

**Final
VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
1/28/2019**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, January 28, 2019 at 6:00pm.

PRESENT:

Mayor Olson	Trustee Kinsella	Chief Hildreth	Attorney Holly Austin
Trustee Small (BSK)	Attorney Spencer	Will & Marilou Pierce	Kathleen Bennett
Trustee Duggleby	Mike Jones, CEO	Steve Eckler (OBG)	Marguerite Ross
Trustee Ashby	Clerk Shepardson	David Marnell	Jim Matthews
Robert Morgan	Dan Queri	Matt Naperiela, Engineer	Mark
Costich, Engineer			
Amy Dake (SRFA)			

Mayor Olson called the meeting to order at 6:00pm in the Board Room of the Fayetteville Village Hall.

Mayor Olson led those present in a recitation of the Pledge of Allegiance.

Mayor Olson asked for a Moment of Silence for Richard Donovan, former Mayor of Minoa, NYCOM President and long friend to the Village of Fayetteville.

MINUTES JANUARY 14, 2019

Trustee Small made a motion to accept the minutes of the January 14, 2019 meeting. Trustee Ashby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #13

Trustee Duggleby made a motion to approve Abstract #13 in the amount of \$76,738.68 with final approval of Clerk Corsette. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

2018 CODES SUMMARY REPORT

CEO Mike Jones presented the annual summary report of 2018 for the Codes Department, outlining number of permits issued, projects, fees, fire inspections, etc. Building permits issued down from last year but fees collected were up which include the large Honda dealership project. There is a different annual survey report that he will be doing for NYS.

HAZARD MITIGATION DRAFT

Mayor Olson reviewed the draft Hazard Mitigation Plan and provided his notes to CEO Mike Jones. Comments from the rest of board are welcomed and need to be forwarded to CEO soon as the final plan is due in two weeks. Mayor noted that floods are more than "medium" impact

so that should be changed, and the floodplain administration would be better changed from planning board to codes officer.

HIGHBRIDGE STREET

No information has been received to date regarding the Highbridge corner proposed development to present to the Planning Board who meet this Monday, Feb. 4th. CEO Mike Jones has attempted to reach out to the developer. The board directed the CEO to move forward with any violation letters on all four buildings and will not accept any more extensions from the developer.

PART 2 of SEQR – 547 EAST GENESEE STREET

[Previously, a Special Meeting was held on Tuesday January 22, 2019 at 6:00pm for purposes of reviewing Part 1 of the State Environmental Quality Review submitted by Morgan Properties as part of the Planned Unit Development Application for 547 East Genesee Street.]

Mayor Olson read a resolution establishing the Village of Fayetteville Board of Trustees as Lead Agency for SEQR of the PUD application that was received tonight. Trustee Small made motion to accept the resolution; Trustee Duggleby seconded the motion. All approved.

Next, Part 2 review commenced. As requested at the meeting held January 22nd, Part 1 was revised by the applicant and submitted along with other supporting documents in time for review at this meeting in order to proceed with Part 2 & 3. Engineer Matt Napierela reviewed this submission received on January 25th and reviewed his comments initially sent via email to the board members.

There is still the question of what happens when the building comes down as it is unknown what is underneath it. Mr. Napierela understands that the applicant has provided what is known to date.

Those questions that were noted moderate to large impacts were reviewed again more closely under Part 3:

LAND

1.e. two phases confirmed, approximate 3 years; duration of project will have some impact

1.f. can erosion be properly mitigated? yes, per Napierela; therefore not significant impact

WATER

3.e. small impact; same as 1.f. can be mitigated;

3.h. “

3.i. “

3.j. concern of potential pesticides *after* construction; feel still significant impact;

3.k. project will have an impact on Meadowbrook [wastewater treatment facility];

FLOODING

5.d. small impact as it can be mitigated; drainage may improve with stormwater plan;

PLANTS/ANIMALS

7.b. impact since will lose site used for deer culling; Indiana Bat addressed thru permitting; could mitigate using other sites.

7.g. moderate impact with deer and culling program;

7.i. pesticides still believed to be an issue;

ASETHETIC Resources

9.a. will be moderate to large impact with Green Lakes State Park adjacent to site;

9.d.i. moderate impact on residents' routine travel;

TRANSPORTATION

13.a. latest traffic report submitted dated July 2018 reflected the updated site plan, using the traffic counts from February 2015; Amy Dake, SRF Associates, explained how their traffic report completed; Board concerned with an already degrading intersection [Rte. 5 & 257]; board feels traffic is a moderate to large impact; widening Route 5 as recommended by NYS DOT will affect the character of the village;

13.b. 562 parking spaces, size of each parking space questionable; still will have an impact;

13.e. possibly a greater impact to those on east side of village; traffic studies show no relief; still moderate impact;

13.f. other impacts to note: NYS Thruway closures, Route 81 project;

ENERGY

14.b., feel more data should be provided by National Grid; potential impact;

NOISE, ODOR, LIGHT

15.c. potential impact as it is an unknown, especially if possible has a restaurant use;

15.e. most board agreed sky-glow could be mitigated; Trustee Duggleby disagreed;

15.f. other impact: visibility to neighbors, large impact;

HUMAN HEALTH

16.a. concern of in & out traffic, with a daycare nearby and school bus stops, but is it more a traffic than a health concern? Will removal of T.C.E. affect the daycare and other neighbors be impacted? Board said this is a large impact;

16.d. small impact since project will comply with NYS DEC;

16.h. unearthing of...hazardous waste: unknown what's under building but all else has been cleaned up by OBG; small impact because of the NYS DEC regulations;

16.i. increase in solid waste: mitigation will take care of this; effect but not on village, therefore small impact

COMMUNITY PLANS

17.b. population growth of more than 5%: village could handle growth but 5%= 221 people, but it's the concentration a concern; growth in itself related to comp plan may have a small impact

17.c. consistency with comprehensive plan: small impact

17.e-f. moderate to large impact on infrastructure, for example I&I waste water, schools

COMMUNITY CHARACTER

18.b. similar to 17.f. will have moderate to large impact on community services, such as schools;

18.e. large impact as scale is inconsistent with comprehensive plan;

Due to the number of answers [in bold] still indicating moderate to large impacts upon completion of the EAF Part 3, Attorney Austin said that a Negative Declaration cannot be issued. Therefore a Positive Declaration Resolution was presented and read aloud by Mayor Olson.

RESOLUTION WORKSHEET

At a meeting of the Board of Trustees of the Village of Fayetteville, held at the Village Hall in said Village, County of Onondaga, State of New York on the 28th day of January, 2019, at 6:00 p.m.

The meeting was called to order by Mayor Mark Olson, and upon roll being called, the following were:

PRESENT: Mark Olson, Mayor
Daniel Kinsella, Deputy Mayor
Dennis Duggleby
Michael Small
Pamela Ashby

ABSENT:

Mike Small presented the following “Resolution” which was seconded by Dennis Duggleby:

**RESOLUTION OF THE VILLAGE OF FAYETTEVILLE BOARD OF TRUSTEES
ISSUING A “POSITIVE DECLARATION” PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE
PLANNED UNIT DEVELOPMENT PROJECT PROPOSED FOR 547 EAST GENESEE
STREET IN THE VILLAGE OF FAYETTEVILLE**

WHEREAS, the Village of Fayetteville Board of Trustees (“Board of Trustees”) has received an application from Morgan Properties (“Applicant”) for demolition of facilities on the former Accurate Die Casting site with an address of 547 East Genesee Street, Fayetteville, New York (“Property”); the rezoning of the Property to Planned Unit Development (“PUD”) district; development of the site with five (5) 3-story apartment buildings each comprised of 30 apartments, ten (10) 2-story townhouse style apartment buildings each comprised of 5 apartments, for a total of 200 units; four 2-story commercial/mixed use buildings to include residential and commercial uses; construction of ancillary support facilities including a community center, maintenance building, parking, access, landscaping, open green space, and stormwater management (“Project”).

WHEREAS, the Project requires a zone change to a PUD district; site plan review; sanitary service connection approval from the Village of Fayetteville, sanitary discharge approval from Onondaga County Department of Water Environment Protection; water service connection approval from Onondaga County Water Authority; a Highway Work Permit; and coverage under the New York State Department of Environmental Conservation Construction Stormwater General Permit.

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), the Applicant submitted to the Board of Trustees Part 1 of a Full Environmental Assessment Form (“FEAF”) dated November 29, 2017, and submitted a revised Part 1 of the FEAF dated May 10, 2018. The Applicant then submitted a revised Part 1 of the FEAF dated January 25, 2019;

WHEREAS, on April 2, 2018, the Board of Trustees determined that the project was classified as an Unlisted action under the SEQRA and its implementing regulations because it did not appear in either the Type I list at 6 NYCRR 617.4, or the Type II list at 6 NYCRR 617.5;

WHEREAS, the Board of Trustees adopted a Resolution on April 2, 2018 declaring its intent to serve as Lead Agency for SEQRA review relative to the Project.

WHEREAS, the Board of Trustees forwarded a copy of Part 1 of the FEAF to the Involved/Interested Agencies along with a request for comments relative to the Project;

WHEREAS, as of January 1, 2019, revisions to the SEQRA regulations (“Revised SEQRA Regulations”) went into effect, which make the Project now a Type I action pursuant to 617.4(b)(5)(iii) because it will create 200 or more units that will be connected to existing community or public water and sewerage systems, and 617.4(b)(6)(iii) because it will create more than 500 parking spaces;

WHEREAS, the Board of Trustees, having commenced coordinated SEQRA review that complies with the requirements for Type I actions under the revised SEQRA regulations;

WHEREAS, Part 1 of the January 25, 2019 FEAF, having been reviewed by the Board of Trustees, was deemed adequate relative to the Project on January 28, 2019;

WHEREAS, the Board of Trustees declared itself the Lead Agency with respect to the Project in accordance with the SEQRA regulations at 6 NYCRR § 617.6 on January 28, 2019;

WHEREAS, the Project and its potential environmental impacts has been the subject of discussion at the January 22, 2019 and January 28, 2019 Board of Trustees meetings;

WHEREAS, the Board of Trustees now has sufficient information to make the determination of significance;

WHEREAS, the Board of Trustees has reviewed, discussed and completed Part 2 of the Full EAF;

WHEREAS, the Board of Trustees has undertaken its best efforts to identify all areas of potential environmental concern, has thoroughly analyzed and considered each potential environmental concern, taking into account the magnitude and importance of each, and now desires to make its Determination of Significance with respect to the Project in accordance with the SEQRA regulations at 6 NYCRR 617.7.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE VILLAGE OF FAYETTEVILLE BOARD OF TRUSTEES:

- A. Based upon a thorough examination and analysis of the EAF and review of the SEQRA regulations at 6 NYCRR §617.7 and based further on comments received from the Planning Board other Involved and Interested Agencies, members of the public, and

the Applicant, the Board of Trustees' knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the Board of Trustees has deemed appropriate, the Board of Trustees has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts and has identified the following relevant areas of environmental concern and makes the following findings with respect to the Project:

1. Impact on Land
 - a. The Project will involve construction on, or physical alteration of, the land surface of the proposed site.
 - b. Construction is scheduled to occur over more than three (3) years, and impacts from construction, including but not limited to, traffic, noise, emissions from construction vehicles, dust, and other potential construction-related environmental impacts that may be moderate to large.
 - c. The proposed action could result in significant environmental impacts related to erosion, but it was determined that those impacts could be controlled through mitigation plans.
 - d. All other potential impacts under the category of "Impact on Land" were deemed to be none or small.

2. Impact on geological features.
 - a. The Project will not result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the Property, or such impact will be small.

3. Impact on Surface Water
 - a. The Project will not affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes), or such impact will be small.

4. Impact on groundwater.
 - a. The proposed action would not result in new impacts on groundwater.

5. Impact on Flooding
 - a. The proposed project may result in or require, modification of existing drainage patterns. However, the impacts can be mitigated through a SWPPP.
 - b. All other potential impacts under the category of "Impact on Flooding" were determined to be none or small.

6. Impacts on Air
 - a. The Project will not include a state regulated air emission source.

7. Impact on plants and animals
 - a. The Project may have potentially moderate to significant impacts to vegetation and wildlife through use of herbicides or pesticides.
 - b. The project could have potentially moderate to significant impacts through disturbance of Indiana Bat roosting sites, but this impact can be mitigated through compliance with the restrictions on times when trees can be cut.
 - c. Other potential impacts under the category of “impact on plants and animals” will have small to no environmental impact.
8. Impact on agricultural resources
 - a. The Project will not impact agricultural resources.
9. Impact on Aesthetic Resources
 - a. The project will be visible from officially designated federal, state, or local scenic or aesthetic resources, particularly Green Lakes State Park, and the impact could be moderate to large.
 - b. The project will have a moderate to large impact in that it will be viewed during routine travel by residents, including travel to and from work.
 - c. All other potential impacts under the category of “impact on Aesthetic Resources were determined to be none to small.
10. Impact on historic and archeological resources
 - a. The Project will not impact historic or archeological resources.
11. Impact on open space and recreation
 - a. The Project will not impact open space and recreational resources.
12. Impact on critical environmental areas.
 - a. The Project is not located within or adjacent to a critical environmental area.
13. Impact on transportation
 - a. The project may have a moderate or significant environmental impact in that it will likely increase or exceed capacity of existing road network.
 - b. The project will result in the construction of paved parking for more than 500 vehicles.
 - c. The project will likely significantly alter the present pattern of movement of people or goods.
 - d. The project will have a significant effect on traffic patterns, including but not limited to those that will likely change with modifications or reconstruction of route 81, and during thruway closures.

- e. The proposed action will not degrade existing transit access, or pedestrian or bicycle accommodations.

14. Impact on Energy

- a. It is unknown if the project may cause a moderate or significant environmental impact by requiring construction or extension of energy transmission or supply system, or require a new or an upgrade to an existing substation.
- b. Other potential impacts listed under the “Impact on Energy” were determined to either be small or none.

15. Impact on noise, odor and light.

- a. The Project may cause a moderate to significant increase in noise both during construction and ongoing operational noise.
- b. The Project may cause a moderate to significant increase in odors both during construction, including but not limited to vehicle emissions, and during operation, particularly if any restaurants become occupants of the commercial portions of the Project.
- c. The Project may cause moderate to significant increase in light shining on neighboring properties, but the impact could be mitigated through lighting design.
- d. The Project may cause moderate to significant sky-glow that is brighter than existing area conditions, and may cause moderate to significant changes in the lighting that is seen by neighbors.

16. Impact on human health

- a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home, or retirement community, and the project may have moderate to significant impacts on such facilities.
- b. The Property is contaminated, and is part of the Brownfield Cleanup Program. The full extent of contamination is unknown, particularly with regard to areas of the Property that are currently under building foundations. There are institutional controls in place, and it is unknown whether the project will result in the unearthing of solid or hazardous waste since the contaminant levels beneath the existing building foundations is unknown. However, it was determined that such impacts can be mitigated through compliance with the Brownfield Cleanup Program and New York State Department of Environmental Conservation oversight.

17. Consistency with the Community Plans

- a. The Project may cause a change in the density of development that is not supported by existing infrastructure, including but not limited to sewers and the school district, and may require new or expanded infrastructure, and because of this may have a significant impact on the environment.
- b. The Project is not consistent with current zoning, and requires a zone change, which would then make the project compliant with zoning.
- c. Other potential impacts listed under the “Consistency with Community Plans” were either determined to either be small or none, or could be sufficiently mitigated.

18. Consistency with Community Character

- a. The Project may have a significant impact by creating a demand for additional community services.
- b. The proposed Project may have a significant environmental impact in that it is inconsistent with the predominant architectural scale and character of the surrounding community.

B. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board of Trustees makes the following findings and determinations with respect to the Project:

- 1. the Project constitutes an “Type I Action” (as said quoted term is defined in the SEQRA regulations), and therefore coordinated review is required;
- 2. the Project may have significant effects on the environment, including those that cannot be mitigated;
- 3. Those potentially significant effects on the environment that were identified were impacts related to construction; use of herbicides or pesticides; impacts on aesthetic resources; transportation; energy, noise, odor, and light; impacts on nearby schools, hospitals, daycare centers, group homes, nursing homes, or retirement communities; impacts to infrastructure and demands upon community services;
- 4. as a consequence of the foregoing, the Board of Trustees has decided to prepare a “Positive Declaration” with respect to the Project, a copy of which is attached hereto as Attachment C;
- 5. the Board of Trustees intends to engage in “Scoping” pursuant to 6 NYCRR 617.8 to allow an opportunity for public participation; and
- 6. the Applicant is directed to submit a draft scope to the Board of Trustees pursuant to 6 NYCRR 617.8(b).

- C. The Board of Trustees Clerk is hereby directed to file a “Positive Declaration” as follows:
1. copies of the “Positive Declaration” shall be mailed simultaneously to the Involved and Interested Agencies;
 2. a copy of the “Positive Declaration” shall also be provided to the New York State Department of Environmental Conservation, 625 Broadway, 4th Floor, Albany, New York, 12233-1750 for publication in the Environmental Notice Bulletin;
 3. copies of said “Positive Declaration” shall be filed in the Village Clerk’s Office, Village Hall in the Village of Fayetteville and made available for public inspection and review; and
 4. a copy of said “Positive Declaration” shall also be provided to applicant.
- D. This Resolution shall take effect immediately.

THE FOREGOING RESOLUTION, was put to vote as follows:

<u>Name</u>	<u>Vote</u>
Mark Olson, Mayor	<u>AYE</u>
Daniel Kinsella, Deputy Mayor	<u>AYE</u>
Dennis Duggleby	<u>AYE</u>
Michael Small	<u>AYE</u>
Pamela Ashby	<u>AYE</u>

At 8:15pm, a motion for a 5-minute recess was made by Trustee Small, seconded by Trustee Duggleby, and approved by all.

DPW REPORT

Superintendent Massett submitted the following DPW Report:

Open Projects:

1. Permit for road work and Sidewalks. Changes? *Give comments to Small.*
2. Bridges: Walnut St. Bridge & W. Franklin St. Bridge: No report

3. Canal Landing Phase 4: Contractor on hold until spring. Street lights working fine, waiting on National Grid to remove other lights and move one down to the turn around.
4. Sidewalks: Letter about Stone walls next to sidewalks and plowing?
5. Policy: Working on a policy for Beard Pond winter activates.
6. Sidewalks: 2019 Salt Springs, S. Manlius St. and Beard Park.

Clerk will follow up with National Grid on relocation of two street lights on Feeder Street, and also street light at corner of Mechanic Street and Brooklea Drive that should be removed altogether.

POND CLEARING

The village has been waiting to hear from Assemblyman Stirpe's office, it's been almost a year. The board discussed what options that they have at this time. The village has also been waiting to hear from PESH and have not heard on revisions made to policy. The board will explore the idea of hiring an outside contractor to clear the pond.

FIRE DEPARTMENT PURCHASES

Trustee Kinsella made a motion to authorize Chief Hildreth to purchase harnesses and rope bags for a cost of \$2,900 from account A3410.2. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to authorize Chief Hildreth to purchase airfare to inspect mini-pumper in Florida February 10th-11th at a cost of approximately \$448. Trustee Small seconded the motion and it was carried by unanimous vote.

Chief Hildreth had an issue with air conditioning pipes freezing due to thermostat control issue to one of the units. He is seeking to install Wi-Fi Nest controls by Holbrook at a cost of \$3,280 installed. There are at least nine zones to control within the building. A motion to authorize said hire Holbrook Heating & Cooling at a cost of \$3,280 from A1624.2 was made by Trustee Duggleby, seconded by Trustee Small, and unanimously approved.

Annual hose and ladder testing from First Due services submitted for approval, up 20cents from 19cents for hose testing, ladder rate is same. Trustee Kinsella made a motion to approve, seconded by Trustee Small, and unanimously approved.

Chief Hildreth requested approval to schedule preventive maintenance service thru Pierce for ladder truck and engine. A motion to approve was made Trustee Small, seconded by Trustee Duggleby, and unanimously approved.

FFD SERVICE AWARDS

Chief Hildreth submitted 2018 service awards list, so that it may be posted for 30 days. It is down nine people from last year.

PARK/SIGNAL HILL PATH

Trustee Duggleby presented a proposed drawing for location of park path, which may be an enhancement but believes there will be an issue of parking along potentially Route 5 and in Signal Hill. There also concern for neighbors.

Board would like to share concerns with NYS and will need the State's help by potentially adding a pull-off area, perhaps lowering the speed limit and or add signage in area. There is also a need to involve the Signal Hill residents.

There is a NYS Parks information meeting coming up regarding Green Lakes master plan that will now be held on February 7th where this matter will be discussed and board members should attend.

ROUNDTABLE

Trustee Ashby noted that the LED street light installation has begun. There have been a couple calls concerned with these new lights. Dave Hess, National Grid, has been contacted to check on any fix for areas of concern.

Trustee Small will be meeting with Tree Commission this week. There is a need to treat again for EAB. There will be a new contact at Bartlett Trees since Tom Malarney retired.

Trustee Small working with Duggleby on this year's 175th anniversary and will be scheduling a 175th Celebration Meeting within the next few weeks. Mayor Olson would like to create a new logo for letterhead in honor of 175th.

Trustee Duggleby had a police committee meeting last week. Annual police report had over 3600 additional traffic stop over prior year, fully staffed is one reason. He will provide a copy of the report to the board this week. There is a tentative new police contract agreement but no details are available yet.

Easter Egg Hunt will be held Saturday, April 20th.

EXECUTIVE SESSION

Trustee Kinsella made a motion to go into Executive Session at 8:46pm for a personnel matter, to include, Attorney Spencer and Clerk Shepardson. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Ashby made a motion to come out of Executive Session and reconvene the regular meeting at 8:49pm. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

ADJOURNMENT

Trustee Ashby made a motion to adjourn the meeting at 8:50pm. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

Respectfully submitted by,
Karen Shepardson, Deputy Village Clerk