

**CITY OF OGDENSBURG
PLANNING & DEVELOPMENT BOARD**

**APPROVED MINUTES FOR
NOVEMBER 8, 2017**

Members Present: Tim Redmond (Chairman), Sean O'Brien, and Linda Pellett
Members Absent: Frank Perretta (excused), Michael Frary
Staff Present: Andrea Smith, Planning & Community Development Director
Others Present: None

THIS MEETING WAS DIGITALLY RECORDED.

5:32PM Mr. Redmond called to order the regular meeting of the Planning Board.

1. Call to order – Mr. Redmond asked if Ms. Smith had heard from any of the other Board members not present. She replied that Mr. Perretta has asked to be excused, as he had surgery earlier in the week that has prevented him from attending tonight. There was consensus to excuse Mr. Perretta. Mr. Redmond asked if there were any other notes from members, she replied that she had not heard from the others.

2. Correspondence –

- (a) Ex Parte Communication - No ex parte communication to be disclosed by the membership.
- (b) 239-m response – None

3. Items for Planning Board Action

- (a) State Environmental Quality Review Act (SEQRA)

- a. Restore NY 5 grant applications – Ms. Smith noted that as in 2016 where the Planning Board acted as lead agency conducting SEQRA for Restore 4 funding, the Board has been presented with SEQRA documentation for the City's two proposed applications for Restore NY 5 funding. Ms. Smith went on to state that the City is applying for funding in two categories: \$1 million for the rehabilitation of the former Newell Manufacturing building at 100 Paterson Street, and \$5 million under the special award projects for improvements and reconstruction within the BOA Diamond/Shade Roller sub-district.

100 Paterson Street: Former Newell Manufacturing Rehabilitation

Ms. Smith provided an overview of the application stating that the City will partner with the St. Lawrence County IDA to rehabilitate the Newell Building. Improvements will consist of minor demolition of the existing office space along Paterson Street, roof repairs/replacement, electrical service repairs, recertification and repair to the sprinkler system, and interior renovations.

Ms. Smith stated that in addition to conducting the SEQRA the Board is being asked to review the proposal for consistency with comprehensive plans and land use regulations.

PLANNING BOARD

CITY OF OGDENSBURG

SEQR RESOLUTION

CLASSIFICATION OF ACTION AND

NEGATIVE DECLARATION

REHABILITATION & ENVIRONMENTAL RESTORATION

100 PATERSON STREET

10 WHEREAS, on June 26, 2014 the City of Ogdensburg acquired the property at 100 Paterson
11 Street, a 63,400 SF former industrial facility for failure to pay property taxes, and;
12

13 WHEREAS, the City submitted a letter of intent to apply for Round 5 Restore NY funds to
14 support the required rehabilitation and environmental restoration of this critical
15 industrial property, tax map number 48.071-5-47.1 being 4.6 acres in overall parcel
16 size and located within the City’s designated Brownfield Opportunity Area, and;
17

18 WHEREAS, the Planning Board has received a short Environmental Assessment Form (“EAF”)
19 for the project with Part I completed by the applicant (City of Ogdensburg), and;
20

21 WHEREAS, the NY State Environmental Quality Review Act (SEQRA) regulations found at 6
22 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an
23 action until it has complied with the requirements of SEQRA, and;
24

25 WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for
26 approval of an action it must: (1) determine whether the action is subject to
27 SEQRA, (2) determine whether the action involves a federal agency, (3) determine
28 whether other agencies are involved, (4) make a preliminary classification of the
29 action, (5) determine whether a short or full EAF will be used to determine the
30 significance of the action, and (6) determine whether the action is located in an
31 Agricultural District, and;
32

33 WHEREAS, this project appears to be an “Unlisted” action under SEQRA; and;
34

35 WHEREAS, 6 NYCRR 617.6(b)(4) indicates that when more than one agency is involved in the
36 review of an unlisted action, an agency may conduct an “uncoordinated” review as
37 if it were the only involved agency under SEQRA, and
38

39 WHEREAS, the Planning Board has independently considered both the information provided in
40 the EAF and application materials, and comments provided by City Staff.
41

42 NOW, THEREFORE, BE IT RESOLVED,
43

1 that the Ogdensburg Planning Board hereby determines that:

- 2
- 3 1. the proposed action constitutes an Unlisted action which is subject to SEQRA,
- 4 2. The proposed action does not involve a federal agency,
- 5 3. The proposed action is not located in, or within 500 feet of, an Agricultural District and,
- 6 therefore, is not subject to the provisions of the Agriculture and Markets Law,
- 7 4. A short EAF is adequate for determining the significance of the proposed action, and
- 8

9 BE IT FURTHER RESOLVED,

10
11 that there being no other involved agencies with respect to the proposed action, the
12 Planning Board hereby declares it is lead agency with respect to SEQRA review
13 of the proposed rehabilitation and site restoration; and,

14
15 BE IT FURTHER RESOLVED,

16
17 that based upon its review of the project and the EAF, comments from City Staff, and
18 comparison with the Criteria for Determining Significance found at 6 NYCRR
19 Section 617.7(c), the Ogdensburg Planning Board hereby finds that the proposed
20 rehabilitation and environmental site restoration of 100 Paterson Street constitutes
21 an action which will not have a significant adverse impact on the environment and,
22 therefore, does not require preparation of a Draft Environmental Impact Statement;
23 and,

24
25 BE IT FURTHER RESOLVED,

26
27 that this determination is based upon the following facts and conclusions:

- 28
- 29 1. The proposed rehabilitation and reuse of this industrial facility is consistent
- 30 with the City's designated Brownfield Opportunity Area plan.
- 31 2. The demolition is located within both the municipal boundary with
- 32 accessible public water and sanitary sewer. The City has adequate capacity
- 33 to serve resulting redevelopment of this parcel.
- 34 3. SHPO has reviewed the site and determined that there will be no impact to
- 35 historic or archeological resources; this request was submitted to SHPO on
- 36 October 27, 2017.
- 37 4. Review of the site in the field and with available environmental data
- 38 revealed no other significant or environmentally sensitive characteristics of
- 39 the parcel or issues requiring further study;
- 40

41 BE IT FURTHER RESOLVED,

42
43 that this Determination of Significance shall be considered a Negative Declaration made
44 pursuant to Article 8 of the Environmental Conservation Law; and,

1 BE IT FURTHER RESOLVED,

2
3 that the Department of Planning and Development is hereby authorized to file any and
4 all appropriate notices so that the intent of this Resolution is carried out.
5

6
7 On a motion by Mr. O'Brien seconded by Ms. Pellett and by a vote of 3 for, 0 against and 2
8 absent, this RESOLUTION was adopted on November 8, 2017.
9

10 The question of adoption of the forgoing Resolution was duly put to vote on a roll call, which
11 resulted as follows:
12

VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Ms. Pellett	X			
Mr. O'Brien	X			
Mr. Frary				X
Mr. Perretta				X
Alt. Mr. Lesperance				

13
14 The foregoing resolution received sufficient affirmative votes and is henceforth approved 3/0 by
15 the Ogdensburg Planning and Development Board.
16

17 Ms. Smith stated that the City also intends to submit a Special Area Project application to ESD
18 for up to \$5 million in Restore NY 5 funds to support redevelopment and remedial activities in
19 the Diamond Shade Roller District. Specifically, Ms. Smith stated that funds would be used to
20 complete the removal of PCBs at the Shade Roller Site, complete ongoing water infrastructure
21 improvements, and incentivize and promote new construction on the Diamond and Shade Roller
22 sites. She added that this application has been submitted to SHPO who has issued a finding as of
23 Monday, November 6th of no significance.
24

25 Discussion – none
26

27 Motion by Chairman Redmond moved to declare this SEQRA application as an unlisted action
28 constituting a negative declaration finding of no significant adverse impact, second by Ms.
29 Pellett.
30

31 Mr. Redmond read loud the following resolution:
32

33 PLANNING BOARD
34 CITY OF OGDENSBURG

35
36 SEQR RESOLUTION
37 CLASSIFICATION OF ACTION AND
38 NEGATIVE DECLARATION

1
2 RECONSTRUCTION, DEMOLITION & ENVIRONMENTAL RESTORATION
3 OGDENSBURG DIAMOND BOA DISTRICT
4

5
6 WHEREAS, the City of Ogdensburg submitted a letter of intent to apply for Round 5 Restore
7 NY funds to support the required the environmental restoration, demolition, and
8 reconstruction of strategic Diamond/Shade Roller BOA sub-district; and
9

10 WHEREAS, the Planning Board has received a short Environmental Assessment Form (“EAF”)
11 for the project with Part I completed by the applicant (City of Ogdensburg), and;
12

13 WHEREAS, the NY State Environmental Quality Review Act (SEQRA) regulations found at 6
14 NYCRR Part 617.3(a) require that no agency shall carry out, fund or approve an
15 action until it has complied with the requirements of SEQRA, and;
16

17 WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for
18 approval of an action it must: (1) determine whether the action is subject to
19 SEQRA, (2) determine whether the action involves a federal agency, (3) determine
20 whether other agencies are involved, (4) make a preliminary classification of the
21 action, (5) determine whether a short or full EAF will be used to determine the
22 significance of the action, and (6) determine whether the action is located in an
23 Agricultural District, and;
24

25 WHEREAS, this project appears to be an “Unlisted” action under SEQRA; and;
26

27 WHEREAS, 6 NYCRR 617.6(b)(4) indicates that when more than one agency is involved in the
28 review of an unlisted action, an agency may conduct an “uncoordinated” review as
29 if it were the only involved agency under SEQRA, and
30

31 WHEREAS, the Planning Board has independently considered both the information provided in
32 the EAF and application materials, and comments provided by City Staff.
33

34 NOW, THEREFORE, BE IT RESOLVED,
35

36 that the Ogdensburg Planning Board hereby determines that:
37

- 38 5. the proposed action constitutes an Unlisted action which is subject to SEQRA,
- 39 6. The proposed action does not involve a federal agency,
- 40 7. The proposed action is not located in, or within 500 feet of, an Agricultural District and,
41 therefore, is not subject to the provisions of the Agriculture and Markets Law,
- 42 8. A short EAF is adequate for determining the significance of the proposed action, and
43

44 BE IT FURTHER RESOLVED,
45

1 that there being no other involved agencies with respect to the proposed action, the
2 Planning Board hereby declares it is lead agency with respect to SEQRA review
3 of the proposed rehabilitation and site restoration; and,
4

5 BE IT FURTHER RESOLVED,
6

7 that based upon its review of the project and the EAF, comments from City Staff, and
8 comparison with the Criteria for Determining Significance found at 6 NYCRR
9 Section 617.7(c), the Ogdensburg Planning Board hereby finds that the proposed
10 demolition, environmental site restoration, and reconstruction within the
11 Diamond/Shade Roller BOA District constitutes an action which will not have a
12 significant adverse impact on the environment and, therefore, does not require
13 preparation of a Draft Environmental Impact Statement; and,
14

15 BE IT FURTHER RESOLVED,
16

17 that this determination is based upon the following facts and conclusions:
18

- 19 5. The proposed project and reuse is consistent with the City's designated
20 Brownfield Opportunity Area plan.
- 21 6. The project is located within both the municipal boundary with accessible
22 public water and sanitary sewer. The City has adequate capacity to serve
23 resulting redevelopment of this district once no infrastructure is extended.
- 24 7. SHPO has reviewed the site and determined that there will be no impact to
25 historic or archeological resources following a requested submitted on
26 October 29, 2017.
- 27 8. Review of the site in the field and with available environmental data
28 revealed no other significant or environmentally sensitive characteristics of
29 the parcel or issues requiring further study;
30

31 BE IT FURTHER RESOLVED,
32

33 that this Determination of Significance shall be considered a Negative Declaration made
34 pursuant to Article 8 of the Environmental Conservation Law; and,
35
36

37 BE IT FURTHER RESOLVED,
38

39 that the Department of Planning and Development is hereby authorized to file any and
40 all appropriate notices so that the intent of this Resolution is carried out.
41
42

43 On a motion by Mr. Tim Redmond seconded by Ms. Linda Pellett and by a vote of 3 for, 0
44 against and 2 absent, this RESOLUTION was adopted on November 8, 2017.
45

1 The question of adoption of the forgoing Resolution was duly put to vote on a roll call, which
 2 resulted as follows:

VOTE	Aye	Nay	Abstain	Absent
Mr. Redmond	X			
Ms. Pellett	X			
Mr. O'Brien	X			
Mr. Frary				X
Mr. Perretta				X
Alt. Mr. Lesperance				

4
 5 The foregoing resolution received sufficient affirmative votes and is henceforth approved 3/0 by
 6 the Ogdensburg Planning and Development Board.

7
 8 Ms. Smith further noted that each application to Restore NY requires a “report” from the
 9 Planning Board stating that the project is consistent with the comprehensive plan, community
 10 plans, and any pertinent land use regulations. She added that the SEQRA resolution does contain
 11 reference to this, but asked for consensus of the Board to issue said report. There was complete
 12 consensus of the board to issue a report for each application stating compliance.

13
 14 Ms. Smith noted that there was also a need to review the SEQRA documentation for the Police
 15 Department grant application to purchase and repair the Departments heating/cooling system and
 16 to purchase 2 police patrol vehicles both activities to be funded by a State and Municipal Funds
 17 (SAM) grant #9455 in the amount of \$125,000.

18
 19 Ms. Smith stated that this action constitutes a Type II SEQR action and is exempt from further
 20 environmental review in accordance with **6 NYCRR 617.5 C(25)** which states “Purchase or sale
 21 of furnishings, equipment or supplies, including surplus government property, other than the
 22 following: land, radioactive material, pesticides, herbicides, or other hazardous materials.”

23
 24 Discussion – Board members questions whether or not that amount of funding would cover
 25 100% of costs. Ms. Smith replied that based on estimates received this amount will cover all
 26 costs. No further discussion.

27
 28 All members present supported the classification as a Type II action – Mr. Redmond was
 29 authorized by consensus of the Board to sign the required SEQRA documentation.

30
 31 **4. Old Business – Sign Ordinance**

32 The Board reviewed the proposed amendment to the sign ordinance (see attached). There
 33 was consensus to recommend the attached revisions as part of the zoning amendment.
 34 There was no formal action taken by the Board.

35
 36 **5. Adjournment – Motion by Mr. O'Brien to adjourn, second by Ms. Pellett. Meeting**
 37 **adjourned at 6:35 PM by a vote of 3/0.**

38
 39 **Next Meeting Date: THURSDAY, December 7, 2017 at 5:30 PM****

- 1 ****Those present at this meeting elected to change the regular meeting date to**
- 2 **Thursday, December 7th.**