

## **Appendix D Public Hearing Transcripts**

1 STATE OF NEW YORK

2 COUNTY OF TIOGA

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5 TIOGA COUNTY IDA PUBLIC MEETING:

6 ROUTE 434 MIXED

7 USE OFFICE PARK PROJECT

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10 HELD ON: 19th day of October, 2005

11 HELD AT: 59 Main Street, Owego, New York

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14 BEFORE: MATTHEW ROGERS

15 Saratoga Associates

16 NICOLE M. ROCKWELL

17 Hearing Reporter

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MR. ROGERS: Thank you all for coming, my name is Matt Rogers, I'm an environmental planner with Saratoga Associates. Most of you know me, I met you before. My partner Dan Barton couldn't make it, he's still recovering from surgery, but he hopes to be back -- he is back at the office. He said he's working part time and the time sheet said 40 hours, so that's an example of what he considers to be part time as the president of the firm. So he hopes to be back soon, but in the meantime I'm here to provide a quick overview of the findings of the generic EIS draft for the Route 434 Project.

This is a public hearing, we're looking for public comment, we are in the middle of a 30 day public comment period. The purpose of the hearing, of course, is to review the generic EIS draft. We are

1 anticipating comments from both the  
2 public and state agencies and local  
3 agencies as well. Tonight we're  
4 going to review the proposed project  
5 quickly, given the attendance  
6 tonight I think most of you are  
7 pretty familiar with the project,  
8 but for the sake of the public  
9 hearing we'll go through the post-  
10 project and the current findings of  
11 the EIS. We'll discuss the SEQR  
12 process, why we're doing a generic  
13 EIS, discuss what a working  
14 committee is made up of and the  
15 involved agencies of the process.  
16 What the next steps are and of  
17 course we'll open it up to public  
18 comments and questions.

19 The proposed product, as most of  
20 you are aware is located south of  
21 Route 434, in between Route 434 and  
22 Strong Road and south of the  
23 Susquehanna River. It is located in  
24 both the town and the village,

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divided just about evenly. There is approximately 26 acres of recently abandoned agricultural fields, I believe the IDA is interested in kick starting that again depending upon development schedules, but it's always good to keep that in the agricultural use if possible. I think that's what the plan is for this spring. 21 acres forested, 34 acres characterized as open fields, that is the area, the southern portion of the project site where the proposed single-family dwellings are located and approximately four acres of wetlands. Those are prominently displayed on that map to your right.

Now the project components, several subsections, the first section is two Class A office buildings, a total of 90,000 gross square feet. Three flex-tech light industrial buildings, total of 110

1 gross square feet and then a  
2 neighborhood commercial center, the  
3 intent that this commercial area is  
4 not to attract residents from  
5 elsewhere in the county, per se,  
6 mostly that would serve the tenants  
7 of these offices and industrial  
8 buildings as well as the single-  
9 family dwellings and multi-unit  
10 dwellings on this project site and  
11 possibly the neighborhood to the  
12 west. It is not intended to compete  
13 with the downtown of the village.

14 The second area is in the middle  
15 of the project site, that's where 30  
16 unit apartments, 30 unit townhouses  
17 are proposed. Senior housing which  
18 would include approximately 70  
19 concrete care units and 50 assisted  
20 living units and a satellite health  
21 care facility to provide health  
22 services for these residents as well  
23 as the residents throughout the town  
24 and village in the county.

1           And the last area of the project  
2 site is where we identify 26 single-  
3 family dwellings parcels. Also  
4 within this there would be about 11  
5 acres of open space between the  
6 residential development and the  
7 light industrial and the health care  
8 facility. This area is  
9 predominately is a very steeply  
10 sloping area where development is  
11 obviously precluded. A park note  
12 would be recommended which would  
13 provide a connection for trails  
14 throughout the project site.

15           Now the build-out schedule, for  
16 the purposes of SEQR we identified a  
17 build-out schedule. The first  
18 phase, one to three years would  
19 include the office, light industrial  
20 flex-tech and supportive retail.  
21 Also within that one to three years  
22 would be the single-family dwelling  
23 residential, that's based upon the  
24 ability to bring sewer and water

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into that area, we'll discuss why that's necessary in a little bit. Phase 3, three to five years is the senior housing and apartments and townhouses. For the purposes of GEIS and also what was is identified in the market feasibility study, approximately 642 jobs would be created -- directly created as part of this particular project. 212 for the flex-tech light industrial, 338 for the office complex, 47 for the retail, 30 at the senior housing facility and 15 for the satellite health care facility.

There is an estimated population increase of 429 to be associated with the residential components, 70 for senior housing independent living and 50 for the assisted living, 216 for the multi-family and 93 for the single-family dwellings. Again these numbers were identified to help model potential impacts of

1 this particular project in the EIS  
2 and I'll explain why that's  
3 important in just a few minutes.

4 As most of you are aware in 2003  
5 a market feasibility analysis was  
6 conducted which assisted in  
7 establishing development objectives  
8 for this site, the site community  
9 context, the expectations of the  
10 area for this particular site, the  
11 real estate development  
12 opportunities and the financial  
13 return expectation for mixed use  
14 development. Out of that analysis  
15 which is a pretty hefty document, I  
16 think most of you are quite familiar  
17 with it and a preferred alternative  
18 was identified and that's what we're  
19 looking at here today.

20 The State Environmental Quality  
21 Review Act requires the project of  
22 this size to go through some kind of  
23 review and the county, the IDA  
24 decided that a generic EIS would be

1 the vehicle in which all of the  
2 potential impacts would be reviewed.  
3 Why GEIS, well it's a flexible  
4 document that allows an analysis of  
5 a conceptual project as well as  
6 multiple projects there together.  
7 Where you have an idea of what you  
8 want to do, generally what  
9 development is going to look like,  
10 the size of the development, the  
11 number of people you intend to  
12 employ and population you intend to  
13 generate. But it's a little  
14 different than a specific site, this  
15 specific GEIS where construction is  
16 imminent and you have a specific  
17 project in hand and a specific  
18 development. This allows you to  
19 look at all the issues and at the  
20 end of the today through the  
21 establishment of findings identify  
22 threshold in which future  
23 development will need to go through  
24 additional review. So, for example

1 at the office complex, if somebody  
2 comes in next year, once the EIS is  
3 adapted and the findings are issued  
4 and they propose a square footage  
5 large than what we analyzed today  
6 and the number of employees are  
7 significantly higher than what we  
8 discussed today, then that might  
9 trigger the need for a supplemental  
10 traffic analysis as well as the need  
11 to possibly adjust the storm water  
12 pollution prevention plan that's --  
13 a preliminary one that's been  
14 prepared for this EIS.

15 So what that means is that the  
16 developer comes in, the community  
17 reviews the project, that's one last  
18 step that the community has to be  
19 concerned about through the EIS  
20 process. All the work has been done  
21 to comply with the SEQRA process, you  
22 have an idea of what additional  
23 analysis is required, you don't have  
24 to do a full EIS again, that's

1 certainly been done for this site.  
2 So, that's obviously a benefit for  
3 anybody that would like to develop  
4 this site.

5 Again the GEIS will include  
6 baseline data, data for future  
7 reviews and decision making, will  
8 have evaluated the maturity of the  
9 issues and again projects will  
10 likely require site specific  
11 inventory because we really don't  
12 even know what's going to happen.  
13 So, there might be specific issues  
14 that might have to be addressed,  
15 including local approvals, but all  
16 the documents that have been  
17 prepared through this process will  
18 be extremely helpful to a future  
19 developer for any one of these  
20 projects.

21 For the SEQR process a lead  
22 agency was identified and that's  
23 Tioga County IDA. Involved  
24 agencies, those agencies which have

1 development -- excuse me regulatory  
2 approvals anticipated they have  
3 jurisdiction over this project in  
4 one way or another and that would be  
5 the Town and Village of Owego, both  
6 their planning boards and zoning  
7 boards, as well as their legislative  
8 boards, all have been invited to  
9 comment in this process. They've  
10 all received documents. United  
11 Water of Owego, obviously they're an  
12 important component of this project.  
13 Lenny Watkins has been attended our  
14 meetings and has been very helpful  
15 in providing information as we  
16 developed the GEIS. The Tioga  
17 Department of Economic Development  
18 and Planning and the DOT as well as  
19 Tioga County Department of Health  
20 have all been involved and have been  
21 invited to comment on this process.

22 Now, I'll quickly move in to the  
23 potential impacts that have been  
24 identified before with this proposed

1 project. Obviously with any  
2 development you're going to have an  
3 increase in pervious area. With the  
4 project we identified today, 19.4  
5 acres of pervious land will be  
6 either paved or covered with a  
7 building.

8 PUBLIC: 25 percent?

9 MR. ROGERS: Pardon me?

10 PUBLIC: Roughly 25 percent?

11 MR. ROGERS: Roughly. So that  
12 is a significant increase over what  
13 was there, but the storm water  
14 pollution prevention plan, a  
15 preliminary one was done obviously  
16 to comply with DEC regulations. As  
17 a developer comes in he'll take what  
18 we prepared and revise it and design  
19 their storm water plan specifically  
20 to that project. The intent though  
21 is to ensure that if somebody  
22 develops on the north side of the  
23 property their storm water system  
24 will accommodate future development

1 of the slope as obviously most of  
2 that what is going to be heading  
3 down towards the river, we have to  
4 contain all of that on site, per DEC  
5 regulations.

6 There is obviously a chance of  
7 increased dust during construction  
8 and typically the use of best  
9 management practices is and dust  
10 pallet is to keep that dust down and  
11 re-vegetation of exposed soils  
12 immediately or as soon as possible  
13 is always recommended. There is  
14 potential for encountering bedrocks  
15 specifically with the road coming  
16 through the site. When you hit  
17 those steeper areas you are more  
18 likely to hit that bedrock. That's  
19 a specific issue that will when the  
20 road is actually proposed, a  
21 geotechnical analysis will have to  
22 go out there, identify the depth of  
23 the bedrock and the chances in which  
24 that would be contacted during

1 construction. The GEIS provided  
2 specific recommendations in how to  
3 deal with the noise impact  
4 associated with bedrock removal,  
5 whether that's through blasting or  
6 through an Amica camera. There are  
7 specific regulations that DEC has in  
8 which you need to comply with in  
9 that type of removal. So that's a  
10 potential impact as well.

11 Environmental contaminants of  
12 Phase 1, environmental site  
13 assessment was conducted as part of  
14 this EIS and based upon the results  
15 there's no known releases on the  
16 project site or near the project  
17 site that would impose a potential  
18 problem during construction. So, no  
19 contaminants are anticipated to be  
20 encountered during construction.

21 Water resources and wetlands,  
22 obviously construction activity  
23 would result in a sedimentation to  
24 the river and obviously impacts to

1 the wetlands as well as the  
2 groundwater. Again the storm water  
3 pollution prevention plan needs the  
4 best manager, it's quite standard  
5 nowadays. Whether it's silk fencing  
6 and staked hay bails would be  
7 strategically placed throughout the  
8 property to keep, contain any of the  
9 runoff. And the contaminants in the  
10 runoff meaning whether that's  
11 through the construction vehicles or  
12 that's through the use of the site  
13 by automobiles, obviously not every  
14 automobile is air tight so there's  
15 always hydrocarbons and other  
16 pollutants that may come out as well  
17 as the fertilizer. That's always an  
18 issue when you're proposing a  
19 residential development. The storm  
20 water pollution plan will have  
21 techniques to reduce the load before  
22 it goes back into the groundwater  
23 system. But we have to identify  
24 that -- just to mention that

1 potential impact is there.

2 Now, the wetlands, we actually  
3 had to redesign the site once the  
4 wetlands were flagged. It had to --  
5 I'll actually show you, the health-  
6 care facility was located kind of  
7 east to west and we had to turn that  
8 so it would be north to south to  
9 avoid the wetlands. We still would  
10 have to construct a road through it  
11 and possibly a waterline if and when  
12 a water tower is constructed which  
13 would be part of the water services.  
14 At this point only .287 acres are  
15 imposed to be disturbed and the Army  
16 Corps of Engineers will hopefully  
17 get out to the site this fall. I  
18 was actually in contact with them  
19 today and we are not quite at the  
20 top of the pile, they have quite a  
21 workload up in Buffalo. There is a  
22 date, sometime in November when they  
23 can't actually flag wetlands and  
24 they have to wait until spring. We

1 don't feel it's a big issue, we at  
2 the very least -- at the most these  
3 wetlands will be jurisdictional.  
4 There's a good chance that they  
5 might be considered isolated.  
6 That's not to mean that we're going  
7 to go out there and pave over them,  
8 but they may be less of an issue in  
9 concerns of complying with specific  
10 regulations in the mitigating  
11 measures. But to put a road through  
12 it and to put a utility line, that  
13 would be covered under what's called  
14 a nationwide permit system. Prior  
15 to which you would submit  
16 information to Army Corps just to  
17 demonstrate that you will be  
18 instructing the project in  
19 accordance with their recognitions.  
20 It's usually a rubber stamp and  
21 you're good to go. Once you exceed  
22 half of an acre that's when an  
23 individual corps permit would be  
24 required, obviously you want to

1           avoid that if possible, it's a  
2           lengthy process and that would  
3           require some kind of mitigation  
4           where you would actually have to  
5           create some type of wetland  
6           elsewhere or clean up an existing  
7           wetland that's been disturbed.

8           The road currently would impact  
9           about 7,578 square feet and the  
10          water tank just under 5,000. The  
11          water tank line actually would be  
12          buried to the wetland and the corps  
13          permit would require that wetland to  
14          be reestablished. So you're  
15          actually not even losing all that  
16          wetland and it could actually be  
17          board depending on the soil. So  
18          you're looking at only a permanent  
19          loss of about 7,500 square feet of  
20          wetlands with this particular  
21          project design. Again it would be  
22          nationwide permits 12 and 14 that  
23          allow these types of disturbances.

24                 Obviously, there is a potential

1 for permanent loss of habitat. We  
2 do not anticipate any significant  
3 issues, there are no protected  
4 species known to be on the site that  
5 would be of importance. But  
6 obviously as much vegetation would  
7 be preserved on site as possible.  
8 There would be some displacement of  
9 current terrestrial species, but  
10 it's been studied that they usually  
11 kind of come back in or there's a  
12 slight change in the habitat from an  
13 open field to a suburban style type  
14 of terrestrial environment. Where,  
15 in some cases they actually increase  
16 your habitat sometimes that you  
17 don't want like deer. So, that is a  
18 potential.

19 PUBLIC: That's a good field for  
20 deer already.

21 MR. ROGERS: Yes. So, sometimes  
22 when you plant certain trees it  
23 attracts even more deer.

24 PUBLIC: Even an occasional

1 bear.

2 MR. ROGERS: Actually, I was up  
3 in Old Forge the other day and I've  
4 never seen a place where there is  
5 more deer in a developed area. We  
6 were standing on the main street and  
7 deer were just walking down the  
8 road. It was just unbelievable.

9 Air quality is also going to be  
10 an issue during construction as well  
11 is associated with automobile  
12 traffic. Construction related  
13 impacts, the only thing we can do  
14 with that is ensure that all the  
15 equipment is properly maintained and  
16 meets all the state and federal  
17 standards for pollution discharge.  
18 The short-term impacts would be  
19 related to the construction, dust  
20 powders, best management practices,  
21 gravel paths and exit points that  
22 shake off the debris off of the  
23 vehicles so they wouldn't be  
24 tracking that through the

1 neighborhoods. Re-vegetation and of  
2 course the preservation of  
3 vegetation buffer around the site as  
4 well as as much vegetation on the  
5 site conserving that is obviously  
6 very important.

7 Traffic impacts, the traffic  
8 engineers SRF and Associates looked  
9 at four specific intersections:  
10 Hallstead Avenue and Southside  
11 Drive, Southside Drive and Court  
12 Street, the three-way intersection  
13 of Court Street, Front and Park and  
14 Montrose Turnpike and Strong Road.  
15 Based upon the projected employment  
16 and a projected population increase  
17 there are no issues anticipated at  
18 any of these intersections.

19 Obviously the level of service or  
20 the time in which you have to wait  
21 at each intersection will increase  
22 slightly, but based upon state and  
23 federal standards it's not going to  
24 rise to the level to where a traffic

1 light is going to be required or  
2 some other form of traffic  
3 mitigation at any of these  
4 particular intersections. Again 371  
5 trips was currently proposed during  
6 the peak evening hours.

7 PUBLIC: That's not increase of  
8 371, that's the total?

9 MR. ROGERS: Estimated increase  
10 is 371.

11 PUBLIC: Increase?

12 MR. ROGERS: Yes, that's coming  
13 and going for that particular site.  
14 And again the current existing  
15 transportation network is sized  
16 accordingly to support that future  
17 development around the area to make  
18 accumulative require mitigations.  
19 So if the project site doesn't  
20 develop out of 10 years and  
21 something happens to the west in the  
22 vacant area where residential could  
23 happen or elsewhere in the town or  
24 the village, it might be necessary

1 for a secondary or supplemental  
2 traffic assessment to ensure that  
3 based upon previous growth there's  
4 no issues associated with this  
5 particular project. So that needs  
6 to be kept in mind and the findings  
7 statement will actually outline when  
8 that might be necessary to do that  
9 supplemental traffic study.

10 Sight distance evaluation, both  
11 the north and south ingress and  
12 egress points of the project sites  
13 are fine from sight distance  
14 perspective. The Montrose Road and  
15 Strong Road if you're familiar with  
16 that there is a slight climb and  
17 turn. If you're turning right onto  
18 Montrose from Strong Road and  
19 oncoming traffic from the south is  
20 difficult to see. So, obviously  
21 that bump in the road would be --  
22 taking that out would be the  
23 preferably action, obviously that  
24 would be expensive, but the EIS does

1 recommend that vegetation be cut  
2 back and be maintained on a regular  
3 basis. If it gets to the point  
4 where traffic on this road increases  
5 significantly with any other  
6 associated residential development  
7 the town may need to consider,  
8 strongly consider taking that rise  
9 out so the oncoming traffic is not  
10 going to be an issue. Again that's  
11 the Montrose, Strong Road site.

12 The only other recommended  
13 action would be the installation of  
14 a right and left turn lane on 434.  
15 The right lane would be a  
16 deceleration lane, the left lane  
17 would be a center lane to allow  
18 people to turn left into the project  
19 site and not slow down traffic that  
20 is heading east and west. It's  
21 recommended that happens immediately  
22 with the first project proposed up  
23 front. We're assuming that either  
24 the light industrial or the office

1 will come along first and in order  
2 to size it properly and to ensure  
3 that the entrance which is planned  
4 to be enhanced by landscaping and  
5 other signage, would not like to  
6 have that done a second time. So  
7 the plan is to have the highway  
8 sized accordingly and the entrance  
9 sized accordingly with the first  
10 project and size so it would accept  
11 all the traffic which would be  
12 ultimately seen on the site. So  
13 that's an important component.

14 Land use and zoning, obviously  
15 there's going to be a permanent  
16 change use from vacant former  
17 agriculture to developed or  
18 commercial, residential, office and  
19 light industrial. Currently the  
20 village zoning does not allow for  
21 light industrial offices so that  
22 would have to be amended. I know  
23 the county has been helping the  
24 village with that and that is known

1 and that will continue. And there  
2 will be a loss of property within  
3 the agricultural district which  
4 makes up a pretty small portion of  
5 the site, it's this triangular piece  
6 right here. Most of that is  
7 forested and not in use for farming,  
8 so obviously there's not going to be  
9 a loss of ag. land in the district.  
10 But prior to any development in this  
11 area the applicant will have to file  
12 an agricultural data statement just  
13 letting the county know that is  
14 going to be coming out of the  
15 district holding.

16 Sewer services, Hunt Engineers  
17 provided a preliminary sewer and  
18 water study and the findings  
19 obviously there's going to be an  
20 increase in demand which is going to  
21 be unavoidable and come with the  
22 project. There would have to be a  
23 sewer line constructed along Strong  
24 Road and then heading north up

1 Montrose to the existing sewer line.  
2 And it would be broken up into two  
3 sections, the south side of the site  
4 would serve the residential and the  
5 north side would serve the rest of  
6 the project. We did look at the  
7 soils in the residential area and  
8 they cannot be used for on-site  
9 septic, so in order for that to be  
10 developed out as residential at that  
11 intensity we would need to provide  
12 that sewer service. Also the  
13 Lackawanna pump station may need to  
14 be upgraded and Hunt is actually  
15 discussing that with the village and  
16 others to determine and make sure  
17 that is in fact an issue. There was  
18 question about that, so that's been  
19 addressed.

20 Water facilities, there will be  
21 an increase in demand. As most of  
22 you know there's one crossing of the  
23 river and if that line is  
24 compromised water service to

1 Hallstead Development, Southside  
2 would be lost, so in order for this  
3 site to develop you really need to  
4 have an alternative system. Meaning  
5 that one a water storage facility  
6 would be required to meet your  
7 specific pressure needs and then an  
8 addition ground water supply would  
9 have to be located in the site.  
10 Now, the tower wouldn't necessarily  
11 have to be on the site, it could be  
12 elsewhere. The siting of that was  
13 not specifically located in this  
14 analysis, but one particular site  
15 was identified and that's the orange  
16 circle right here. However, if you  
17 do that you're likely to lose one  
18 residential lot, but as the site  
19 builds out there might be other  
20 areas in the immediate vicinity  
21 where a water tower is more  
22 appealing. Obviously that water  
23 tower could result an additional  
24 impact and that would have to be

1 addressed as that water tower is  
2 constructed.

3 Now, economic development, with  
4 the current project and the current  
5 components, 642 jobs are anticipated  
6 with a total impact of the county of  
7 773. 290 construction jobs  
8 resulting in a total of 359 for the  
9 construction industry in this area  
10 which in all would result in a  
11 little less than \$58 million in  
12 construction investment for this  
13 preferred alternative. A total  
14 economic impact of the county of  
15 about \$69 million which is an  
16 increase of about \$11.4 in earnings  
17 for the county resulting from this  
18 particular construction project.

19 Cultural resources of Phase 1A  
20 was prepared about a year and a half  
21 ago which identified the potential  
22 for the archeological census for the  
23 site, therefore, the county, the IDA  
24 has chosen to go ahead and do Phase

1 1B which is an actual site  
2 assessment and I believe Harkins was  
3 out there a couple weeks ago digging  
4 up the place, looking for artifacts.  
5 And I anticipate their report within  
6 a few weeks and should they find  
7 something then they determine  
8 whether it's eligible for the  
9 national register whether it's a --  
10 for example an old camp and if it's  
11 eligible then we need to consult  
12 with SHPO which is the State  
13 Historic Preservation Office to  
14 determine that, okay it's eligible,  
15 it needs to be studied, if it does  
16 get that done so the artifacts can  
17 be removed, so they can do that. Or  
18 if the project site under its term  
19 in a development scenario can avoid  
20 it then with SHPO sign off they  
21 would say fine as long as you're not  
22 going to find it, fence it off  
23 during construction, we'll note that  
24 in all the permits and you'll be

1 fine. I haven't had a project yet  
2 where they held it up for a  
3 significant period of time, usually  
4 they are avoided so the process  
5 isn't dragged out.

6 The visual resources, again the  
7 water tower at this point would be  
8 the only significant impact.  
9 Obviously there would be a change in  
10 the view from the river to the  
11 village. The proposed project  
12 itself is not anticipated to create  
13 any significant adverse impact.  
14 However, going vacant to developed  
15 there certainly would be a change in  
16 how that area is characterized. So  
17 color schemes, certain development  
18 guidelines whether it's in roof  
19 profiles and proper building  
20 placements, all that would need to  
21 be addressed through the local  
22 reviews. The findings will identify  
23 that this is an issue that needs to  
24 be addressed, specifically in the

1 size of the buildings would need to  
2 be taken into consideration and the  
3 local governments will have to  
4 adjust that according to their  
5 regulations does that constitute an  
6 impact that needs to be mitigated  
7 further.

8 That rounds out the specific  
9 issues that we've identified so far  
10 in the process. The comment period  
11 ends November 4th, the locations for  
12 the EIS is on the Tioga County web  
13 site and they're also located in  
14 town and village halls here at the  
15 county office building. There is  
16 the EIS and then there's a very  
17 thick book of appendices which  
18 includes the sewer and water report,  
19 the traffic report, archeological  
20 report, strong water report as well  
21 as the wetlands report. All that  
22 was condensed into this one  
23 document. Any other comments,  
24 whether it's agency comments or

1 public comments can be directed  
2 towards LeeAnn. She'll collect them  
3 and send them to us. And the final  
4 EIS is a document which incorporates  
5 all the comments, the specific  
6 issues that are raised, they are  
7 addressed and they require  
8 additional analysis. The final EIS  
9 is submitted to the lead agency.  
10 They determine if it's complete, if  
11 it is that is sent out to all the  
12 involved agencies, DC, the town and  
13 the village, DOT. They have 10 days  
14 to comment. The final EIS aren't  
15 released for public comment, they  
16 are a public document. If the  
17 public wants to comment they can,  
18 under the SEQR regulations we're not  
19 required to address them as you are  
20 adjusting them in this comment  
21 period for the GEIS. So once 10  
22 days go by the IDA, if they didn't  
23 receive any comments from any of the  
24 other agencies, they are ready to

1 submit their findings. And the  
2 statement of findings as I mentioned  
3 before will identify whether or not  
4 you're approving this project or  
5 you're denying the project. I'm  
6 assuming it's going to move forward  
7 as approvable, we haven't found any  
8 significant adverse impacts. If  
9 that's the case then you need to  
10 outline why it was approved and  
11 identify each resource, make sure  
12 that any impact is mitigated  
13 properly and that no significant  
14 adverse impacts are going to result  
15 in -- for this project that may  
16 result in a denial.

17 The findings will also establish  
18 those thresholds that I mentioned.  
19 Where future sites specifically used  
20 are going to be necessary. Whether  
21 it's a traffic study, whether it's a  
22 visual assessment study for the  
23 water tower, whether it's an  
24 additional archeological studies.

1 Say they come back and they found 20  
2 sites and obviously the IDA is not  
3 going to consider paying for 20  
4 specific assessments by an  
5 archeologist which could be pretty  
6 expensive. So we have identified  
7 those that are going to be avoided  
8 and those that may need further  
9 studies depending upon what project  
10 phase they are in.

11 We'll also look at identifying  
12 other issues in terms of square  
13 footage of the buildings. If  
14 somebody comes in with a much larger  
15 building then that's going to  
16 trigger the need for a supplemental  
17 EIS or sometimes a full blown EIS.  
18 If they have to get onto the site  
19 and the Phase 1 environmental  
20 assessment didn't pick up a  
21 particular contaminant that wasn't  
22 listed on the DEC's list. Now  
23 that's going to require a clean up  
24 and that's the worst case scenario,

1 but that's just an example, and  
2 possibly a full EIS would be  
3 required to address that and a  
4 change of the project design that  
5 would come along with that.

6 So the findings, obviously  
7 Saratoga with assistance from the  
8 county and with all the other  
9 assistance would prepare those  
10 findings as well, provide them to  
11 your review and comment. Once  
12 you're satisfied with those, those  
13 findings would be issued. All of  
14 the other agencies can issue their  
15 own findings right away or they can  
16 wait until a specific project comes  
17 to them, like for example DOT, then  
18 when the application comes to them  
19 to widen the road and to put in curb  
20 cuts, they'll have to pick up the  
21 document and issue their own  
22 findings for this particular  
23 project. But once you issue your  
24 findings then the IDA can move

1 forward with additional analyses. I  
2 think -- it's our understanding that  
3 the front half of the site -- the  
4 north part of the site will be  
5 developed first. So any other  
6 potential reviews and marketing of  
7 the site can move forward. The  
8 completed SEQR process is a good  
9 document to have when marketing or  
10 pursuing a shovel ready site.

11 So with that I'm obviously here  
12 to take any comments or questions if  
13 there are any. We have a  
14 transcriptionist here, any comment  
15 will be added to the public record  
16 and addressed in the final EIS. If  
17 there are none I would like to thank  
18 you all for coming and we'll close  
19 the public hearing. And again  
20 November 4th is the deadline for  
21 public comments, so if you or  
22 somebody you know would like to get  
23 a comment to us that's the deadline.  
24 And we look forward to taking this

1 to the next step of the project,  
2 thank you.  
3

4 C E R T I F I C A T I O N  
5

6 I hereby certify that the proceedings  
7 and evidence are contained fully and  
8 accurately in the notes taken by me on the  
9 above cause and that this is a correct  
10 transcript of the same to the best of my  
11 ability.  
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16 NICOLE M. ROCKWELL  
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