



GCEDC STAMP Committee Meeting
Wednesday, July 6, 2022
Location: 99 MedTech Drive, Innovation Zone
8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: P. Zelif, M. Clattenburg, C. Kemp, C. Yunker
Staff: M. Masse, J. Krencik, S. Hyde, C. Suozzi, L. Casey, L. Farrell
Guests: A. Walters (Phillips Lytle), M. Fitzgerald (Phillips Lytle)
Absent:

1. Call to Order / Enter Public Session

P. Zelif called the meeting to order at 8:02 a.m. in the Innovation Zone.

1a. Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:03 a.m., for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.
2. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The motion was seconded by M. Clattenburg and approved by all members present.

1b. Re-Enter Public Session

C. Yunker made a motion to enter back into public session at 8:56 a.m., seconded by M. Clattenburg and approved by all.

2. Chairman's Report & Activities

2a. Agenda Additions / Other Business – Nothing at this time.

2b. Minutes: May 31, 2022

M. Clattenburg made a motion to approve the May 31, 2022 minutes; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. Easement Approval - In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, there are several easements needed. Based on a compensation model the following payment is needed for one easement:

1. Temporary Easement 28 - \$500

Fund Commitment: \$500 from the \$33 million.

C. Yunker made a motion to recommend to the full Board the approval of the ROW easement payment not to exceed \$500 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3b. STAMP Payment for Storage Yard – In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, the GCEDC had to extend the rental agreement for the storage of pipes until we can begin construction with the issuance of NYSDEC permits.

Fund Commitment: \$2,000 from the \$33 million.

C. Yunker made a motion to recommend to the full Board the approval of the STAMP payment of \$2,000 to the landowner for the storage yard as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3c. Morsch Pipeline, Inc. Change Order – In conjunction with the installation of the force main from the Town of Pembroke to the Town of Alabama there is a residence located at the corner of Route 77 and Ledge Road that has seen an accumulation of water in their yard after the construction was completed. It appears that the water is now running along the water line and discharging into the resident's yard. There is a lot of rock in the area that is preventing the water from flowing into the catch basin at the intersection. This work will install an underground tile line that will allow the water a place to flow and discharge into the catch basin where it can move underneath the intersection through the culvert.

Fund Commitment: \$4,975.50 from the agency operating funds.

C. Yunker made a motion to recommend to the full Board the approval of the Morsch Pipeline, Inc. change order not to exceed \$4,975.50 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3d. SEQR Update Approval – M. Masse, S. Hyde, A. Walters and M. Fitzgerald provided a detailed review of the SEQR update in executive session as related to protection against potential future litigation. Included with the meeting materials, was a detailed memo of the SEQR update. Details are as follows: On March 1, 2012, as Lead Agency under SEQR, the GCEDC Board approved the Findings Statement that concluded the GEIS process for the STAMP project. Since that time, there have been a number of changes to STAMP that weren't anticipated at the time SEQR was completed in 2012, a number of changes were made to the Project including changes to the STAMP master plan including an expansion of the footprint of STAMP, demolition of additional houses along Crosby Road, construction of a new municipal water system to serve the residents of the Town of Alabama, and construction of a new sewer force main to discharge wastewater from STAMP to the Village of Medina wastewater treatment plant, twelve miles north of the STAMP Site, as well as the reroute of on-site powerlines to the western edge of the STAMP Site. In July of 2016 the Agency adopted an Amended Findings Statement to the FGEIS approving the 2016 Project Modifications in accordance with the requirements of the GEIS and SEQR; and in August of 2019, the Agency again considered certain infrastructure modifications to the Project. The Agency circulated a notice of intent to re-establish itself as lead agency pursuant to SEQR; and there were additional Project modifications reviewed in 2019 and 2020 including all actions necessary to undertake the following:

- a) Construction of a wastewater treatment facility (“**WWTF**”) on the STAMP Site within the utility infrastructure area to treat the sanitary wastewater generated by STAMP's manufacturing and other tenants. The WWTF will not treat the manufacturing tenants' process wastewater, rather, the tenants will treat their own process wastewaters directly before discharging to the main pump station wet well. The main pump station will then pump the combined flows through a proposed force main (“**Force Main**”) to a new discharge point to be located on Oak Orchard Creek in the Town of Shelby, Orleans County, New York. While the design of the WWTF was updated, the GEIS included an analysis of the impacts for a previous design of a WWTF on the STAMP Site.
- b) Construction of the Force Main which involves the installation of approximately 44,750 linear feet of sanitary force main, metering vaults, and maintenance manholes along the same route as the previously analyzed Medina Force Main. Most of the installation of sewer related infrastructure will be along public roads via a combination of open cut method and directional drill methods. The Force Main will convey up to six (6) million gallons per day (“**MGD**”) of treated wastewater from the STAMP Site to

a new discharge in Oak Orchard Creek. In connection with the Agency's review of the prior WWTF design, the construction of a force main was also considered and analyzed in the STAMP Environmental Record.

- c) A new water main ("**Water Main**") of approximately 23,000 linear feet to be installed along the Lewiston Road right of way between the Genesee County line with Niagara County and the STAMP Site. The new water main will bring up to six (6) MGD of water from the Niagara County Water District ("**NCWD**") to the STAMP Site. The layout of the water main system has been extended; however, the STAMP Environmental Record includes an analysis of the impacts for the construction of a new municipal water system to serve the residents of the Town of Alabama and provide water service to the STAMP Site.
- d) The development of an approximate 20-acre parcel located immediately north of STAMP for the siting of a new substation to service the STAMP Site ("**Substation**"). The landlocked parcel lies between the STAMP Site and a utility corridor which houses the Empire Pipeline and a 345 KV Power Line which will ultimately supply power to STAMP tenants. This parcel is located to the west of the intersection of Lewiston Road (NYS Route 77) and Crosby Road in the Town of Alabama and is bounded by the Empire Pipeline/345 KV Power Line utility corridor to the north, hedgerows to the east and south, and woods and brush to the west. The STAMP Environmental Record includes an analysis of the impacts of minor expansions of the STAMP Site as well as the impacts for the demand for energy for the Project, and potential infrastructure improvements relating to the same.

In August of 2020, the Agency adopted an Amended Findings Statement to the FGEIS approving the 2020 Project Modifications listed above in accordance with the requirements of the GEIS and SEQR; and the Agency has elected to undertake an updated review of the WWTF, Force Main, Substation, and Powerline Reroute ("**Project Infrastructure**") with respect to this additional environmental analysis (the "**2022 SEQR Update**"); and in June of 2022, the Agency circulated a notice of intent to re-establish itself as lead agency pursuant to SEQR for purposes of undertaking the 2022 SEQR Update; and all involved agencies consented, or did not respond and were deemed to have consented, to the Agency acting as lead agency and thus, the Agency has properly been established as the lead agency for purposes of these infrastructure improvements.

To aid the Agency in evaluating what actions are required relative to the Project Infrastructure and all the additional environmental analysis regarding same work to comply with SEQRA pursuant to the STAMP GEIS, the Agency has completed, received and/or reviewed several documents that are available at an online repository. The link was sent out to the Board separately.

After a thorough analysis of the Environmental Information and potential environmental impacts associated with the Project Infrastructure reveals that, while the Project Infrastructure is not addressed or not adequately addressed in the STAMP GEIS, and the Project Infrastructure exceeds thresholds set forth in the STAMP GEIS, the Environmental Information demonstrates that the Project Infrastructure will not result in any potential significant adverse environmental impacts, and this, pursuant to the STAMP GEIS, a Negative Declaration should be prepared pursuant to 6 N.Y.C.R.R. § 617.10(d)(3);

Therefore it is appropriate that the Agency issue a negative declaration pursuant to 6 N.Y.C.R.R. § 617.10(d)(3) for the Project Infrastructure.

Fund commitment: None.

C. Yunker made a motion to recommend to the full Board the issuance of a negative declaration pursuant to 6 6 N.Y.C.R.R. § 617.10(d)(3) for the Project Infrastructure; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3e. Proposed STAMP Property Transfer – There is a 0.851-acre portion of STAMP property that includes two abandoned barns along Alleghany Road bordered to the north by a residential use, to the east across Alleghany Road by a lightly forested area containing an abandoned building, and to the west and south by STAMP; Mr. Baker intends to incorporate the property into his existing residence/property, and therefore the Land Transfer will not create a material conflict with an adopted land use plan or zoning. While much of the STAMP Site was rezoned from Agricultural-Residential (“**AR**”) to Technology District (“**TD**”), a 300-foot buffer around the TD zone was reserved as zone AR. This zone AR buffer includes the property where the barns are located.

M. Masse proposed the transfer of property at no cost to Mr. Baker as a liability deferral. In this case, the agency would not be responsible for the cost of demolition of the dilapidated barns.

Fund Commitment: None.

M. Clattenburg made a motion to recommend to the full Board the approval of the negative declaration pursuant to SEQRA and the property transfer to Mr. Baker for no consideration as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

4. Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 9:03 a.m., seconded by M. Clattenburg and passed unanimously.