

IN THE MATTER
OF
STATE ENVIRONMENTAL QUALITY REVIEW
ACT
DETERMINATION FOR
RANALLI ALA, LLC
SITE PLAN

Resolution 2021-004
DETERMINATION OF
ENVIRONMENTAL
SIGNIFICANCE OF PROJECT

*Motion by Corey,
Second by Lester*

The TOWN PLANNING BOARD OF THE TOWN OF LYSANDER, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Lysander, located at 8220 Loop Road, Baldwinsville, New York 13027, County of Onondaga, State of New York, on the 12th day of August, 2021, at 7:00 p.m. The meeting was called to order by John B. Corey, as Chairman, and the following were present, namely:

John B. Corey	Chairman
Hubert D. Kimball	Member
William Lester	Member
Steve Darcangelo	Member
Doug Beachel	Member

Absent: Doug Beachel

WHEREAS, the Ranalli ALA LLC (the "Applicant") originally proposed the construction of a 1 million square foot warehouse and distribution center at the intersection of Hencle Blvd., Oswego Road (Route 48) and I -690;

WHEREAS, on or about July 8, 2021, the Applicant revised the proposal and reduced the size of the building to 360,000 sq. ft (the "Building") by eliminating the originally proposed Phase II and Phase III of the project (the revised proposal hereinafter referred to as the "Project");

WHEREAS, the Applicant, through its engineers (CHA Engineers), has submitted a site plan package (the "Site Plan Package") entitled "Proposed Warehouse, 8626 Oswego Road, Town of

Lysander, New York,” prepared by CHA, which consists of the following Sheets: C-001 Title Sheet, C-003 Existing Conditions, C-100 Overall Layout, C-101 Site Layout, C-102 Site Layout, C-200 Overall Grading, C-201 Site Grading, C-202 Site Grading, C-203 Site Grading, C-204 Site Grading, C-300 Overall Utility Plan, C-301 Site Utility Plan, C-302 Site Utility Plan, C-303 Site Utility Plan, C-400 Landscaping Plan, C-500 Overall Erosion and Sediment Control Plan, C-551 Erosion Control Details, C-601 Details, C-602 Details, C-603 Details, C-604 Details, C-700 Lighting Plan, C-701 Lighting Details, C-702 Lighting Details, identified as Project No. 23278.9074, and dated 3-17-2, last revision date 7-23-21;

WHEREAS, the Project is proposed to be situated on three separate vacant parcels (which the Planning Board will require to be merged if approved), identified as tax map nos. 055-01-19.1, 055-01-18.0, and 055-01-20.0, which together equal 122.6 acres (the “Property” or “Project Site”);

WHEREAS, of the 122.6 acres, the Applicant has proposed to disturb approximately 23%, or 27.9 acres of the Property;

WHEREAS, when the Project is completed, only 15.5 acres of the 122.6 acres, or less than 10%, will be impervious surfaces;

WHEREAS, the remaining vacant lands will be used to buffer the Building with open space and accommodate for stormwater run-off;

WHEREAS, the Planning Board and its engineer has reviewed the Site Plan Package and has considered it in relation to the SEQRA review and findings set forth herein;

WHEREAS, the existing zoning for the Project Site is Industrial and has been zoned Industrial of several decades;

WHEREAS, the Project is now proposed to be developed in one phase – a 360,000 sq. ft. building with construction to be completed within an estimated 24 months;

WHEREAS, land uses in the adjacent surrounding area are low intensity commercial, some individual residents situated on Church Road, NYS Rt. 48 and the closest subdivision being

Giddings Crest (approximately 93 building lots), with the closest residents in this subdivision being approximately .7 miles feet from the Project Site;

WHEREAS, because 27 acres of the Property will be disturbed by the construction of the Project, it qualifies the Action as a Type I action under Article 8 of the New York State Environment Law and 6 NYCRR (“SEQRA”);

WHEREAS, on February 11, 2021, pursuant to NYCRR Part 617.6(b), the Lysander Planning Board (the “Planning Board”) declared itself the Lead Agency and issued to all involved agencies a Notice of Intent that classified the Project as a Type I action and further stated that it intended to be the Lead Agency for the Action;

WHEREAS, no involved agency responded in objection to the Notice of Intent for Lead Agency;

WHEREAS, on March 4, 2021 the New York State Department of Transportation submitted a letter to the Town Planning Board Chairman identifying concerns related to traffic, highway work permits, right-of-way issues and utility installation and requested a copy of the stormwater pollution and prevention plan (“SWPPP”);

WHEREAS, on March 22, 2021, the Planning Board held a scoping session for all the involved agencies to determine any environmental concerns they may have - none of the involved agencies attended or submitted comments;

WHEREAS, the Applicant has provided the Town Planning Board with a revised Traffic Impact Study (the “Traffic Impact Study”), dated July 2021, prepared by GTS Consulting, Inc. (“GTS”), reflecting the reduction of the Building size from 1 million sq. ft. to 360,000 sq. ft., in which GTS indicates that the level of traffic generated by the Project will not significantly degrade traffic level services in and around the area;

WHEREAS, the Traffic Impact Study recommend several mitigation measures to reduce traffic impacts;

WHEREAS, the New York State Department of Transportation (NYS DOT), which controls access to NYS Rt. 48, the point of ingress/egress for the Project, has been asked by the Applicant and the Town Engineer to review the Traffic Impact Study to assess whether the information provided in the Traffic Impact Study is sufficient to warrant the ingress/egress proposed by the Applicant and whether the mitigation measures proposed are sufficient to accommodate the additional traffic generated by the Project;

WHEREAS, by letter dated July 14, 2021, the NYS DOT has determined that the Traffic Impact Study and the ingress/egress to State Rt. 48 is sufficient to accommodate the additional traffic from the Project and has recommended several mitigation measures to improve the flow of traffic in and around the Project site (the "NYS DOT Letter" attached hereto as Exhibit A and made part of the Findings and Determinations below);

WHEREAS, the Onondaga County Department of Transportation (the "County DOT"), which controls Hencle Blvd, which was originally second point of ingress/egress for the Project, has been asked by the Applicant and the Town Engineer to review the Traffic Impact Study to assess whether the information provided in the Traffic Impact Study is sufficient to warrant the ingress/egress proposed by the Applicant and whether the mitigation measures proposed are sufficient to accommodate the additional traffic generated by the Project;

WHEREAS, by memo dated July 6, 2021, the County DOT has determined that the Traffic Impact Study acceptable for the portion that pertains to Hencle Blvd. but that Hencle Blvd is determined to be a highways "without access" (the "County DOT Memo", which is attached to this Resolution as Exhibit B and made part of the Findings and Determinations below);

WHEREAS, by letter dated April 1, 2021 and follow up letter dated August 11, 2021, the Engineer for the Town has reviewed the Traffic Impact Study and based on his review and the NYS DOT Letter and the County DOT Memo, agrees that the mitigation measures proposed by the Applicant will eliminate or moderate any significant impacts on traffic in and around the Project Site (the "Engineer Review Letters");

WHEREAS, the Land is zoned Industrial under the Town Code and the use proposed by the Applicant is in keeping with the allowed zoning and the character and nature of this area;

WHEREAS, CHA submitted to the Town Engineer a Stormwater Pollution and Prevention Plan (“SWPPP”) date August 2021 which identifies stormwater run-off issues and proposed stormwater facilities that will meet the NYS Department of Environmental Conservation regulations (See Engineer’s Review Letter of August 11, 2021);

WHEREAS, by resolution dated June 21, 2021, the Onondaga County Planning Agency indicated that it met on April 21, 2021 to review the original 1 million sq. ft. building proposal and it made four (4) modifications that it requested from the Applicant;

WHEREAS, by resolution dated August 4, 2021, the Onondaga Planning Agency re-examined the Project based on the reduction of the Building to 360,000 sq. ft. and made three (3) modifications that it is requesting of the Applicant and two (2) comments, all of which the Planning Board agrees with and makes part of this Resolution and the findings and determinations below;

WHEREAS, on April 8, 2021, at its monthly meeting, the Planning Board reviewed, discussed and asked questions to the CHA Engineers regarding Part II of the Long Environmental Assessment Form (the “EAF”) and answered the 18 questions set forth therein based on the 1 million sq. ft. original proposal;

WHEREAS, the Planning Board identified six areas of potential environmental impact as follows: (i) Impact on Land; (ii) Impacts on Surface Water; (iii) Impacts on Plants and Animals; (iv) Impacts on Transportation; (v) Impacts on Energy; and (vi) Impacts on Noise, Odor and Light;

WHEREAS, of the six potential environmental impacts set forth in the previous paragraph, the Planning Board determined that the standards set forth in the EAF sub-questions indicated “no, or small impact may occur” for all identified potential environmental impacts except for:

Question 1(d), which indicates the proposed action may involve the excavation and removal of 1,000 tons of natural material, and

Question 13(a) and (b), which indicates that the action may increase traffic to exceed capacity of existing road network and the construction of paved parking for more than 500 or more vehicles;

Question 14(d), which indicates that the action may involve the heating and/or cooling of more than 100,000 square feet of building when completed;

WHEREAS, the FINDINGS and DETERMINATIONS set forth below explain the Planning Board's opinion on Question 1(d), Question 13(a) (b) and Question 14(d) above and other issues of environmental concern expressed to the Planning Board;

WHEREAS, on August 12, 2021, the Planning Board re-reviewed Part I and Part II of the EAF based on the updated information provided by the Applicant that reduced the size of the Building from one million sq. ft to 360,000 sq. ft. and made the following changes to the EAF Part II:

- ⑧ 1. Impact on Agricultural Resource - yes; w/no to small impacts;
- ⑬ 2. Impact on Transportation - parking area reduced below 500;
- 3. _____;
- 4. _____;

WHEREAS, based on the review of the Site Plan Package, Part I and Part II of the EAF, the Planning Board's familiarity of the Project Site, the Town's Comprehensive Plan, the zoning designation of the Property as Industrial, and the comments received by the public, and the Recitals stated above, the Planning Board hereby makes the following FINDINGS and DETERMINATIONS, which will be added as a supplement to the EAF Part II and III:

1. **FINDING and DETERMINATION:** The purpose of the Industrial Zone, the zoning designation where the Project is situated, is "for uses which focus on the movement, storage or processing of raw materials or finished/semifinished goods. Good access to major transportation routes (highway, railroad or river) is to be encouraged as is separation from and buffering from nearby residential areas." Section 320-31 of the Town Code

2. **FINDING and DETERMINATION:** The Project and its use (as a warehouse and distribution facility) fits directly within the purposes for a business in the Industrial Zone because the Property has direct, or nearly direct, access to major highways (I-690, State Route 48, Hencle Blvd, the New York State Thruway and Interstate 81).
3. **FINDING and DETERMINATION:** After three public hearings and input from the Planning Board, the Applicant reduced the size of the proposed Building from 1 million sq. ft. to 360,000 sq. ft which has significantly lessened the environmental impact of the Project in terms of traffic, the length of time for construction, ingress/egress issues, visual impacts, wetland impacts, impacts on soils and ground cover excavation.
4. **FINDING and DETERMINATION:** The general nature and character of the adjoining surrounding land use is low intensity commercial or vacant land, with possibly some individualized residences north, west and south of the Project Site.
5. **FINDING and DETERMINATION:** The Giddings Crest subdivision is approximately .7 miles from the Project Site boundary, which distance will prevent any direct environmental impact from the Project, including but not limited to noise, lighting, odor or construction impacts. (See Exhibit C to this Resolution – an arial/satellite depiction of the Giddings Crest subdivision and its proximity to the Property prepared by the Town Engineer
6. **FINDING and DETERMINATION:** Between the Giddings Crest subdivision and the Project Site is forested land, which buffering will prevent any direct environmental impact from the Project. (See Exhibit C to this Resolution – an arial/satellite depiction of the Giddings Crest subdivision and its proximity to the Property prepared by the Town Engineer)
7. **FINDING and DETERMINATION:** The existing topography, which provides a crest vertical curve, or hill, from the Project Site to the Giddings Crest subdivision will prevent any direct environmental impact from the Project. (See Exhibit C to this Resolution – an arial/satellite depiction of the Giddings Crest subdivision and its proximity and elevation to the Property prepared by the Town Engineer)

8. **FINDING and DETERMINATION:** The Planning Board adopts the conclusions and recommendations of the modified Traffic Impact Study as it relates to ingress/egress, traffic distribution, level of service at intersection and parking, based on the NYS DOT Letter, the County DOT Memo and the Town Engineer Letter.
9. **FINDING and DETERMINATION:** While the Applicant is proposing the excavation or removal of more than 1,000 tons of natural material (topsoil) (See Question 1(d) of the EAF Part 2), the Property is large enough to accommodate such excavation and removal since the disturbance will be approximately 23% of the total Property acreage and a significant amount of excavated natural material will remain on the Project Site. Based on the Applicant's representations, any material that is taken off the Project Site during development will be repurposed or processed as screened topsoil. Finally, the Applicant mitigated the amount of topsoil being taken off the Project Site by reducing the size of the building from 1 million sq. ft. to 360,000 sq. ft.
10. **FINDING and DETERMINATION:** The SWPPP submitted by CHA provides enough information to indicate that the onsite stormwater can be managed on the Property because of the amount of vacant land remaining after construction (See Engineer's Letter dated August 11, 2021). The grading plan, presented as part of the Site Plan Package shows the bioretention area has been moved away from the wetland buffer, which should not be disturbed. In the event the buffer or wetland is disturbed, the Applicant will be required to obtain a NYS DEC and Army Corp of Engineer's permit, which shall be a condition of any Site Plan approval, in additions to the conditions set forth in Finding and Determination 11 below.
11. **FINDING and DETERMINATION:** While the Planning Board has determined that there will be no significant environmental impact on flooding (Question 5 of the EAF Part 2), during the Site Plan process the Planning Board will pay special attention to the SWPPP and require mitigation efforts to ensure that construction near the Tannery Creek area accounts for proper

drainage management of this water body, not including downstream maintenance issues such as culvert cleaning and stream overgrowth management.

12. **FINDING and DETERMINATION:** There is no indication from the EAF Mapper that there are any endangered species, natural communities of animals, or rare plants and animals on the Property.

13. **FINDING and DETERMINATION:** The New York State Department of Environmental Conservation, which is an Involved Agency and was invited to participate in the Scoping Session for SEQRA, did not provide the Planning Board with any comments related to the environmental impacts of the Project on the Three Rivers Wildlife Management Area. The Town Engineer has contacted the staff at the NYSDEC and at Three Rivers Wildlife Management Area to verify that the SEQRA coordinated review package was received along with the revised Site Plan Package. No concerns have been raised by NYSDEC about the impacts of the Project on Three Rivers Wildlife Management Area and the plants and animals at Three Rivers Wildlife Management Area.

14. **FINDING and DETERMINATION:** While part of the Project Site has previously been used for agricultural purposes, and the soils may qualify under soil groups 1 to 4 (see EAF Part II question 8(a)), the Property and has been set aside by the Town of Lysander for Industrial purposes and is properly zoned for the use proposed by the Applicant, as set forth above. The Zoning Map of the Town of Lysander indicates that most of the land in the Town is zoned for agricultural purposes and removing the Project Site from agricultural use will be insignificant in the overall opportunity for agricultural uses of land in the Town.

15. **FINDING and DETERMINATION:** The Applicant submitted Phase I (Ia and Ib) Cultural Resource Investigations Report that indicates that no further archeological work is required to determine whether this is an archaeologically sensitive site, that the Planning Board accepts this Report in full.

16. **FINDING and DETERMINATION:** The Traffic Impact Study is hereby agreed to and accepted, and its conclusions are adopted by the Planning Board insofar as they determine that there will not be any significant degradation in the level of service on the existing roads and intersections in and around the Project Site (Question 13(a) of EAF Part II).
17. **FINDING and DETERMINATION:** The mitigation measures proposed in the Traffic Impact Study are hereby agreed to and accepted and such measures will reduce the environmental impact of traffic being generated by the Project based on the analysis of the Town Engineer, the County DOT, and the NYS DOT. (Question 13(a) of EAF Part II).
18. **FINDING and DETERMINATION:** While the Planning Board agrees with the NYS DOT decision to allow one point of ingress/egress to the Project Site, this is based on a 360,000 sq. ft. Building.
19. **FINDING and DETERMINATION:** While the Applicant is proposing a paved parking lot for more than 406 cars (See Question 13(b) of the EAF Part II), the Planning Board accepts the explanation set forth in the Traffic Impact Study as to how traffic will be managed from the parking lot and based on the analysis of the Town Engineer, the County DOT and the State DOT. Further, the terms and conditions that restrict the hours of operation and proposed worker shifts to the times reflected in the Traffic Impact Study and the EAF shall be a condition of any Site Plan approval by the Planning Board.
20. **FINDING and DETERMINATION:** The 122-acre site is large enough to provide sufficient space to accommodate and manage traffic on site so that vehicles can be taken off the roads quickly and avoid congestion on the public highways around the Project Site.
21. **FINDINGS and DETERMINATIONS:** While the Planning Board recognizes that the Building will require the heating and/or cooling of more than 100,000 sq. ft. of building (Question 14(d) of the EAF Part 2), the Project involves a warehouse and distribution center that will not require any abnormal or heavy energy loads and will use existing energy sources and distribution systems and will not require a new or upgraded substation.

22. **FINDINGS and DETERMINATION:** The Planning Board has reviewed the Lighting Plan provided by CHA (dated July 23, 2021) and agrees that it is “dark sky” compliant and will not have any spillage off of the Property.
23. **FINDINGS and DETERMINATION:** The Planning Board agrees with and hereby adopts the recommendations for modifications of the Site Plan that are proposed by the Onondaga County Planning Board, as set forth in its letter of August 4, 2021, which letter and rationale serves as a basis for the Planning Boards FINDINGS and DETERMINATIONS.
24. **FINDINGS and DETERMINATION:** The letters received by the Town Engineer from CHA, dated July 27, 2021, August 9, 2021 and August 10, 2021, answer the questions that resulted from the public hearings and posed by the Town Engineer in his letters, dated July 16, 2021 and August 5, 2021 and August 11, 2021 and such answers serve as a partial basis for the Planning Board’s FINDINGS and DETERMINATIONS.
25. **FINDING and DETERMINATION:** Each and every FINDING and DETERMINATION set forth herein can serve as a rational basis for the decision made in this Resolution and any FINDING and DETERMINATION can be severed from the rest if found incorrect, incomplete or insufficient by a court of competent jurisdiction.

WHEREAS, on May 13, 2021 and continued on June 10, 2021 and July 8, 2021 the Planning Board held a public hearing on the Site Plan Package and to determine whether any additional information gained by the public would assist the Planning Board in its SEQRA determination;

WHEREAS, based on the public hearing(s), the Planning Board makes the following **SUPPLEMENTAL FINDINGS and DETERMINATIONS:**

1. TRAFFIC ON NYS RT 48

Concern was raised about accidents on NYS Rt. 48 and the traffic impacts the Project could cause to exacerbate the potential issues. The Planning Board has received the NYS DOT Letter, the County

DOT Memo and an analysis by the Town Engineer and based on this information has determined that the Traffic Impact Study sufficiently addresses the concerns raised about the increase in traffic and any impacts resulting from said increase.

2. ACQUIFER DISTURBANCE

Concern was raised that the disturbance of the vacant land will affect a drinking water aquifer below the surface of the Project Site. CHA has indicated in its correspondence to the Town Engineer that the Project Site is not over an aquifer and the nearest aquifer is located to the south of the Project Site. The Planning Board has determined that based on the soil type HSG 'D' (clay loam, silty clay loam, sandy clay, silty clay, or clay): Soils have high runoff potential and they have very low infiltration rates when thoroughly wetted, and consist chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a clay pan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have a very low rate of water transmission (< 0.05 inches/hour) and as a result they will have minimal impact on the recharge of the groundwater aquifer near the surface of the Project Site (the Applicant is proposing to excavate approximately 8 feet at the Building and 16 feet at the stormwater facilities at the deepest point and the aquifer is estimated to be greater than 60' below grade).

3. GIDDINGS CREST SUBDIVISION IMPACT

Concern was raised that the Project will negatively impact the Giddings Crest subdivision homes primarily because of: (i) traffic, (ii) the height of the Building (40 ft), (iii) property values and (iv) drainage. Aside from the FINDINGS and DETERMINATIONS above, the Planning Board has further determined that (a) the noise related to any additional traffic on I-690 is an existing condition for the homes and as a result will not significantly change the current conditions; (b) the visual impact of the 40' high building will not be seen from the Giddings Crest subdivision as set forth in the FINDINGS and DETERMINATIONS above and therefore is not a significant environmental issue; (d) no evidence has been submitted that would show that the Project, situated on a properly zoned Industrial site, would affect property values of homes that are over .7 miles away, and (e) the Project Site (122.6 acres of which

approximately 77% will be undisturbed) is large enough accommodate the drainage facilities that will be required, pursuant to the SWPPP and the Giddings Crest Subdivision is not a drainage tributary to the Project Site.

4. SEWER CAPACITY

Concern was raised that the Project would be an additional strain on the wastewater treatment and capacity in the Baldwinsville/Seneca Knolls treatment plant. The Planning Board has determined based on a letter from the Water Environmental Protection Department, dated March 25, 2021, that there is sufficient capacity at the treatment plant to accommodate the Project.

5. SOUND MITIGATION FROM ADDITIONAL TRAFFIC

Concern was raised that the additional truck traffic generated by the Project will increase the sound noise to the residents whose houses are situated east of I-690. The Planning Board has determined that I-690 is a State highway that was built to accommodate truck traffic and the residents who built or purchased homes adjacent to I-690 were aware, or should have been aware, of the potential for traffic noise.

6. IMPACTS ON THE THREE RIVERS WILDLIFE MANAGEMENT AREA

Concern was raised that the Project would generally have a negative environmental impact on the Three Rivers Wildlife Management Area. In addition to the FINDING and DETERMINATION made above, the Planning Board has determined that the bulk of the Three Rivers Wildlife Management Area is located over .5 mile(s) from the Project Site and that the physical distance between the Building, the existing vegetation and forested land and the buffering that will be required will mitigate any concerns about the environmental impacts to the Three Rivers Wildlife Management Area. Finally, there is no evidence of endangered or threatened species that would be significantly affected by the development of the Project either on the Project Site or near the Project Site. Therefore, the environmental impact on Three Rivers Wildlife Management Area will be minimal. (See Exhibit D - United Auto Park Land Proximity prepared by the Town Engineer that provides context to this Supplemental Finding and Determination).

NOW, THEREFORE BE IT RESOLVED, that having reviewed the EAF and relating it to the criteria set forth in Section 617.8(c) of the SEQRA regulations, having held the public hearing and making the Findings and Determinations contained in this Resolution, the Planning Board hereby issues a Negative Declaration under Article 8 of the Environmental Conservation Law; and be it

BE IT FURTHER RESOLVED, that the Lead Agency is the Planning Board of the Town of Lysander, with a mailing address of 8220 Loop Road, Baldwinsville, Town of Lysander, New York;

BE IT FURTHER RESOLVED, that the Project is a Type I Action under SEQRA;

BE IT FURTHER RESOLVED, that the proposed Action is located on Hencle Blvd and NYS Route 48 in the Town of Lysander;

BE IT FURTHER RESOLVED, that this Resolution be appended to the EAF Part II and Part III and made a part thereof;

BE IT FURTHER RESOLVED, that Secretary to the Planning Board is hereby directed to file this Negative Declaration with the appropriate entities as set forth under 6 NYCRR Part 617.


4 AYES - 0 NOES

I, KAREN RICE, Secretary of the Planning Board, DO HEREBY CERTIFY that the preceding Resolution was duly adopted by the Town Planning Board of the Town of Lysander at a regular meeting of the Board duly called and held on the 12th day of August, 2021 that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Lysander, this 13th day of August, 2021.

DATED: 8-13, 2021
Baldwinsville, New York



Karen Rice
Secretary
Planning Board of the Town of Lysander
Onondaga County, New York