitted in March 2020 (“March 2020 SEQRA Supporting Documentation”):
 - A. Project Description;
 - B. Site Location Map;
 - C. Concept Plan [Layout Plan, Electrical Plan, Lighting Plan, Landscaping Plan];
 - D. Site Due Diligence Report Book, containing the following:
 - i. Phase I Environmental Site Assessment,
 - ii. Phase II Limited Environmental Site Assessment,
 - iii. Updated Phase I Environmental Site Assessment,
 - iv. Phase IA Cultural Resource Investigation Report,
 - v. Geotechnical Engineering Report,
 - vi. Boundary Mapping Survey, and
 - vii. Wetland Delineation Update Report;
 - E. NRCS Soil Survey Report;
 - F. FEMA Flood Insurance Rate Map;
 - G. NYSDEC and IPaC Results for Listed Species;
 - H. Visual Renderings Analysis;
 - I. Transportation Impact Study; and
 - J. SEQR Project Scope Confirmation Letter;

4. Supplemental documents submitted in support of the FEAF and Applications dated April 2020 (“April 2020 SEQRA Supplemental Materials”), including:
 - A. Site Location Map;
 - B. Concept Plan [Layout Plan, Lighting Plan, Landscaping Plan];
 - C. Stormwater Pollution Prevention Plan;
 - D. Phase I Cultural Resource Investigation;
 - E. State Historic Preservation Office Effect Finding;
 - F. Revised Transportation Impact Study;
 - G. National Grid Will-Serve Letters;
 - H. Evaluation of Sound Emission; and
 - I. Correspondence from the Applicant concerning the Project, including responses to comments and questions presented by the County;
5. Numerous correspondence between the County and the Applicant regarding questions and comments related to the Project;
6. Correspondence from the Onondaga County Planning Board dated April 8, 2020;
7. May 22, 2020 correspondence from Onondaga County Department of Transportation (“OCDOT”) accepting the Revised Traffic Impact Study and proposed traffic improvements; and
8. May 28, 2020 correspondence and supporting materials from the Applicant in response to specific County comments on SEQRA submission materials.

In addition, in accordance with Appendix 11-A of the Onondaga County Administrative Code, Section 11.54, setting forth procedures governing, among other things, the extension of the CSD, WEP held a duly noticed public hearing considering the expansion of the CSD to service the Property. The Agency identified all involved agencies and provided such agencies with access to the application materials, including supplemental submittals, concerning the Project. The Agency provided ample opportunity for those agencies to provide comments concerning the Project.

All Applicant submitted documents are publically available and located at:
<http://hbweb.biz/ProjectOrange/default.aspx>

Determination of Environmental Significance

To determine whether the Action may have a significant adverse effect on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared to criteria specified in the NYSDEC regulations set forth at 6 N.Y.C.R.R. § 617.7. These criteria are considered indicators of significant adverse effects on the environment.

Criterion 1

A substantial adverse change in existing a) air quality; b) ground or surface water quality or quantity; c) traffic levels; d) noise levels; e) a substantial increase in solid waste production; f) a substantial increase in potential for erosion, flooding, leaching or drainage problems.

- A. Air quality: The Action is not expected to substantially impact existing air quality. Some temporary adverse impacts may occur in the immediate vicinity of the Project as a result of fugitive dust and exhaust fumes caused by the normal operation of heavy equipment during Project construction. Dust control is part of the erosion control process and will be controlled through best management practices. Construction vehicle entrances will be stabilized with geotechnical fabrics and stone ballast and watering will be used during construction to control dust. Limited clearing activities will be performed on the Property, thereby reducing the potential for dust and erosion impacts. Because emissions are limited to construction vehicles, such emissions are similar in type and scope to ambient emissions from vehicular traffic traveling along Kirkville Road, Interstate 481 and surrounding roads and emissions from the CSX railyard. Any adverse impacts to air quality from construction will be short-term, localized and minor in nature, and removed in distance from most residential uses. Therefore, any impacts to be realized are not expected to cause a deterioration of ambient air quality.

The Project will not include a stationary, state regulated air emission source. The proposed facility will use natural gas for heating and cooling, and emissions will be below applicable state permitting and registration thresholds. It is intended that delivery vehicles for Distribution Facility will be electric vans; however gas-powered vans may be utilized for a short time during the Company's transition to an electric fleet of delivery vans. Consequently, any impacts to ambient air quality that may arise are not considered to be significant.

- B. Groundwater quality: The Project will not result in new or additional use of groundwater. There are no drinking water wells at the site, and no wells or septic systems will be installed. Further, the EAF Mapper Application indicated that the Property is not located over a primary, principal or sole source aquifer. There will be no permanent petroleum bulk storage facilities on site for vehicle fueling. Heating will be by natural gas. The only permanent bulk storage on site will be for a diesel generator which has a 150 gallon double wall storage tank and will be located in the fire protection room of the Distribution Facility. Therefore, no anticipated impacts to groundwater resources are expected to result from the Project

Water & Sanitary Sewer: The Town of DeWitt will provide domestic potable water. The water feeder connection will be made off the existing water main located along Kirkville Road. New underground pipes will be installed from the property line to the Distribution Facility in coordination with the Town of DeWitt.

Sanitary sewerage service for the Project is proposed to be provided by WEP. As noted in the Existing Infrastructure Conditions Report included in Appendix C attached to the Applicant's March 2020 SEQRA Supporting Documentation, underground waste lines

exist on-site, which connect to the sewer main located along Fly Road, to the west of Interstate 481. The gravity side of the sanitary system has been confirmed to be in good condition (with the exception of the last 200 feet leading to the onsite lift station, which could not be inspected due to compromises within the lift station and blockages to the last manhole); however, it was not possible to inspect the forcemain side of the sanitary system running under I-481. It is understood and agreed that Montante will pay for the design, engineering, and construction of any required repair and/or replacement of the sanitary infrastructure, including the forcemain section on Fly Road. Any environmental impacts related to such work will be mitigated to the maximum extent practicable through the use of horizontal directional drilling underneath the highway and any wetlands located in this corridor.

Because the Property currently falls outside WEP jurisdiction, the Applicant has requested an extension of the CSD. In furtherance of this request, WEP reviewed the Project and held a public hearing. Legislative approval by the Onondaga County Legislature of an amendment to the CSD is required. Upon holding a legislative hearing after due notice, the Legislature must adopt a Resolution approving the District extension.

C. Surface water quality:

The Project will not result in significant adverse impacts to surface water resources or water quality and will minimize impacts to state and federal jurisdictional wetland areas, as noted below.

Surface Waters

The Project will result in no direct impacts to surface waters. Butternut Creek is located outside of the Project disturbance area. To avoid or minimize any indirect impacts to the Creek, the Applicant will maintain a vegetative buffer (*i.e.* trees, shrubs, groundcover) between the Project and the Creek and will implement a Stormwater Pollution Prevention Plan (“SWPPP”), prepared by C&S Companies, Inc. (*see* Appendix C to Applicant’s April 2020 SEQRA Supplemental Documentation). As discussed further, the SWPPP utilizes bioretention basins and underground detention piping to manage stormwater prior to any discharge to Butternut Creek. As a result of the foregoing, the Project is not anticipated to result in a significant adverse impact on surface water quality.

Wetlands

CC Environment & Planning completed a wetland delineation update for the approximately 42-acre Project site. Field work was conducted on October 4 and November 20, 2019, and a wetland delineation update report was completed in January 2020 (*see* Appendix C, attached to Applicant’s March 2020 SEQRA Support Documentation). Two wetlands, totaling 4.66 acres, were identified within the delineation investigation area. These onsite wetlands are part of State-mapped (and DEC-regulated) wetland SYE-11, which is a Class I wetland approximately 1,472 acres in size. Construction of the warehouse and distribution facility onsite will only impact the buffer zone around SYE-11. As a result, the U.S. Army Corps of Engineers (“USACE”) has determined that the Project will have no impact to wetlands and has issued a letter of

no impact for the Project. The DEC has determined that the Project will result in impacts only to the buffer zone around State-mapped wetland SYE-11, and the Applicant has applied for a permit to allow for this activity to commence.

CC Environment & Planning also completed a wetland delineation for an approximately 2-acre site immediately east of the Project Site and south of Kirkville Road. This second delineation is related to an off-site improvements project recommended by the Transportation Impact Study ("TIS") (*see* Appendix F attached to Applicant's April 2020 SEQRA Supplemental Materials) submitted for the Project. While the TIS concluded that the Project is expected to have a minimal effect on the operations of Kirkville Road, it nevertheless recommended several off-site improvements along Kirkville Road to ensure the highest possible level of service ("LOS"). These recommendations are detailed in Subsection D herein. Conceptual design for the off-site improvements project calls for the Kirkville Road to be expanded southward, which is anticipated to impact approximately 0.12 acres of State-mapped wetland SYE-11, also a USACE jurisdictional water. This impact, however, is largely restricted to a part of the wetland operating as a drainage swale alongside Kirkville Road. The swale is dominated by the invasive common reed (*Phragmites australis*) and the proposed disturbance is not expected to cause any significant alteration of the functions and services of wetland SYE-11. Any impacts to and disturbance of wetlands due to the offsite improvements project will be avoided and/or minimized to the maximum extent practicable through various design measures, including guide rails along the southern side of Kirkville Road, as well as a steeper slope from the edge of pavement to get to the natural grade. The design measures reduce the overall width of the expanded Kirkville Road and thus reduce the impacts to wetlands. The Applicant has submitted a joint permit application for the off-site improvements project and will comply with any conditions associated with such permits. Consequently, no significant adverse impacts to wetlands are anticipated.

Water Quality

No significant water quality effects are anticipated during construction, given that appropriate measures will be implemented in accordance with permitting requirements. Non-point sources of water pollution are regulated by the U.S. Environmental Protection Agency ("EPA") under the National Pollutant Discharge Elimination System ("NPDES") which is administered by New York State. All projects disturbing one (1) or more acres of land must comply with the SPDES General Construction Permit. As noted herein, this will involve implementation of measures such as silt fences, staked straw bales, silt dikes and stone check dams, drainage swales, and temporary settling basins, among other measures that can be employed to address specific concerns. Consequently, no significant adverse impacts to water quality or quantity are anticipated.

Stormwater

No significant stormwater runoff or associated water quality impacts are anticipated from the construction and operation of the Project. The construction of the Project will require the filing of a Notice of Intent under the NYSDEC SPDES General Permit for Stormwater Discharges From Construction Activity (GP-0-20-001) and the Applicant will be required to comply with all applicable terms of such General Permit. Stormwater

management has been designed in accordance with State and Federal regulations. As previously noted, a SWPPP has been completed in preparation for site grading and construction, among other things, and will address stormwater and prevent impacts to surface water from parking areas and the internal drives. These measures will also be reviewed in conjunction with the NYSDEC wetlands permitting and as part of the design/development of drainage improvements, the site-specific details of which require approval by the Town of DeWitt as part of the public review process.

It is anticipated that approximately 30 acres of land will be disturbed, and once the Project is complete, approximately 20 of the 30 acres will constitute impervious surfaces such as structures, paved drives and parking areas. Stormwater management features were designed in accordance with the New York State Stormwater Management Design Manual (“NYS Design Manual”). Accordingly, no stormwater discharge will be directed toward the identified jurisdictional wetlands on the Property. All stormwater will be directed into a combination of bioretention basins and underground detention piping prior to being discharged to Butternut Creek. Ultimately, the size and location of these features will enable stormwater to be managed such that post-development discharge rates will be less than pre-development discharge rates.

As a result of the foregoing, the Project is not anticipated to result in a significant adverse impact on surface water quality.

- D. Traffic levels: The application includes a document entitled “Traffic Impact Study”, prepared in March 2020, and revised in April 2020 by C&S Companies, Inc. (see Appendix F to Applicant’s April 2020 SEQRA Supplemental Materials). The OCDOT reviewed the TIS and, by letter dated May 22, 2020, accepted same.

The TIS establishes existing traffic conditions, predicts background traffic flow and area growth, and projects changes as a result of the Project. The TIS evaluated the segment of Kirkville Road immediately adjacent to the Property, from approximately 100’ west of Roberts Street, up to the intersection with Benedict Street in the Town of DeWitt. The study determined the effects that additional traffic resulting from the Project will have on the existing LOS along Kirkville Road. Such determinations are based primarily on a measure of potential driver discomfort, frustration, fuel consumption, and lost travel time.

The TIS concluded that the Project will have a minimal effect on the operations of Kirkville Road. The LOS results indicate no change in LOS to Kirkville Road. However, the proposed site driveways accessing the Project are anticipated to operate at a low LOS under existing conditions for left turns during the AM and PM peak hours. Further, there are sight distance limitations at the western driveway for left turns onto Kirkville Road. Consequently, the TIS concluded that traffic associated with the Project can be accommodated on the existing roadways subject to certain recommendations, as set forth below.

- *Installation of a traffic control signal*: The TIS recommends that a traffic control signal be installed at the intersection of Kirkville Road and Roberts Street. The

results of the LOS analyses indicate that the intersection functions better under the signalized condition than the un-signalized condition.

- *Installation of left turn lanes:* The TIS recommends that Kirkville Road be expanded to allow for the installation of dedicated left turn lanes heading westbound on Kirkville Road at the intersection with Roberts Street, and heading eastbound on Kirkville Road at both entrance drives to the Property. The installation of the left turn lanes is recommended to remove left turning vehicles from the mainstream of traffic, enhancing safety and the capacity of Kirkville Road.
- *Installation of second eastbound lane on Kirkville Road:* The TIS recommends that Kirkville Road be expanded to allow for the installation of a second eastbound lane over the length of the proposed project site. Through the installation of a second eastbound lane, vehicles turning right to enter the Property will be removed from the mainstream of traffic, enhancing safety and capacity of Kirkville Road.

A Highway Work Permit and an Access Permit will be required from the NYSDOT and OCDOT. Because offsite improvements along Kirkville Road will impact wetlands, a wetland and/or protection of waters permit is required from USACE and NYSDEC.

The submitted and vetted TIS demonstrates that the existing transportation network along Kirkville Road can adequately accommodate the projected traffic volumes resulting from the Project. Impacts are anticipated to be fully addressed through the implementation of the above-described traffic measures proposed in the TIS. It is further understood and agreed that the Company will reimburse the County for the cost of the off-site improvements project to Kirkville Road.

For the aforementioned reasons, no significant adverse impacts associated with traffic are anticipated as a result of the Project.

- E. Noise: The results of a noise analysis for the Project are contained in a report prepared by Ostergaard Acoustical Associates (“OAA”), entitled “Evaluation of Site Sound Emissions” (see Appendix H to Applicant’s April 2020 SEQRA Supplemental Materials) (the “Noise Study”). Potential sound emissions from the Project were analyzed against the applicable Town of DeWitt Town Code (“Town Code”) requirements and NYSDEC guidelines.

Noise requirements in the Town of DeWitt are addressed in Chapter 126 “Noise” of the Town Code. Section 126-4 provides quantitative limits, which apply to all noise sources on public and private property. Sound emissions are limited to 70 dB(A) during the daytime hours of 7:00 am to 10:00 pm and 50 dB(A) during the complementary nighttime hours. The Project includes site infrastructure and vehicular activity (employee vehicles, on-site truck movements) that have the potential to alter sound levels at the property line and/or adjacent receptors. After accounting for site topography, shielding, and reflection from structures, the Noise Study projected that sound emissions at the property lines and neighboring parcels will be less than ambient sound conditions and are consistent with

the requirements of the Town Code at neighboring property lines and the sound receptors included in the Noise Study. Projected/modeled sound emissions are also in compliance at all site boundaries with the exception of the main entrance and exit to the Project site, where sound emissions from trucks travelling into and out of the Project site at the proposed stoplight at Kirkville Road are projected to exceed thresholds at the site property boundaries adjacent to the intersection. However, the site is zoned as a High Tech, Transportation and Distribution Node District, which the Town Planning Department has confirmed is envisioned for industrial or commercial use that would generate trucks entering and existing facilities at the property line intersection with Kirkville Road.

In addition, the Project was evaluated under the guidelines established by NYSDEC for comparing noise impacts with existing ambient noise levels. An ambient sound survey was performed at various locations on and around the site. Noise sources during the surveys included vehicular traffic on Interstate 481 and Kirkville Road, freight rail traffic, aircraft, intermittent industrial noises, and various environmental emitters such as fauna and/or insects. After accounting for site topography, shielding, and reflection from structures, the Noise Study determined that noise emissions resulting from the Project will be significantly below existing ambient sound levels.

Construction noise impacts will be temporary in nature and no different than construction associated with public street repairs or an adjacent house. Hence no negative impact is anticipated from this temporary activity. In addition, a majority of the building site and most construction activity will be significantly far from noise receptors resulting in sound levels at or below 70 dB(A), which is consistent with Town Code Section 126-4 and well below existing daytime traffic maximums. Impacts will be further minimized through proper maintenance and operation of construction equipment. The Applicant will work to limit operation of heavy equipment near property boundaries for extended periods and will locate stationary equipment toward the interior of the Project Orange site. Additionally, the operation of construction equipment will be limited to daytime hours in accordance with the governing Town Code and has committed, should a situation arise where work is required outside of these hours, to coordinate with the Town of DeWitt, notify neighboring property owners/residents and, as needed, take measures to minimize the acoustical impact of any work outside of these hours.

For the reasons noted above, the Project will not have a significant adverse impact on noise levels in the area and will comply with applicable noise regulations and guidelines.

- F. Solid waste production: The Project will produce approximately 2,200 tons of solid waste during construction, including approximately 2,000 tons of contaminated soil and 200 ton of construction debris and trash. Solid waste production will be minimized by recycling. Solid waste transport and disposal will be handled under contract by private haulers, and disposal will occur in accordance with applicable local and state regulations. During operation the Distribution Facility will produce 20 tons per year (*see* FEAF), due to its intended use as a last-mile delivery warehouse hub (*i.e.* no packaging or unpacking of goods), solid waste will be minimal and limited to waste generated on-site by employees.

As discussed more fully in Criterion 7 below, the Applicant will dispose of all contaminated urban fill at a landfill off-site in accordance with NYSDEC regulations. Removal of contaminated urban fill will be accomplished by excavating all such material into tandem dump trucks with minimal disturbances to other existing soils.

G. Erosion, flooding, leaching and drainage:

Erosion and Drainage

The Project will not have significant adverse impacts on land resources. It is anticipated that approximately 30 acres of land will be disturbed, and once the Project is complete, approximately 20 of the 30 acres will consist of impervious surfaces such as structures, paved drives and parking areas. A Geotechnical Engineering Report, completed by Terracon Consultants, Inc. in November 2019 (*see* Appendix C to Applicant's March 2020 SEQRA Supporting Documentation), explored the subsurface conditions of the Property and provided geotechnical recommendations for the design and construction of the proposed foundation. The geotechnical investigation encountered groundwater at a depth of approximately 2.5 to 6 feet and recommended the removal and replacement of all urban fill located within the proposed building footprint. Review of the US Department of Agriculture, Natural Resources Conservation Service ("NRCS") Web Soil Survey for Onondaga County (*see* Appendix D attached to Applicant's March 2020 SEQR Supporting Documentation), indicates that soils on-site include fine sandy loam, silt loam, and poorly drained soils.

Watering will be utilized throughout the site and construction entrances will be stabilized with geotechnical fabrics and stone ballast to control dust. The Applicant will also employ good drainage techniques to ensure that the foundation, roads, parking areas, and other site features are not impacted by surface or groundwater. Erosion and sedimentation of all exposed soils during construction will be minimized by compliance with the Project's State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001), and through implementation of standards and best practices associated with the SWPPP. The SWPPP complies with the NYSDEC technical standards and Town SPDES permit requirements for stormwater discharges. Temporary measures, such as silt fences, check dams and geotextile fabric on steeper slopes, will be employed until the impacted areas are stabilized and vegetative coverage is adequate to minimize erosion. Once construction is complete, erosion concerns will be addressed through the implementation and continuation of the stormwater management and landscaping plans approved by the NYSDEC and Town of DeWitt. As a result, the Project is not anticipated to have a significant adverse impact due to erosion, flooding, leaching or drainage.

Geological Features

The Project will not have significant impacts on geological features. The NYSDEC EAF Mapper Application confirms there are no unique geologic features on the Property. Additionally, based on review of the National Park Service ("NPS") list of National Natural Landmarks ("NNL's"), there is only one NNL within Onondaga County (Round

Lake) which is not in the proximity of the Project. The Project will not result in any significant impacts to this or any other geological features.

Flooding

The Property is partially located on lands mapped as special flood hazard areas and within the 100 and 500-year floodplains. A portion of the surface parking proposed for the southern and eastern sides of the Property will be constructed within the floodplain. However, the proposed warehouse and distribution building is not located in either of the floodplains and the finish floor elevation (elevation 414.40) is 5.4 feet above the base flood elevation (409.0). The Federal Emergency Management Agency Flood Insurance Rate Map is located in Appendix E attached to Applicant's March 2020 SEQRA Supporting Documentation. Once the site is fully graded and the final build elevation is confirmed for areas that fall within the floodplain, Montante will prepare and submit a request to FEMA for a Letter of Map Change as necessary.

- H. Other: In addition to the factors addressed in this Criterion, the Agency evaluated the potential for Project impacts related to odors and light.

With respect to odors, the proposed Distribution Facility will not store liquids or other materials on site that could produce odors outside the building. Given the Property's proximity to Interstate 481, Kirkville Road and the CSX railyard, vehicular traffic entering and exiting the Property will not increase odor levels significantly relative to existing conditions at the site. It is further noted that although daily vehicle traffic accessing the Property is anticipated to be significant, the number of tractor trailers accessing the site, which is estimated to consist of 13 tractor trailers per day, is low. Because the odors associated with activity at the site will not differ from the conditions on the adjacent highways, roadways, and railyard, the Project will not have a significant adverse impact with respect to odors.

The Project will increase outdoor light levels within the Property boundary as compared to current conditions. As part of the site improvements, light fixtures will be positioned throughout the Distribution Facility's planned parking lots and on the building. All lights will be directed downward, and the Project is not anticipated to result in any significant adverse impacts related to lighting or glare. The lighting proposed is fully compliant with the Town of DeWitt Town Code, does not require any zoning waivers or variances, and the Town of DeWitt Planning Board will have final approval over the plan. Accordingly, the Project is not anticipated to have a significant adverse impact related to light.

Criterion 2

The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse effects on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse effects to natural resources.

The Project is not anticipated to have any significant impacts on plants and animals, including those listed as endangered, threatened, special concern, and/or rare species. The ecological communities identified at the Property are common throughout New York State and within the surrounding watersheds. Much of the Property, and the entire construction footprint, has had significant disturbance in the past due to fill and grading activities. The successional old field community and shrublands within the disturbance area support both plant assemblages and the various avian and terrestrial wildlife species common to the area. Invasive plant species have been identified on the Property, and construction management will include measures to control and avoid spread of invasive species in accordance with state invasive species regulations.

The NYSDEC Environmental Resource Mapper indicates the potential for northern long-eared bat (*Myotis septentrionalis*) and Indiana bat (*Myotis sodalis*). A subsequent consultation request sent to the New York Natural Heritage Program confirmed that both bat species have been documented in the vicinity of the Property (see Appendix F attached to Applicant's March 2020 SEQRA Supporting Documentation). The U.S. Fish & Wildlife Service ("USFWS") Information for Planning and Conservation (IPaC) website was also reviewed for occurrences of federally listed threatened and endangered species. The USFWS website list the northern long-eared bat, Indiana bat, and eastern massasauga (*Sistrurus catenatus*) for this area (see Appendix F attached to Applicant's March 2020 SEQR Supporting Documentation).

The Property includes potential summer/foraging habitat for bat species. Per NYSDEC guidance, any tree removal required for the Project will occur between November 1 and April 1 to avoid any potential impacts. In accordance with Town of DeWitt regulations and policies, a Tree Cutting and Clearing Permit was properly obtained to allow the removal of tree habitat prior to April 1 to mitigate any potential impact upon the endangered bat species. Should trees need to be removed after April 1 and before November 1, such activity will comply with all appropriate permitting procedures.

The Property does not include potential habitat for the eastern massasauga rattlesnake, despite its listing on the USFWS website for the general Project area. The USFWS website is not site specific: it does not provide the actual location of listed species (to avoid any harm to the species) but list species as present within a large geographical radius around the species' actual location. An environmental consultant, CC Environmental & Planning has assessed the site and determined that the eastern massasauga rattlesnake habitat requirements and migration opportunities are not met. Further, there is a very limited population of the eastern massasauga rattlesnake in New York State, and it is confined to two locations. While one of these locations is in Onondaga County, migration outside of this location is unlikely.

Due to lack of habitat, the unlikelihood of species presence in the proposed disturbance area, and timing of construction, the Project is not anticipated to result in a significant adverse impact to any of the listed species.

Criterion 3

The impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of SEQRA.

The Property neither adjoins nor is within an area designated by the NYSDEC as a Critical Environmental Area. As such, the Project will not impact a critical environmental area.

Criterion 4

The creation of a material conflict with a community's current plans or goals as officially approved or adopted.

The Project will be consistent with recognized local, county, and state plans and land use regulations. The Project complies with the applicable zoning regulations and comprehensive plans as follows:

Local Zoning

The Property is currently vacant and zoned High Tech, within the Transportation and Distribution Node Overlay District. Permitted land uses under the existing zoning classification include the proposed warehouse and distribution use. Thus, the Project is consistent with and permitted under local the Town of DeWitt zoning laws.

Onondaga County Comprehensive Plan

The Project is consistent with the spirit and intent of the County Comprehensive Plan. The Syracuse Onondaga County Planning Agency and the Onondaga County Legislature have adopted the *2010 Development Guide for Onondaga County*. Broad goals include creating a vibrant and growing economy, high quality of life, and fiscal strength for the County through cost-effective and sustainable development practices. The Plan notes that distribution, trucking, and warehouse activities are attracted to the area and represent a potential future growth sector due to the region's central location. It outlines certain "Major Economic Growth Potential" areas that are appropriate for this type of development. The Property is included in one of these appropriate growth areas due to its location, zoning, infrastructure, and past/current site use.

Town of DeWitt Comprehensive Plan

The Project is consistent with the spirit and intent of the Town Comprehensive Plan. The Town of DeWitt updated its Comprehensive Plan in 2017 when it approved the *Town of DeWitt Comprehensive Plan: 2017 Update*. Broad goals include identifying appropriate economic growth and development opportunities, while also preserving existing community resources and character. The Plan proposes that the Town be split into development zones based upon preferred future land uses. The Property is located within a development zone deemed

appropriate for High Tech Manufacturing, Industrial and Office Park land uses. The Town's Comprehensive Plan further notes that large parcels of undeveloped land with access to utilities, adequate drainage and highway access are likely sites for development. The Project is consistent with the use envisioned for the Property in the Town's Comprehensive Plan, and the existing site characteristics are consistent with those preferred for future development sites.

As a result of the foregoing, the Project will not result in a significant adverse impact relative to officially approved or adopted plans or goals.

Criterion 5

The impairment of the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character.

The Project will not have significant impacts on historic and archeological resources. The State Historic Preservation Office ("SHPO") of the New York State Office of Parks, Recreation and Historic Preservation recommended a Phase 1 Cultural Resource Investigation. This included Phase 1A documentary research and Phase 1B field investigation completed by Deuel Archaeology and CRM (*see* Appendix D attached to Applicant's April 2020 SEQRA Supplemental Materials). The Phase 1A required the examination of archeological, environmental, and historic literature pertinent to the Property. The Phase 1B included field investigation and data interpretation. No significant resources were identified, and Deuel Archaeology recommended no additional archeological investigations. The Phase 1 Cultural Resources Investigation was submitted to SHPO for review. SHPO subsequently issued an Effect Finding, which declares that no historic properties, including archaeological and/or historic resources will be affected by the Project. The SHPO Effect Finding is included as Appendix E to Applicant's April 2020 SEQRA Supplemental Materials.

The Project will not have significant adverse impacts on aesthetic resources. The visual characteristics of the Property will change as a result of the development, but these changes will not be adverse. Several building renderings have been created and are included in Appendix G to Applicant's March 2020 SEQRA Supporting Documentation, including a street-level perspective from Kirkville Road as well as a street-level perspective from the ramp at Kirkville Road and Interstate 481. Although these renderings indicate that the completed Project will be visible year-round, it is acknowledged that the Project will have a limited impact on existing view sheds as the land is currently vacant and lies in close proximity to the I-481 corridor, the CSX railyard (where regional inland port facilities have been considered in recent years), and Industrially zoned lands. Further, the Project is allowed as of right by the existing site zoning classification and is not in sharp contrast to current land use patterns. Thus, the Project is not anticipated to significantly impair the aesthetic character of the Property or its surroundings.

Criterion 6

A major change in the use of either the quantity or type of energy.

The Project will result in an increase in energy usage in the form of electricity and natural gas as the proposed facility is anticipated annual demand for electric service is 1,500 MWhrs, and the estimated daily demand for natural gas service is 5,802 CFH. Site utilities, including electric and natural gas service, will be sized and provided to accommodate the building needs. All systems will be connected to the appropriate municipal systems. The Project facility will be constructed and operated to maximize energy efficiency to the extent practical. The building will be heated and cooled using natural gas and electricity, respectively. All mechanical equipment to be used within the building will meet or exceed energy code standards. While the Project will require new improvements and extensions of service and a change in the quantity of energy used, the improvements and change will not constitute a significant adverse impact.

Electrical: Electric service will be supplied by National Grid through existing facilities. As evidenced by the Will-Serve Letters provided by National Grid, see Appendix G attached to Applicant's April 2020 SEQRA Supplemental Materials, there is sufficient capacity to serve the Project. Primary power feeder connection will be located off Kirkville Road. Service will be located underground. Installation of conduits, concrete encasement, and a new utility pad-mounted transformer and transformer pad will be coordinated with National Grid. This service will not require any substation upgrades or significant new off-site infrastructure.

The roof of the proposed facility has been designed for local loads including snow load, live load, dead load of structure, plus appropriate collateral loads, including a uniform load of 5 lbs./sf. for future photovoltaic solar panels. Further, to make provision for future solar installation, all rooftop equipment has been consolidated as much as possible. Solar access to the south and southwest aspects have been preserved to leave a maximum unobstructed space for a future roof-top solar panel system.

A commercial electric vehicle (EV) charging system will be procured and installed in the future to service the proposed facility. Thus, all van parking lots have been designed to accommodate the future use of an EV fleet of vans. The commercial EV charging system will be designed to allow for future adaptation of the delivery fleet.

Gas: Natural gas service will be supplied by National Grid. As evidenced by the Will-Serve Letters from National Grid, attached as Appendix G to Applicant's April 2020 SEQRA Supplemental Materials, there is sufficient capacity to service the Project. Primary gas feeder connection will be made off Fly Road, to the west of Interstate 481. This will require the installation of a new underground gas line from Fly Road to the Property along Kirkville Road. An underground gas line will then be installed from the property line to and including the gas meter in coordination with National Grid. The gas line from the gas meter into and including the building will be provided by the Contractor for the Project.

Criterion 7

The creation of a hazard to human health.

The Project is not anticipated to have any significant human health effects. A Phase I Environmental Site Assessment (“ESA”) was completed by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C., in January 2019, followed by a Phase II ESA in July 2019, and an updated Phase I ESA in September 2019 (*see* Appendix C to Applicant’s March 2020 SEQRA Supporting Documentation).

Langan identified Recognized Environmental Conditions (RECs) associated with imported soil and debris piles classified as urban fill in the Phase I ESA. After completing its Phase II ESA, Langan concluded that the stockpiles contained contaminated urban fill containing concentrations of hazardous substances above unrestricted residential standards, but below commercial standards. Regarding soil vapor, Langan found in the Phase II ESA that there were no exceedances of New York State Department of Health criteria and no exceedances of USEPA Vapor Intrusion Screening Levels for Commercial/Industrial use. Regarding groundwater, Langan determined that metals were generally below the Class GA standards, but found one sample with an exceedance. Because of the high turbidity associated with temporary well sampling, the identified concentrations were likely high compared to dissolved concentrations.

During construction, the Applicant will remove all of the contaminated urban fill and dispose of it at a landfill off-site in accordance with NYSDEC regulations. Removal of contaminated urban fill will be accomplished by excavating all such material into tandem dump trucks with minimal disturbances to other existing soils. Watering will be utilized throughout the site and construction entrances will be stabilized with geotechnical fabrics and stone ballast to control dust. For deeper excavations required to complete the Project, dewatering best management practices will be followed to remove ground or surface water from the construction site to allow construction to be done in dry conditions (as opposed to under wet conditions). Water will be removed using well points and power-driven pumps. Should water removed through the dewatering process be sediment-laden, or contain other pollutants, it will be properly treated prior to discharge, per NYSDEC regulations.

Handling/Storage of Hazardous Materials/Waste Associated with Operations

No hazardous materials will be handled, stored, or disposed of at the proposed warehouse and distribution facility.

Solid Waste Management

As noted previously, the Applicant will remove all contaminated urban fill and dispose of it at a landfill off-site. Approximately 2,000 tons of contaminated urban fill will be removed during construction of the Project. During operation, the facility does not involve or require the management or disposal of hazardous solid waste material. Standard solid waste material such as trash will be privately hauled to an off-site disposal facility.

Based upon the foregoing information, the Project will not create any human health hazards.

Criterion 8

A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

Land Use Character

The Project will not have a significant adverse impact to existing land use character. As noted previously, the Project will occur on approximately 42 acres of vacant land including approximately 30 acres of successional old field, 8.5 acres of forested and emergent wetland, 2.5 acres of successional northern hardwood forest, and 0.75 acres of open water stream and riparian areas associated with Butternut Creek. The Property is specifically zoned for the proposed use. There is a history of development activity on the Property, and most of the acreage has been previously disturbed due to its use as a “mine dump”, fill, grading, and tree removal. A gravel driveway and some underground utility infrastructure have been previously installed. Lands situated to the east and south of the Property are industrial or commercial in nature as Interstate 481 borders the Property to the east and extensive freight rail yards border to the Property to the south. The Project is consistent with the existing land use character as well as the uses proposed for the Project area by the Town in both its Zoning Ordinance and Comprehensive Plan.

Open Space and Recreation

The Project will not have a significant adverse impact on open space and recreation. The Property is not located within an area designated as open space and is located entirely on private property that is not open to recreational opportunities. Further, a conservation easement will be provided on areas of the Property which are designated as wetlands by the NYSDEC and the USACE.

Impact on Agricultural Resources

The Project will not have significant adverse impacts on agricultural resources. While there are soils on the Property classified as prime farmland if drained according to the NRCS Websoil Survey (*see* Appendix D attached to Applicant’s March 2020 SEQR Supporting Documentation), the Project is not anticipated to have a significant adverse impact on agricultural resources for the following reasons: (1) the Property is not located within a New York State Agricultural District under the New York Agricultural Districts Law; (2) the area encompassing the Property and adjacent areas have been used, and are planned for further development, as industrial uses under the Town of DeWitt Comprehensive Plan, and further, are designated under the DeWitt Zoning Ordinance within an Industrial Zoning District; and, (3) the Property is primarily vacant, early successional habitat and is not currently used for agricultural purposes, nor is it surrounded by any agricultural uses. Thus, the Project will not involve the conversion of active farmland to non-agricultural uses or in any way impair any surrounding agricultural uses.

Criterion 9

The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

The Action will trigger an increase in the number of persons visiting the Property both during and after construction of the proposed Project, but this is not expected to have a

significant adverse impact. As stated above in the discussion for Criterion 1, it is anticipated that the traffic associated with the Project will not significantly adversely impact existing traffic patterns along Kirkville Road and the surrounding roadway network. The Project is ideally situated in a location within the Town's Transportation and Distribution Node Overlay District, and the attraction of persons to this area is an expected and desired outcome for purposes of Town of DeWitt land use planning.

Criterion 10

The creation of material demand for other actions which would result in one of the above consequences.

The Project is not expected to create any adverse demand for other actions or need for additional public services that would result in consequences described by the above criteria. The public water and sewer services proposed to be provided by the Town of DeWitt and WEP, respectively, have adequate capacity to handle the Project, and the proposed ingress and egress points, internal drive and off-site traffic improvements are expected to satisfactorily facilitate vehicle movement.

Public education is provided by the East Syracuse Minoa Central School District. The Project proposes a commercial use, creating several hundred permanent jobs. Only a small increase in the school-aged population is anticipated (associated with new employees who have children and move to settle within the East Syracuse Minoa Central School District), and this increase can be absorbed into the existing school system.

In addition, the Project will not create significant additional demand on community services, including police, fire and emergency medical services. Local Emergency Services are provided by the Onondaga County Sheriff, Town of DeWitt Police Department and the DeWitt Fire District. Security measures will be implemented as part of the Project, including and not necessarily limited, to fencing, video surveillance, alarms, loss prevention program to minimize theft, and full-time security personnel on site. Such security measures will be fully implemented and function on a 24/7 basis. The building plans include state-of-the-art fire protection measures, and the site has been designed to provide fire engines and emergency vehicles 360-degree access in accordance with the Town Code. Further, the Project is within the current service districts and envisions the storage of only non-hazardous materials on site. As a result, while it is acknowledged that there may be calls generated by the change from vacant land to a warehouse and distribution facility, any such impacts will not be significant, and will be capably handled by the existing system. Any disruptions along Kirkville Road during buildout of the Project will be coordinated with the Onondaga County Sheriff and the DeWitt Fire District.

Finally, it is anticipated that the Project will create hundreds of new permanent jobs that will be filled predominantly through the area's existing labor pool. Therefore, a significant increase in population is not expected; however, the Project will generate substantial new property and/or sales tax revenues to the Town of DeWitt, East Syracuse Minoa Central School District, and Onondaga County. For the aforementioned reasons, the Project will not have a significant adverse impact on demand for additional public services.

Criterion 11

Changes in two or more elements of the environment, no one of which has a significant effect on the environment, but when considered together result in a substantial adverse impact on the environment.

For the reasons set forth herein and as supported by the record before the Agency, the Project will not result in multiple changes to the environment which, when considered together, result in a substantial adverse impact on the environment.

Criterion 12

Two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant effect on the environment, but when considered cumulatively would meet one or more of the criteria in this section.

The Project consists of a single project consisting of the proposed construction and operation of a warehouse distribution facility and related improvements in compliance with the Town of DeWitt Town Code and applicable governmental agency permits and/or approvals. As part of the Project, the Applicant proposes the subdivision of six parcels, totaling approximately 74 acres and under the common ownership of Magnum Properties, Inc. ("Magnum"), into two new lots, Lot 1 (32.03 acres) and Lot 2 (42.31 acres). The Applicant proposes to develop only Lot 2 for the Distribution Facility. Upon construction of the facility, Applicant will own Lot 2 and Magnum will continue to own Lot 1. As noted in Exhibit J of the March 2020 SEQRA Supporting Documentation and the TIS, (*see* Appendix F to Applicant's April 2020 SEQRA Supplemental Materials), Magnum does not have specific plans for development of Lot 1 at the present time, nor does Magnum have any proposal from a third party interested in development.

Accordingly, the Project is not dependent upon any other actions, nor is it related or connected to any other actions which would create the potential for a cumulative significant adverse environmental impact meeting any of the criteria in this section.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

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Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Project Orange		
Project Location (describe, and attach a general location map): 6834 Kirkville Rd, E. Syracuse, Town of DeWitt, Onondaga County, NY (Figure 1). Lat/Long locat 43.075776° N, -76.0417198° W		
Brief Description of Proposed Action (include purpose or need): Montante Construction represents a national logistics company (the "Company"), and together with the Company (the "Applicant"), is proposing a warehouse and distribution facility (the "Project"). The Project involves the construction and operation of an approximately 112,000-square foot building and associated parking and servicing on vacant industrial land owned by Magnum Properties Co., on Kirkville Rd., in the Town of DeWitt (the "Site"). The Project includes a subdivision as the facility will be constructed on approximately 42 acres of the overall 74 acre parcel owned by Magnum Properties Co. A privately-owned, shared access driveway will be constructed to provide vehicular access to the Site off of Kirkville Rd. Approximately 102,000 square feet of the new facility will be dedicated to warehouse space, while the remaining 10,000 square feet will be dedicated to office space. Approximately 980 parking spaces will be constructed around the new building. Proposed uses are allowed as of right under the High Tech, Transportation and Distribution Node Overlay Zoning Classification for the Site.		
Name of Applicant/Sponsor: Montante Construction LLC	Telephone: 716-876-8899 E-Mail: bdeluke@montante.com	
Address: 2760 Kenmore Avenue		
City/PO: Tonawanda	State: NY	Zip Code: 14150
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Magnum Properties, Co. - Contact: Widewaters Group	Telephone: 315-445-2424 E-Mail:	
Address: 5786 Widewaters Parkway, PO Box 3		
City/PO: DeWitt	State: NY	Zip Code: 13214

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	DeWitt Planning Board: Site Plan and Subdivision Approvals	Site Plan: December 2019 Subdivision: March 2020
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Onondaga County: Health Dept., County DOT, County WEP, County Legislature Sewer Extension	March 2020
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC: Article 24 Wetland Permit, SPDES NYS DOT: TIS review and approval	March 2020
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? <u>High Tech, Transportation and distribution node overlay district</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located? <u>East Syracuse-Minoa Central School District</u>	
b. What police or other public protection forces serve the project site? <u>Town of DeWitt Police Dept.</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Town of DeWitt Fire District</u>	
d. What parks serve the project site? <u>There are no adjacent park facilities. The Town of DeWitt has a Parks Department that manages parks and rec elsewhere in the Town.</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>light industrial/commercial warehouse and offices</u>	
b. a. Total acreage of the site of the proposed action?	<u>42</u> acres
b. Total acreage to be physically disturbed?	<u>29</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>74</u> acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) <u>industrial and commercial</u>	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Number of lots proposed? <u>2</u>	
iv. Minimum and maximum proposed lot sizes? Minimum <u>32</u> Maximum <u>42</u>	
e. Will the proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If No, anticipated period of construction: <u>12</u> months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Total number of structures <u>1</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>45</u> height; <u>202</u> width; and <u>555</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>112,000</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: <u>Stormwater quality and stormwater quantity</u>	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: <u>Surface runoff from proposed development</u>	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: <u>0.5</u> million gallons; surface area: <u>0.7</u> acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length 8 separate bioretention basins	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>Earthen embankment</u>	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? <u>Removal of contaminated urban fill</u>	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): <u>Approximately 2000 tons</u>	
• Over what duration of time? <u>3-5 days</u>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.	
<u>Material to be excavated is considered "urban fill" and contains contaminated soils. All contaminated soils will be excavated and privately hauled to a certified offsite disposal facility.</u>	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? <u>3</u> acres	
vi. What is the maximum area to be worked at any one time? <u>1</u> acres	
vii. What would be the maximum depth of excavation or dredging? <u>1</u> feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: <u>Removal of contaminated urban fill will be accomplished by excavating all such material onsite into tandem dump trucks with minimal disturbances to other existing soils. All applicable guidelines will be followed. Watering will be utilized throughout the site and construction entrances will be stabilized with geotechnical fabrics and stone ballast to control dust. Site cleanup throughout excavation process.</u>	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>NYSDEC Wetland and Adjacent Area - Wetland SYE-11</u>	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
Construction of parking lots will impact the buffer zone of the NYSDEC wetland SYE-11. The site is subject to an existing NYSDEC permit valid through August 2028 that allows construction in the buffer zone. However, a new permit is required as the site will be subdivided and sold to new ownership. New NYSDEC permit will honor conditions of existing permit. Construction of offsite improvements on Kirkville Road will require fill in SYE-11. Developer has completed a delineation for SYE-11 along Kirkville and will secure permits from NYSDEC and USACE for the offsite improvements on Kirkville Road.

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: Offsite improvements to Kirkville Rd, as outlined in TIS, may impact wetlands.
- expected acreage of aquatic vegetation remaining after project completion: Improvements to be designed to minimize/eliminate impacts.
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): Any potential impact to wetlands along Kirkville Rd. would be to accomodate any County DOT required improvements to Kirkville Rd.
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: Mitigation of wetland buffer zone impacts has already been completed by the current owner. Offsite improvements to Kirkville Rd. required by County DOT to be designed to minimize or eliminate additional impacts.

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:
i. Total anticipated water usage/demand per day: 12,000 gallons/day
ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: Town of DeWitt Water
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:
i. Total anticipated liquid waste generation per day: 12,000 gallons/day
ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: metropolitan syracuse
- Name of district: Onondaga WEP
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☒ No
- Is expansion of the district needed? ☒ Yes ☐ No

<ul style="list-style-type: none"> Do existing sewer lines serve the project site? Will a line extension within an existing district be necessary to serve the project? <p>If Yes:</p> <ul style="list-style-type: none"> Describe extensions or capacity expansions proposed to serve this project: _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>Existing infrastructure is in place from a previous project, but it was never accepted by Town of DeWitt. The location / condition of the existing infrastructure will need to be verified. The existing infrastructure is proposed to be utilized to serve the project. The County Sanitary District needs to be expanded.</p>		
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?</p> <p>If Yes:</p> <ul style="list-style-type: none"> Applicant/sponsor for new district: _____ Date application submitted or anticipated: _____ What is the receiving water for the wastewater discharge? _____ <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or _____ 20 acres (impervious surface)</p> <p>_____ Square feet or _____ 42 acres (parcel size)</p> <p>ii. Describe types of new point sources. <u>Outfall to Butternut Creek</u></p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p><u>On site stormwater management system designed in compliance with NYSDEC Stormwater Management Design manual</u></p> <p>_____</p> <ul style="list-style-type: none"> If to surface waters, identify receiving water bodies or wetlands: _____ <p><u>Butternut Creek</u></p> <p>_____</p> <ul style="list-style-type: none"> Will stormwater runoff flow to adjacent properties? _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>f. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) Delivery vehicles for this facility are to be electric vans; however, gas-powered vans may be utilized for a short time upon opening of the facility during the Company transition to electric fleet.</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) Standard construction vehicles to be utilized. A diesel generator to be utilized for temporary power. Propane heaters may be utilized to heat building prior to completion.</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p><u>None</u></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> _____ Tons/year (short tons) of Carbon Dioxide (CO₂) _____ Tons/year (short tons) of Nitrous Oxide (N₂O) _____ Tons/year (short tons) of Perfluorocarbons (PFCs) _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input checked="" type="checkbox"/> Morning <input checked="" type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): <u>15 semi trailers to arrive and exit from the site daily.</u></p> <p>iii. Parking spaces: Existing <u>0</u> Proposed <u>920</u> Net increase/decrease <u>920</u></p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: <u>Proposed action results in 2 new lanes on Kirkville Rd., 2 curb cuts onto Kirkville Rd., a traffic light at Kirkville and Roberts, and a new shared access drive.</u></p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____ <u>1,500,000 kilowatt hours of electricity demand annually</u></p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): <u>via grid/local utility</u></p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7am-4pm</u> • Saturday: <u>na</u> • Sunday: <u>na</u> • Holidays: <u>na</u> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24 hours</u> • Saturday: <u>24 hours</u> • Sunday: <u>24 hours</u> • Holidays: <u>na</u> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7am-4pm</u> • Saturday: <u>na</u> • Sunday: <u>na</u> • Holidays: <u>na</u> 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24 hours</u> • Saturday: <u>24 hours</u> • Sunday: <u>24 hours</u> • Holidays: <u>na</u>
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7am-4pm</u> • Saturday: <u>na</u> • Sunday: <u>na</u> • Holidays: <u>na</u> 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24 hours</u> • Saturday: <u>24 hours</u> • Sunday: <u>24 hours</u> • Holidays: <u>na</u> 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p style="font-size: small;">Operational sound emissions are projected to be less than current ambient conditions at the site due to traffic on Kirkville, Interstate 481, CSX rail lines, and intermittent aircraft. Construction may temporarily generate noise above ambient levels. These temporary impacts will be limited through best management practices as part of the construction process.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>n. Will the proposed action have outdoor lighting?</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p style="font-size: small;">Overhead lighting will be installed throughout the parking areas and wall mounts will be installed on the exterior of the structure. All lights will be directed downward toward the ground to be dark-sky friendly and are LEDs.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will the proposed action use Integrated Pest Management Practices?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: <u>2200</u> tons per <u>year</u> (unit of time) • Operation : <u>20</u> tons per <u>year</u> (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: <u>Recycling will be provided on-site by a private contractor. Materials will be privately hauled to recycling facility.</u> • Operation: <u>Recycling facilities will be provided on-site. Materials will be privately hauled to recycling facility.</u> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: <u>Standard waste facilities such as dumpsters will be provided on-site by a private contractor. Materials will be privately hauled to a disposal facility. Total tons generated estimated above includes contaminated soils (2000 tons) and construction materials (200 tons).</u> • Operation: <u>Standard waste removal facilities will be provided on-site. Materials will be privately hauled to disposal facility.</u> 	<input type="checkbox"/> Yes <input type="checkbox"/> No

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☒ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): interstate highway, vacant industrial

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	21	21
• Forested	2.50	1.0	-1.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	30.25	10.75	-19.50
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.75	0.75	0
• Wetlands (freshwater or tidal)	8.50	8.50	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ iii. Describe any development constraints due to the prior solid waste activities: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: Imported soil/debris stockpiles were identified at the site, as referenced in supporting documents. These soil piles have been identified as contaminated urban fill. All contaminated urban fill will be removed / disposed at a landfill offsite.	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database ii. If site has been subject of RCRA corrective activities, describe control measures: _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 65 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Minoa fine sandy loam	44.2 %
Wayland soils complex	30.5 %
Niagara silt loam	22.2 %

d. What is the average depth to the water table on the project site? Average: _____ 2.5 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☒ Poorly Drained _____ 100 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☐ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 899-219 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name State DEC: SYE-11; Federal: SYE-11 also USACE jurisdiction Approximate Size SYE-11: 1472 acres total
- Wetland No. (if regulated by DEC) SYE-11

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☒ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☒ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☒ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No
If Yes:
i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">White-tailed deer</td> <td style="width: 33%; border-bottom: 1px solid black;">Red-tailed hawk</td> <td style="width: 33%; border-bottom: 1px solid black;">Gray squirrel</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Racoons</td> <td style="border-bottom: 1px solid black;">Passerine birds</td> <td style="border-bottom: 1px solid black;">Small mammals - other</td> </tr> </table>			White-tailed deer	Red-tailed hawk	Gray squirrel	Racoons	Passerine birds	Small mammals - other
White-tailed deer	Red-tailed hawk	Gray squirrel						
Racoons	Passerine birds	Small mammals - other						
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 								
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): The Project site includes potential summer/foraging habitat for the following bat species:</p> <p>Northern Long-eared Bat, Indiana Bat. The site is also included in the US Fish and Wildlife Service zone that potentially contains habitat for the Eastern Massasauga Rattlesnake; however, CC Environment & Planning has determined that there is no suitable rattlesnake habitat at the Project site.</p>								
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>								
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>Natural cover on the east and south side of the site will be avoided and ongoing hunting/fishing on adjacent properties should be unaffected.</p>								
<p>E.3. Designated Public Resources On or Near Project Site</p>								
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>								
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>								
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>								
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>								

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

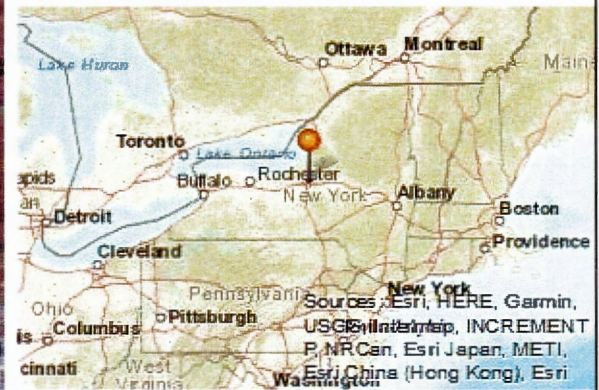
Applicant/Sponsor Name Byron DeLuke Date 05/22/2020

Signature *Byron DeLuke* Title Director, Montante Construction

PRINT FORM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	899-219
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):1451.0
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	SYE-11
E.2.h.v [Impaired Water Bodies]	No

E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat, Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

	Agency Use Only [If applicable]
Project :	Project Orange Warehouse/Distribution
Date :	June 2, 2020

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. 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 pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i> <div style="text-align: right;"> <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i> <div style="text-align: right;"> <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
<p>If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:</p> <p>e. i. The proposed action may result in the destruction or alteration of all or part of the site or property.</p> <p> ii. The proposed action may result in the alteration of the property's setting or integrity.</p> <p> iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.</p>	<p>E3e, E3g, E3f</p> <p>E3e, E3f, E3g, E1a, E1b</p> <p>E3e, E3f, E3g, E3h, C2, C3</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☐ NO

☒ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☒ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☒ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.)

☐ NO

☒ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. 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 environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: <u>with regard to h. and j. above, contaminated fill will be removed from the site and taken to an off-site landfill. The total amount is approximately 2,000 tons.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See Exhibit A - Criteria for Determining Significance (attached hereto), which contains a thorough evaluation of the proposed project's attributes and potential environmental effects, including those identified in Part 2 as having the potential to be moderate to large, against the criteria provided in the NYSDEC regulations at 6 NYCRR §617 et. seq.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
See Exhibit A (attached) for a list of all relevant information and materials concerning the project.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

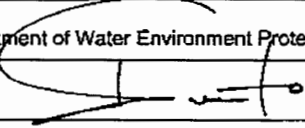
☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Montante Construction Warehouse Distribution Facility Project

Name of Lead Agency: Onondaga County

Name of Responsible Officer in Lead Agency: Frank M. Mento

Title of Responsible Officer: Commissioner - Department of Water Environment Protection

Signature of Responsible Officer in Lead Agency: 

Date: June 2, 2020

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Benjamin Yaus, Esq.

Address: Onondaga County Department of Law, 421 Montgomery Street, Floor 10, Syracuse, New York 13202

Telephone Number: (315) 435-2170

E-mail: benjaminyaus@ongov.net

For Type I Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/cnb/enb.html>

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**JUNE 23, 2020
SESSION
(2nd DAY)**

LEGISLATOR	AYES:	NOES:	ABSENT:	
1. MAY	✓			
17. ERVIN	✓			
6. ABBOTT-KENAN	✓			
7. KUHN	✓			
8. RYAN	✓			
9. CHASE	✓			
10. HOLMQUIST	✓			
11. McBRIDE	✓			
13. BUSH	✓			
14. JORDAN	—		✓	
15. KINNE	✓			
16. WILLIAMS	✓			
2. ROWLEY	✓			
3. BURTIS	✓			
4. TASSONE	✓			<i>Adjourned at 12:50 pm.</i>
5. CODY	✓			
12. KNAPP	✓			
TOTAL	16	0	1	