

**MINUTES OF CITY OF AUBURN PLANNING BOARD  
TUESDAY, JANUARY 2, 2024 6:30 PM  
MEMORIAL CITY HALL  
AUBURN, NY**

Present: Crystal Cosentino, Chairperson  
Andy Tehan, Acting Chairperson  
Theresa Walsh  
Amy Sargent

Staff: Stephen Selvek, Deputy Director of Planning and Development  
Jennifer Haines, Director, OPED  
Tim Brennan, Corporation Counsel  
Ashley Teucke, Planner

**Agenda Items:**

1. Approval of the December 5, 2023 Planning Board Meeting Minutes – *Board Action: Approved*
2. Site Plan Review to construct a 1,324± SF Take Five Oil Change building, parking for 6 vehicles, landscaping, site lighting, and stormwater management at 232 Grant Avenue. Applicant: Quattro Development. LLC. – *Board Action: Approved*
3. Public Hearing on project to demolish the existing structures and construct a 3-story, 7,560± SF building for a temporary shelter for the unhoused population including 80 shelter beds and 9 studio apartments, together with parking for 14 vehicles, landscaping, site lighting, and stormwater management at 290-292 Grant Avenue. Applicant: Housing Visions - *Board Action: Tabled*

Meeting Call to order: 6:30p

**Agenda Item 1: Approval of the December 5, 2023 Planning Board Meeting Minutes**

Motion to approve minutes by: Theresa and Second by: Andy

All in Favor, None Opposed, Motion Carried

**Agenda Item 2: Site Plan Review to construct a 1,324± SF Take Five Oil Change building, parking for 6 vehicles, landscaping, site lighting, and stormwater management at 232 Grant Avenue. Applicant: Quattro Development. LLC.**

Staff reviewed plans and SEQR. NYS DOT standard is for sidewalks to continue through driveway access. Review EAF, water course shown on map is actually south of where it is shown on map, does not impact property.

A motion to adopt the SEQRA resolution issuing a Negative Declaration was made by: Andy and Second by: Theresa

All in Favor, None Opposed, Motion Carried

A motion to adopt the resolution approving the site plan with modification was made by: Theresa and Second by: Andy

All in Favor, None Opposed, Motion Carried

**Agenda Item 3: Public Hearing on project to demolish the existing structures and construct a 3-story, 7,560± SF building for a temporary shelter for the unhoused population including 80 shelter beds and 9 studio apartments, together with parking for 14 vehicles, landscaping, site lighting, and stormwater management at 290-292 Grant Avenue. Applicant: Housing Visions.**

Chairperson Crystal Cosentino recuses herself because she works for the applicant that would operate the shelter at 290/292 Grant.

Andy Tehan assumes Chairperson roll.

Chairperson opens Public Hearing.

*Karen Walter,*

Asks if there are conflicts by other sitting board members.

Tim Brennan states there are no conflicts of interest that he has been made aware of.

*Karen Walter,*

Asks will there be a second public hearing after the Long Form SEQR has been submitted? Is it anticipated that this project will receive money from city of Auburn by grants, CDBG? Chapel house should sell to a commercial business to be consistent to area.

*David Steigerwald, 452 N. Seward Ave.*

Housing shortages, cost of construction, subsidized housing. How many projects can the tax payers afford? Has 2 abandon homeless encampments on his property. Thinks it's a bad idea.

*Tony Ventura, 22 Hickory Street*

Project is being rushed. Because it meets the zoning requirement doesn't make it right. It won't help the neighborhood or the community. It will help the developer. Too small of an area. Slow down to find a place to build. More homeless than the center can house. Go to ZBA and get something changed.

*Matt Fraher, 3 Bowen Street -*

100 people on 6/10 of an acre. 122 Dickerson, 2,443 calls for emergency services. Nowhere for people to go, they'll be on the sidewalks and roadways. The parcel of land is too small, road too busy.

*Kristy Ventura, 22 Hickory Street –* Concerned with security of homeless people walking around because of shelter curfew.

*Lee Shellhammer, 15 Seneca Pkwy -* Small area for 80 -90 people. Busiest spot in the city. Homeless people will go back and forth to Walmart. 40 folding chairs in the parking lot when its nice outside. Where will the people be? Wondering around on Grant ave?

*Theresa Mason, 31 Hickory Street -*

Nice days everyone is going to be outside. Is there room for a playset outside? There isn't room for them to walk to a playground. Is there something inside for them to do during the winter months?

*Elaine Harter, 5 Bowen Street –* There should be an agreement that the county come up with a couple hundred thousand a year to go to the city for the wear and tear on our emergency vehicles and our police and our fire department. County, Towns and Villages will say it ain't us. Can't become the homeless capital of the finger lakes region with out some support from the county.

*Tony Ventura, 22 Hickory Street*

Why does no one want this in their back yard. Because there haven't been any success stories.

*Tim Lattimore, 63 South St. –* Best use for land Grant Ave. City of Auburn's finances are in critical position. Auburn has plenty of Senior citizen housing. City of Auburn doesn't need any more non-profits. More renters than home owners. Sennet has no town tax and Auburn should aspire to that. Hopes the city will find another location. Find a secure location where eservices are available

*Karen Walter,*

No other sites were considered and that's arrogant and irresponsible. This is a Cayuga County problem. Why is this Auburns problem?

*Mark Kubarek, 7246 State St. Rd.*

Planning board is charged with public safety and best use for a piece of property. That is the most valuable real estate in the city of Auburn. County Department of Corrections houses people at Delaj's Motor where there has been 3 motor vehicle/pedestrian accidents, 2 fatal. Where are emergency services going to stack? Trying to put something on a postage stamp. Don't take valuable property off the tax rolls.

*8 letters submitted for written comment and read into record by Jennifer Haines. (\*letters listed at the end of Minutes.) Letters submitted by:*

*Kristy Ventura*

*Anthony Ventura*

*Tom Hansen*

*Barbara Irish Smith*

*Sandra Weiman*

*Jane & Craig Westlake*

*Mike O'Neil, MCC, LLC*

*Carl Schmidt, Hancock Estabrook*

Chairman closes public hearing.

Staff asks board to table the application until the February 6<sup>th</sup> meeting, dependent upon the applicant submitting the SEQR forms and responses to the comments received from the public.

A motion to table the application until the next board meeting made by: Theresa. Second by Amy.

All in Favor, None Opposed, Motion Carried

A motion to adjourn was made by: Theresa and Second by: Amy

All in Favor, None Opposed, Motion Carried

The next Planning Board meeting is scheduled for February 6, 2024 at 6:30p.

Meeting adjourned 7:44pm

Minutes prepared by: A. Teucke

## Selvek, Stephen

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**From:** Contact form at Auburn NY <cmsmailer@civicplus.com>  
**Sent:** Monday, December 11, 2023 10:00 AM  
**To:** Selvek, Stephen  
**Subject:** [Auburn NY] shelter (Sent by Kristy Ventura, kav6019@gmail.com)

Hello sselvek,

  
Kristy Ventura (kav6019@gmail.com) has sent you a message via your contact form (<https://www.auburnny.gov/user/43/contact>) at Auburn NY.

If you don't want to receive such e-mails, you can change your settings at <https://www.auburnny.gov/user/43/edit>.

Message:

I am opposed to the emergency shelter on Grant Ave. I acknowledge that a shelter is most likely needed in Cayuga County. However, the proposed site of 290-292 Grant Ave is a poor selection of a site. The project would need a 35 foot variance. If this site was such a good match, a variance would not be needed. The area is too small to accommodate such a large structure. The 3 story building would be right up against houses and an apartment complex. Additionally, I have concerns that emergency services would be unable to access this property. Is the street going to be blocked off every time the fire department gets called in? Representatives from various agencies at the planning meeting stated that this is a good match since it is on the bus line. The current bus stop is at Brookside and Grant Ave and usually one or two people get off the bus. I cannot imagine the traffic implications this would cause waiting on 89 people to get on or off the bus. This project is on the busiest streets and one of the busiest intersections with estimated 30,000 cars passing through this area daily. This would cause increased foot traffic and danger to pedestrians and cars. This project is approximately 600 yards from a thriving daycare. Has the city considered how this project my impact local taxpaying business'. This project is not for profit, so you will be taking prime commercial real estate off the tax rolls. Housing Visions reported that they were looking at 3 more sites to develop. Would it not make more sense to find one parcel big enough to accommodate a larger group of individuals and families? Or is it that they can make more money if there is various projects? Having multiple sites would require more employees and as it is, there is a shortage of employees in almost every sector. Lastly, I would like to voice my concern of how this project has been allowed to be considered. At the planning board meeting, representatives were allowed to present a lengthy presentation about the homeless situation. I thought the meeting was supposed to be about presenting the project, not trying to sway the vote. The previous project that was presented merely introduced the plans.

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# City of AUBURN NEW YORK

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## Submission information

Form: [City Council Comments](#) [1]  
 Submitted by Anonymous (not verified)  
 December 11, 2023 - 10:12am  
 2603:7080:123a:9914:b1ee:c210:9618:7ba6

## Please include any questions or comments:

12/11/23

To: Auburn, N.Y. City Council

Dear City Council Members:

I am writing this letter to request that you please vote to DENY the approval of the proposed 89 bed homeless shelter at 290-292 Grant avenue in the city of Auburn. I understand the need for homeless shelters in Cayuga County, however this location is not the right location for such a shelter. This location is way too small for the proposed facility. The development company Housing Visions is asking for a 35 foot variance to build there, knowing it is too small. There is not adequate space for emergency vehicles, deliveries and buses at that location. This location is also at one of the busiest intersections in the city of Auburn, which is the entrance and exit to Walmart and Lowe's. To have this many people crossing Grant avenue which sees in excess of 30,000 (according to NYS DOT) cars and trucks passing thru that intersection per day is a very dangerous situation. The homeless shelter should be closer to downtown Auburn so that homeless clients can receive the services they need within safe walking distances.

Another issue is that the proposed site is in a heavily commercial area that is arguably some of the most valuable commercial real estate in the city of Auburn and Cayuga County. To keep this site off of the property tax rolls is completely unfair to taxpayers. This project does not conform to the area and would negatively affect the characteristics of the neighborhood and commercial area, as well as disrupt the traffic patterns that we have there now. There are many other places in the city and county that would be a better fit for this project. This site is way too small and is too far removed from services that the homeless client will need to have access too. Again, I am not against homeless shelters, but let's put them where they make sense for everyone involved, especially the homeless people we are trying to help. Please vote to DENY approval for this project to continue forward.

Thank you, Anthony Ventura 22 Hickory street Auburn, N.Y. 315-246-2033

## Please provide the following information:

**Name**

Anthony Ventura

22 Hickory St.

**Email Address**

tventura64@me.com

**Address**

22 Hickory street

**City**  
Auburn

**State**  
New York

**Zip Code**  
13021

**Phone**  
315-246-2033

**Organization**

**Source URL:**<https://www.auburnny.gov/node/1633/submission/42706>

**Links**

[1] <https://www.auburnny.gov/auburn-city-council/webforms/city-council-comments>

**Tom Hansen**

7 Bowen St., Auburn, NY 13021

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12/13/2023

City of Auburn Planning Board  
Memorial City Hall, OPED  
24 South St.  
Auburn, NY 13021

Dear Members of the Planning Board,

The purpose of my letter is to ask you to deny approval of the proposed homeless shelter planned for 290-292 Grant Ave., Auburn NY 13021.

Let me start by saying I am not opposed to providing shelter and other essential services to the homeless population. However, the current plan and location is what I am opposed to. I have attended the Public Information Session hosted by The Cayuga County Department of Social Services, Housing Visions and the Rescue Mission on November 30, 2023. I also attended the Auburn Planning Board meeting at City Hall on December 5, 2023. I have listened to the developers plans.

The proposed location (per the Cayuga County Imagemate website) is .633 acres. The proposed building is 7,500 sq. ft. The developers will be requesting a significant variance to accommodate this structure. If this structure was built at the proposed location, there would be absolutely no room for expansion. Listening to the agencies involved, it is obvious that the local homeless population far exceeds the capacity of the proposed shelter. Therefore, local hotels and other facilities will continue to be utilized. The homeless population has grown year after year. It would seem sensible to consider a location that not only accommodated all or most of the homeless population but also had the ability to expand if needed.

The developers and architect explained how the current plan followed local building code etc. with respect to emergency vehicles. Considering the narrow boundaries that are planned around the proposed structure, I question how (4) fire apparatuses, a chief's car and ambulances can strategically maneuver around this structure and deploy necessary equipment in the event of an emergency.

It is my understanding that the homeless facility in Syracuse at 122 Dickerson St has yielded 2,500 +/- calls for Police, Fire and Ambulance. I understand they accommodate a larger community of homeless, but the point I am making is undeniable. This is not only a significant burden on our local services, but a significant impact on the traffic flow and surrounding businesses on Grant Ave. This area is one of the busiest traffic areas in the city. Further, if you Google 122 Dickerson St in Syracuse you will see the loitering, litter and other unsightly activities that is associated with homeless shelters. Again, not something that blends with this corridor.

Another concern for this location is the current compliment of commercial businesses. A homeless shelter would not only impede future developers from considering this area, but it would also create a tenuous environment for current businessowners in the area. Again, this is not the location for the proposed homeless shelter.

The developers have been asked what locations in Auburn and Cayuga County have been considered and why were they not the right location; and why is 290-292 Grant Ave. the ultimate location. There wasn't a definitive answer given. So, my point is this project has not been given the due diligence by the developers that it requires.

In closing, I am kindly asking the Planning Board to deny the current application for the homeless shelter proposed at 290-292 Grant Ave. and encourage the developers to find an alternate location that better suits the needs of our homeless population as well as our community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tom Hansen', written in a cursive style.

Tom Hansen



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### Submission information

Form: [Contact Us](#) [1]  
Submitted by Anonymous (not verified)  
December 17, 2023 - 3:57pm  
108.12.33.142

**Subject:** Neighborhood & Housing

### Message:

In regards to your latest idea re: planning board with homeless shelter location between AutoZone and Verizon on Grant Ave. This is the worst place to have this ! Have you been there? Traffic on Grant Ave is worst than ever ! To walk across there is almost impossible! Also I want to add there is an apartment house in that area that some years ago had some living there went on a steal in cars in the neighborhood! Had both city police and State Troopers arresting them. So look somewhere else for this building please! We don't need anymore problems in our neighborhood!

### Please provide the following information

**Your Name:**

Barbara Irish Smith

**Your E-mail Address:**

irish315@verizon.net

**Organization:**

Just Me!

**Phone Number:**

3152520400

**Address**

**Street**

11 Hickory St

**City**

Auburn

**State**

New York

**Zipcode**

13021

**Source URL:** <https://www.auburnny.gov/node/2/submission/42791>

**Links**

[1] <https://www.auburnny.gov/auburn-city-council/webforms/contact-us>



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### Submission information

Form: [Contact Us](#) [1]  
Submitted by Anonymous (not verified)  
December 18, 2023 - 11:37am  
2603:7080:123b:4788:3c37:51fe:bc49:89e

**Subject:** General Comments

### Message:

I am not against the homeless in our city and yes something has to be done about. When Chapel House was in its creation stage I was one of a dozen individuals who at Holy Family to create a shelter for the homeless. A lady from Skaneateles purchased a home for us to create a comfortable place for the homeless. To this day that shelter is still going strong.

I feel there is land available in the city to construct another shelter. Grant ave is a highly volatile area, traffic is awful, it is not a comfortable calm area . Please listen to the citizens of Auburn.

### Please provide the following information

**Your Name:**

Sandra Weiman

**Your E-mail Address:**

wweiman@adelphia.net

**Organization:**

**Phone Number:**

3152527182

**Address**

**Street**

27 Hickory st.

**City**

Auburn

**State**

New York

**Zipcode**

13021

**Source URL:** <https://www.auburnny.gov/node/2/submission/42806>

**Links**

[1] <https://www.auburnny.gov/auburn-city-council/webforms/contact-us>

## Haines, Jennifer

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**From:** Selvek, Stephen  
**Sent:** Tuesday, January 2, 2024 8:55 AM  
**To:** Theresa Walsh; 'Andy Tehan'; Crystal Cosentino; Karen Walter; asargent526@gmail.com  
**Cc:** Teucke, Ashley; Haines, Jennifer  
**Subject:** FW: 290-292 Grant Avenue - Housing Visions

Good Morning Board Members –

Please see the email below.

Sincerely,

*Stephen*

**Stephen M. Selvek**, Deputy Director of Planning and Development  
Office of Planning & Economic Development | Suite 204  
City of Auburn | 24 South Street | Auburn, NY 13021  
O: (315) 255-4118 | [sselvek@auburnny.gov](mailto:sselvek@auburnny.gov) | <http://www.auburnny.gov>

**From:** Jane Westlake <[westlake26@yahoo.com](mailto:westlake26@yahoo.com)>  
**Sent:** Thursday, December 28, 2023 3:57 PM  
**To:** Selvek, Stephen <[sselvek@auburnny.gov](mailto:sselvek@auburnny.gov)>  
**Subject:** 290-292 Grant Avenue - Housing Visions

Steve:

Could this letter be read at the Planning Board meeting on January 2nd, 2024.

Thank you.

Jane Westlake

December 28, 2023

Members of the Auburn Planning Board:

We are not able to attend the Public Hearing on January 2<sup>nd</sup> and would like this letter to be read into the minutes of the meeting. This letter is about the application of Housing Visions regarding the property at 290-292 Grant Avenue, Auburn, New York.

We attended the Planning Board meeting of December 5<sup>th</sup>, 2023, and as it was stated at the meeting by the surrounding residents and businesses, we know that there is a need to help our homeless. The applicant wants to construct a three (3) story, 7,560+ square foot building for a temporary shelter. The lot is not large enough to accommodate such

a building. It is not close to downtown where the County states these individuals would get the services they need. Have they done due diligence to find another site that would better accommodate this building? There are many sites in Auburn, and if a Zoning change needs to be done, do it!

It was stated by the DOT, that 33,000 cars pass through this area every day. No study was done for traffic safety, and this specific area is a high traffic area due to Wal-Mart and Loews! What about the trash collection trucks, large delivery trucks and Fire trucks, do they think there really is enough room for them to get in and out, another safety issue!

All the residents in the surrounding area purchased their homes, remodeled them, and plan to stay in the area. Will our house values go down now? What about the safety of our children and grandchildren? We want them to be able to play outside without the worry of someone coming up to them and making them feel uncomfortable. That fact alone needs to be seriously considered, especially when an individual doesn't return at 9:00 p.m., will that person be wandering around our neighborhood. Summer is still light at 9:00 p.m., again the safety of our children.

Also, this is a piece of property on Grant Avenue that could be used for other projects and will continue to pay taxes. Placing this building on this lot will take it off the tax rolls. We the taxpayers will have to make up for the difference by having our taxes raised, and they are high enough.

Please look at the application again. This building is not suitable for this lot. Please consider the objections of not only the residents but the businesses surrounding this property.

Thank you for letting us make our feelings known to the board.

Sincerely,

Jane and Craig Westlake

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## **MEMO:**

**We oppose the homeless shelter at 290-292 Grant Ave. for the following reasons.**

- 1) Not enough time to review application**
- 2) Needs to be SEQR long form Environmental Assessment/draft EIS as the scope is of regional implication, will irreversibly alter the character of the neighborhood with significant and dramatic adverse, deleterious, negative and unprecedented offsite impact .**
- 3) SEQR segmentation is not followed.**
- 4) Every business owner with national tenants (8 total) from Brookside Drive to Plaza Drive opposes this project with over 100 residents in opposition**
- 5) This is also a written complaint to the City Planning Department under Chapter 305-3, 305-4 & 305-5 of the City Code alleging violations of the City Code by the Chapel House, Inc., and their alter ego's and requesting an investigation, prosecution of violations and report to the City Council.**

- 6) **Due to the volume of police calls (60) to 290 Grant Ave and 36 Franklin St we request the City Planning Board investigate The Chapel House, Inc., as a nuisance as required by, and defined in, the City Code, Abatement of Nuisance Ordinance. A Decision by the Nuisance Abatement Committee is requested.**
- 7) **The Applicant needs to provide \$100,000 to City for peer review, the City does not have expertise to review these impacts**
- 8) **A Traffic study needs to be done and is required and justified**
- 9) **A Photometric study needs to be done on Grant Ave there is no proper Grant Ave street lighting fot this impact**
- 10) **Not enough parking, 14 spaces for 100 people is inadequate, especially at shift changes, no taxi/bus/ Uber pickup nor delivery parking**
- 11) **There is no room for Centro buses no pickup onsite no service letters,**
- 12) **There is no room for garbage truck turn around**
- 13) **Not enough parking for taxi cab pickup, no letters from Centro on availability of service**

- 14) **The Storm Drainage adds to existing flooding @ FEMA floodway & FEMA floodplain on Brookside Drive/Prospect St. there is a need for a geotech study for bedrock and percolation**
- 15) **What and where is the site selection criteria**
- 16) **SEQR Scoping session must be held**
- 17) **Impervious area calculation of 65% fails code and is incorrect**
- 18) **Adequate Snow storage is questionable and not apparently shown**
- 19) **At least 100 residential neighbors justifiably oppose this covid factory**
- 20) **All parties hereto request status as interested and involved agencies for SEQR purposes and copies of all planning, zoning etc application information**
- 21) **All meetings must be transcribed, recorded and minutes generated. Emails must be preserved – no spoliation**
- 22) **The total economic impact of all projects must be evaluated on taxes, character of neighborhoods, social impact, no build alternative**
- 23) **The impact upon existing area social neighborhood conditions must be studied**
- 24) **This is major and substantial change change in the character of the neighborhood**

- 25) **What is impact on Syracuse homeless population**
- 26) **What is rate of recitivism**
- 27) **Are there ex cons as patrons/residents**
- 28) **Are there level III sex offenders as patrons/residents**
- 29) **Are there drug addicts as patrons residents**
- 30) **How many murders are projected from patrons residents at 290**

**Grant Ave**

- 31) **What is the distribution makeup of current residents and projected residents homeless, ex convicts, level III Sex offenders and their origin locations**
- 32) **What is the impact, currently, of the Franklin St project : cost, makeup (homeless, ex con, sex offender)**
- 33) **Is there a PILOT**
- 34) **The project does not fit the postage stamp lot, the area the location is too small**
- 35) **Place it somewhere else on larger lot**
- 36) **Are released inmates from local correctional eligible**
- 37) **Are visiting relatives to inmates eligible to spend the night**
- 38) **The west side of Grant Ave street lighting is inadequate, now, and this will adversely impact 100 more transients**

- 39) Are 9 suites permanent – it is non compliance with zoning
- 40) Is this a “hotel”?
- 41) Is this a dormitory?
- 42) Is this just a homeless center?
- 43) How many 911 calls, police, EMT, fire to & from 292 Grant per year last 5 years and 2023 year to date
- 44) How many 911 calls, police, EMT, fire from & to 36 Franklin St per year last 5 years and 2023 year to date
- 45) How many level III sex offenders in program last 5 years and their county of origin
- 46) How many 911, police, EMT, fire calls in each of you facilities in New York State
- 47) Is this building sprinklered?
- 48) How many ex-cons are in Auburn program & where are they from
- 49) Are illegal immigrants allowed
- 50) Are there security cameras inside and outside
- 51) do windows allow patrons to exit
- 52) How many bathrooms per floor or per patron

- 53) What and how many crimes have occurred per facility in New York State**
- 54) Are there Prevailing wage rate/minority requirements**
- 55) Is this in compliance with the NYS Building Code**
- 56) No ex cons, no drug rehab, no level III registered sex offenders should be allowed**
- 57) Is insurance available (additional insured) offsite as Additional Insured/bond for area residents & business**
- 58) There is a Playground 500' from the site**
- 59) Is Future daycare is prohibited?**
- 60) There Needs to be a Geotech report as water table effects, soil borings, soil strength, bed rock effect on percolation, footing drains where, ground water on/into bedrock?**
- 61) This design is a Covid incubator**
- 62) This is a Flu factory poorly designed not enough bathrooms**
- 63) Not enough toilets, showers etc**
- 64) No onsite recreational area – causes offsite transients to tour neighborhood**
- 65) What is repeat offender Drug policy**
- 66) Where is Asbestos pre demolition survey**

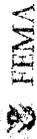
- 67) Driveway drains must be required preventing drainage onto Grant Ave
- 68) Steepness/grade of driveway to excessive
- 69) How many Children/family members visitation room for 109 patrons
- 70) The 65% Impervious area improperly calculated
- 71) What Zoning Variances are applied for
- 72) 500' from municipal boundary requires 239 l& m
- 73) Need FOIL on Franklin/Grant Ave/Weedsport Travel Lodge for /eviction housing/list current lodging owners & checks paid to whom
- 74) Application incomplete – no survey, no letters from sewer, water, police, fire, emt, NYSDOT, Centro, taxi
- 75) No contact has been made with demolition effects and impact on neighbor encroachment. Applicant does not control all land.
- 76) Frost will prevent/stop storm drainage drainage dry well percolation underground
- 77) Building height is 35' , elevator shaft is 40' requires variance
- 78) Is this a Dormitory use or hotel use
- 79) Subdivision/lot line adjustment requires survey & plan
- 80) Are all board members state certified

**81) What are board quorems based upon?**

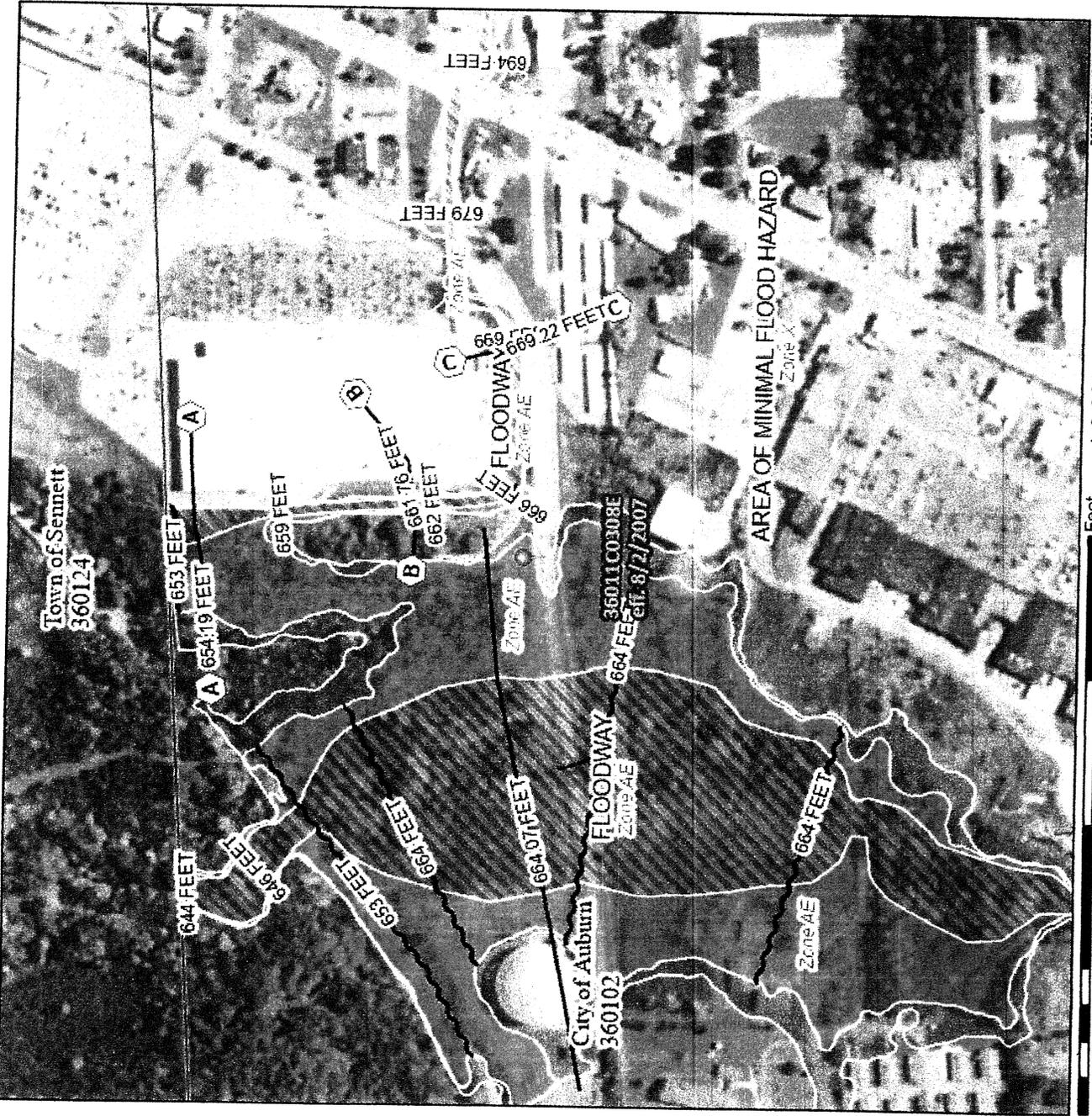
**There are more questions, more time is needed**

**The Board MCC, LLC**

# National Flood Hazard Layer FIRMette



76°33'17"W 42°57'22"N



76°32'40"W 42°56'56"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**  
 Without Base Flood Elevation (BFE)  
 Zone A, V, AE, AR  
 With BFE or Depth Zone AE, AH, AV, AR  
 Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile  
 Zone X  
 Future Conditions 1% Annual Chance Flood Hazard  
 Zone X  
 Area with Reduced Flood Risk due to Levee. See Notes. Zone X  
 Area with Flood Risk due to Levee  
 Zone D

**OTHER AREAS OF FLOOD HAZARD**

**OTHER AREAS**  
 NO SCREEN  
 Area of Minimal Flood Hazard  
 Zone X  
 Effective LOMRs  
 Area of Undetermined Flood Hazard  
 Zone D

**GENERAL STRUCTURES**  
 Channel, Culvert, or Storm Sewer  
 Levee, Dike, or Floodwall

**OTHER FEATURES**  
 Cross Sections with 1% Annual Chance  
 Water Surface Elevation  
 Coastal Transect  
 Base Flood Elevation Line (BFE)  
 Limit of Study  
 Jurisdiction Boundary  
 Coastal Transect Baseline  
 Profile Baseline  
 Hydrographic Feature

**MAP PANELS**  
 Digital Data Available  
 No Digital Data Available  
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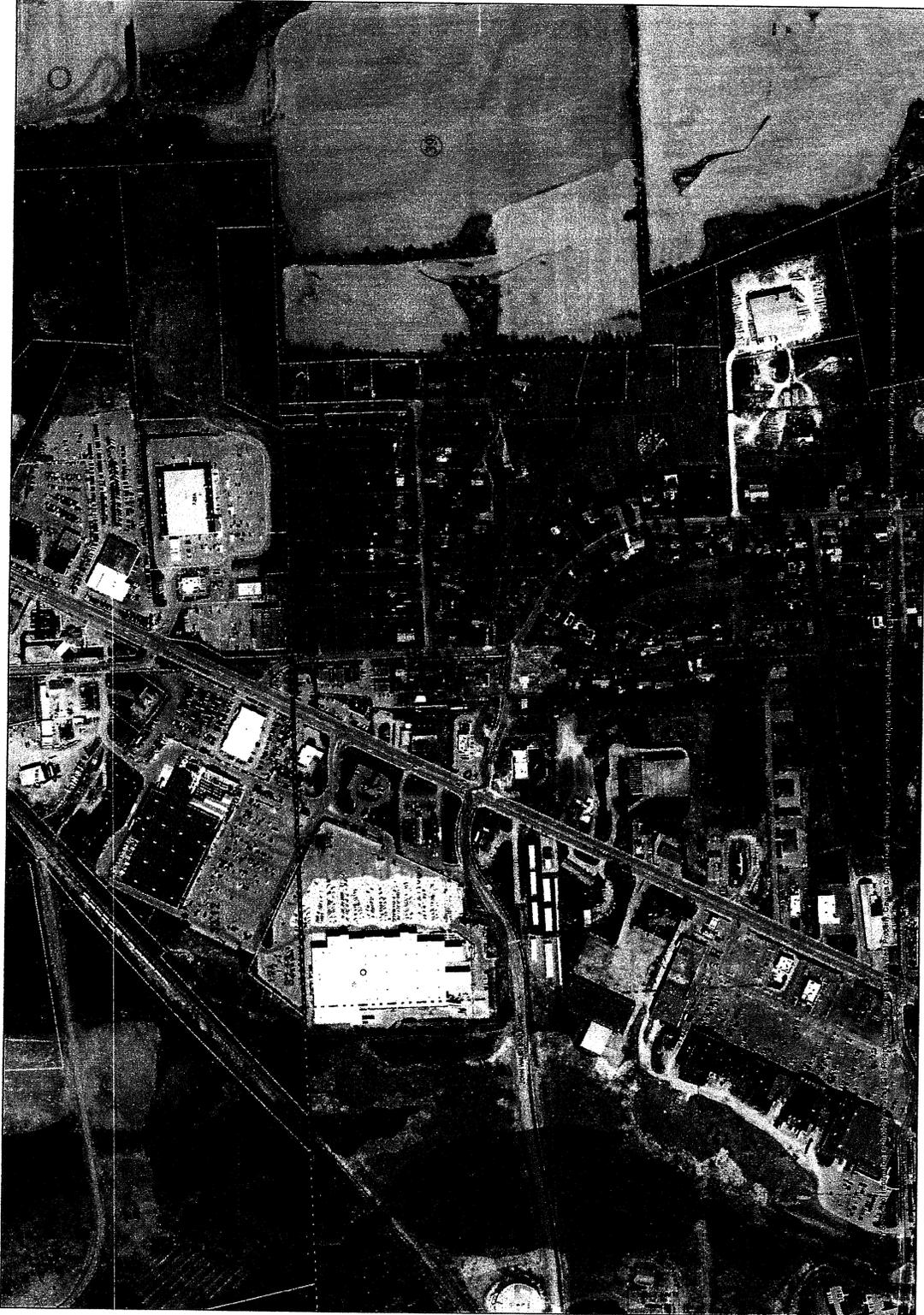


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/14/2021 at 10:24 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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## FLOOD PLAIN IN BLUE

NOTE: Tax maps do not establish title or legally define boundaries.  
-For Real Property Tax Purposes Only-

Date: 12/8/2023

**CRIME & SAFETY**

# Man stabbed to death at Catholic Charities men's shelter in Syracuse

Published: May. 15, 2015, 1:14 p.m.



By **Jacob Pucci | [jpucci@syracuse.com](mailto:jpucci@syracuse.com)**

SYRACUSE, N.Y. -- A 27-year-old man is dead after police say he was stabbed multiple times at the Catholic Charities men's shelter in Syracuse Thursday night.

Gary Paris Jr. was repeatedly stabbed at the shelter around 9:55 p.m., police Lt. Eric Carr said. Paris was rushed to Upstate University Hospital, but he died at the hospital at 10:30 p.m., Carr said.

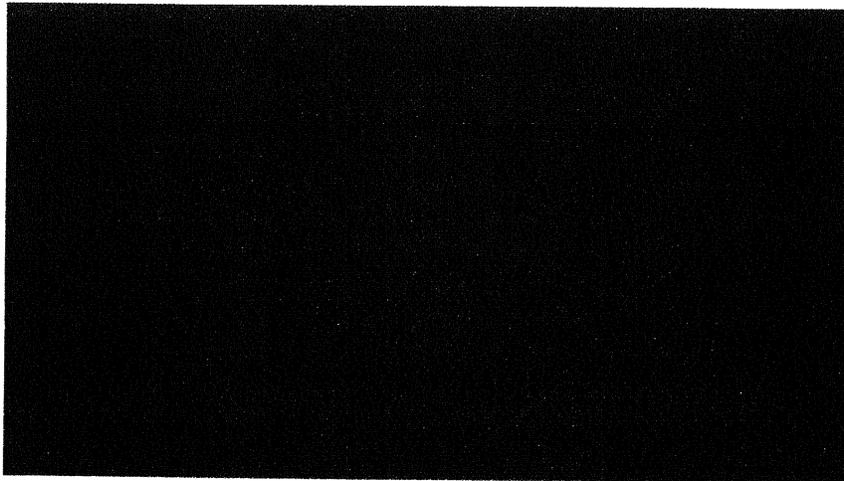
No suspect description is available, and the circumstances surrounding Paris' death are still being determined, Carr said.

Anyone with information is asked to call police at 442-5222.

**Related:** [Syracuse's 2015 homicides: an interactive map](#)

About 125 men stay at the 1074 S. Clinton St. shelter each night, said Toni Martin, Associate Director of Catholic Charities of Onondaga County.

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The shelter was closed after the stabbing as police investigated. Centro provided warm, running buses to house the guests until they were transported to the Rescue Mission shelter on Gifford Street, Martin said.

"They [the Rescue Mission] stepped right up," Martin said. "Their overnight staff and our overnight staff worked shoulder-to-shoulder to get all our guests sheltered for the night."

The Catholic Charities shelter is expected to open today at its usual time of 5 p.m., Martin said, adding that she expects the usual number of guests to stay there tonight.

After the stabbing, an alert was sent out to Catholic Charities employees, reminding them of the organization's employee assistance program, which includes counseling for traumatic incidents such as this, Martin said.

Martin said there's been nothing like this in her seven years with Catholic Charities.

"Something like this is unprecedented," she said. "Our guys, our guests, witnessed an unspeakable act of violence."

*Check back to [Syracuse.com](http://Syracuse.com) for updates.*

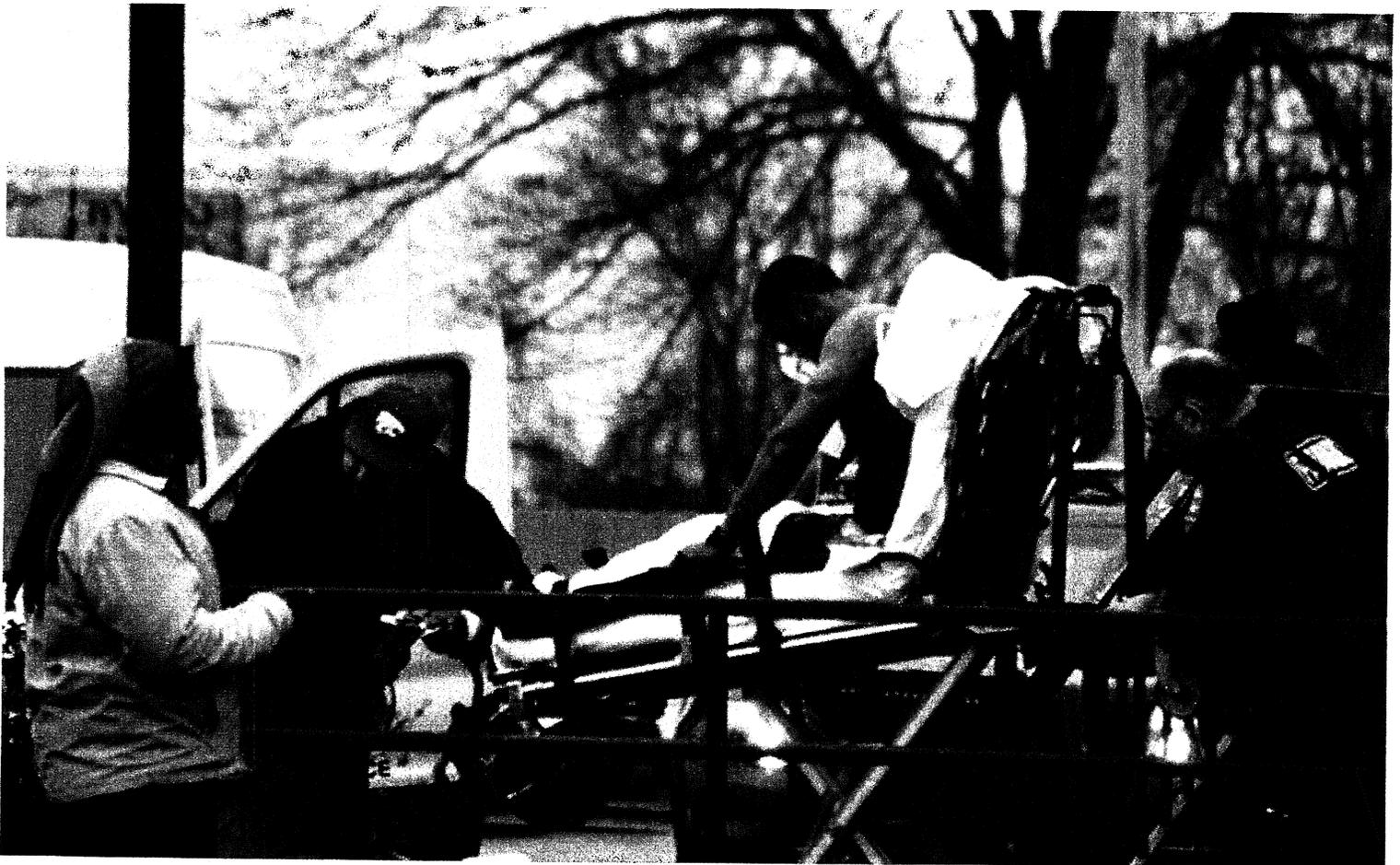
Contact Jacob Pucci: [Email](#) | [Twitter](#) | 315-766-6747

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**CRIME & SAFETY**

# Man in serious condition after stabbing near Rescue Mission in Syracuse

Published: Mar. 28, 2018, 1:47 p.m.



Paramedics wheel a wounded man out of the Rescue Mission's Food Service Center after a stabbing near the Gifford Street center in Syracuse on Wednesday, March 28, 2018. (Samantha House)



By **Samantha House** | [shouse@syracuse.com](mailto:shouse@syracuse.com)

SYRACUSE, N.Y. -- A man was seriously injured Wednesday after a stabbing near the Rescue Mission in Syracuse.

The Syracuse Police Department rushed to the Rescue Mission's Food Service Center at 7:42 a.m. A 40-year-old man had been repeatedly stabbed in the back by another man, said Sgt. Richard Helterline, a police spokesman.

Officers were told the attack took place outside the Gifford Street center's cafeteria, Helterline said, but could not confirm where it happened.

The Rescue Mission was getting ready to serve breakfast when the wounded man ran inside the cafeteria, said Dan Sieburg, the Rescue Mission's chief executive officer. Workers called 911 for help, he said.

American Medical Response and the Syracuse Fire Department also responded to the Rescue Mission. Officers photographed the scene.

Paramedics wheeled a shirtless, bloodied man out of the cafeteria on a gurney. The wounded man closed his eyes and bowed his head, clenching the gurney's metal rails as he was placed in an ambulance.

The man was taken to Upstate University Hospital. He is in serious but stable condition, Helterline said.

Sieburg said the people involved were not staying at the Mission.

A detailed description of the suspect was not available.

Detectives are continuing to investigate the stabbing. Police asked anyone with information to call (315) 442-5222 or submit tips anonymously through the Syracuse PD app.

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**CENTRAL NY NEWS**

# **After more than 30 years, Wegmans orders Rescue Mission to remove its donation centers**

Updated: Dec. 05, 2023, 9:38 p.m. | Published: Dec. 05, 2023, 9:25 p.m.

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Rescue Mission donation trailer in the Wegmans parking lot on Route 31 in Clay. Rick Moriarty | [syracuse.com](http://syracuse.com) | File photo



By **Fernando Alba** | [falba@syracuse.com](mailto:falba@syracuse.com)

Syracuse, N.Y. — Wegmans has told the Rescue Mission to remove its donation centers by next year.

The donation drop-off centers have been at Syracuse-area Wegmans locations for 38 years, said Luana Lovenguth, the chief social enterprise officer for the Rescue Mission. Those locations, combined with two others at Walmarts in Camillus and Auburn, receive about 250,000 donations each year, she said.

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Why are they being removed?

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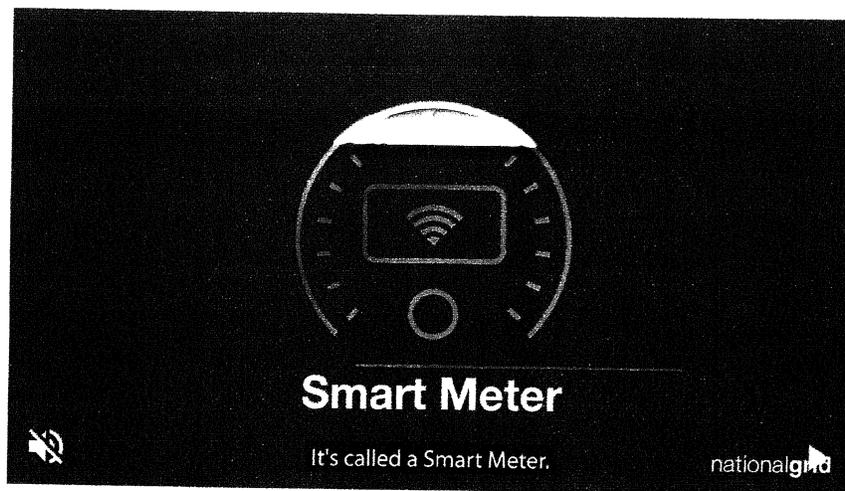
Evelyn Ingram, a Wegmans spokesperson, said the change is “an effort to establish consistency across all Wegmans locations.” The donation drop-off trailers are only in the Central New York stores.

Discussions around removing the donation centers started in the summer, Ingram said. Two donation spots have already closed at the Wegmans on Oswego Road in Clay and in East Syracuse on James Street. A third on Route 31 in Clay is expected to be moved to a nearby Runnings by the end of the year, Lovenguth said.

The Rescue Mission will have about six months to remove its remaining donation centers in Cicero, DeWitt and Clay (Taft Road).

Dan Sieburg, Rescue Mission CEO, said he’s already noticed a drop in donations without the centers in Clay and East Syracuse. Donations are down about 30% in November, he said.

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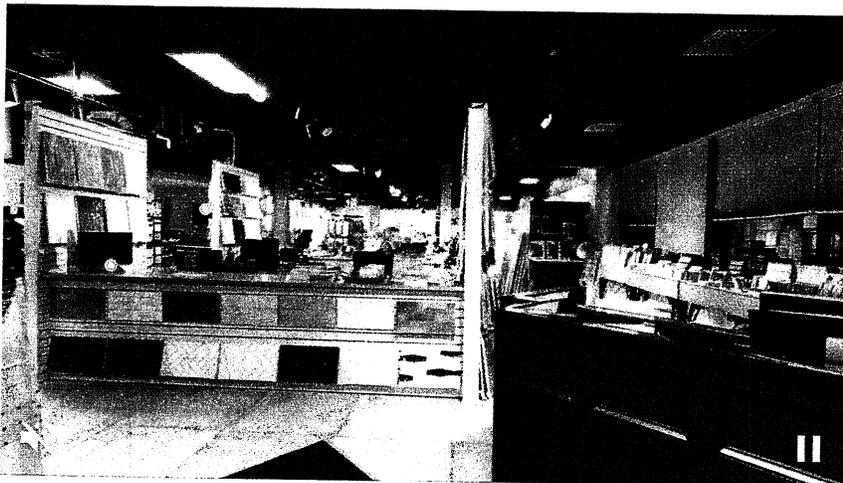
That has created a “sense of urgency to really find locations quickly,” Sieburg said.

The mission has already received calls from new potential locations. Sieburg hopes to have all donation points back up and running by the spring.

“Our donations fuel the programs we provide,” Sieburg said. “In the immediate future, I think we’re OK. If we can find good locations to move our donations centers to quickly, it might not disrupt anything.”

*Staff writer Fernando Alba covers breaking news, crime and public safety. Have a tip, story idea, question or comment? Reach him: [Email](#) | [Twitter](#) or at 315-690-6950.*

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## Around the Web

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**CRIME & SAFETY**

# Pregnant woman in critical condition after being shot near Syracuse Rescue Mission

Updated: Dec. 15, 2023, 5:22 p.m. | Published: Dec. 15, 2023, 12:48 p.m.



Syracuse police work the scene at Clinton and Dickerson streets in downtown Syracuse where a pregnant woman was shot. Marnie Eisenstadt



By **Marnie Eisenstadt** | [meisenstadt@syracuse.com](mailto:meisenstadt@syracuse.com)

Syracuse, N.Y. -- The woman who was shot near the Syracuse Rescue Mission this morning was pregnant, police said. She is in critical condition.

A Syracuse police detective who was working a regular detail for the homeless shelter witnessed the shooting at 9:37 a.m. in the 100 block of Dickerson Street, said Syracuse Police Chief Joe Cecile.

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An officer calling in from the scene said the woman was shot in the head, according to dispatch reports. Cecile could not confirm that detail.

Police could not say exactly where the shooting happened. Victoria Shires, a spokeswoman for the Rescue Mission, said the shooting was down the street from the homeless help agency's campus.

The Rescue Mission's campus takes up almost all of the 100 block of Dickerson Street.

The detective, who has not been identified, called in the shooting to 911 as he chased the suspect, who ran away on foot down Dickerson Street toward the Salt City Market.

The detective drove after the suspect onto South Clinton Street and caught him minutes later, according to dispatch reports. 911 dispatchers said the suspect was stopped when he was hit by a car.

Cecile, who spoke to media at the scene, said police are still sorting out what exactly happened but the suspect was not seriously injured. He was being evaluated at Crouse Hospital.

Police could not provide identities or ages for the suspect or the victim. They could not say how, or if, the two knew each other. Neither they nor the Rescue Mission could say whether either was staying or eating at the shelter.

Shires said the homeless help organization has paid for police details, which include an officer from Syracuse police and the Onondaga County sheriff's office, for 15 years. They come at different times, most often around mealtime.

This morning's shooting happened when the last of the breakfast crowd was trickling out. The officers usually stay for some time after meals. The Rescue Mission serves three meals a day to anyone who comes to the dining hall, no questions asked.

It also is a homeless shelter with beds for 192 people. Thursday night, 165 people stayed at the shelter. Shires said the organization has not yet been told the identity of the victim or the shooter, and so could not say whether either was a client of the Rescue Mission.

The agency's community Christmas party, scheduled for 5 p.m. today, has been postponed. They had ordered enough Dinosaur Bar-B-Que for 500 people, Shires said.

The streets around the Rescue Mission, including Dickerson Street and Clinton Street, continued to be closed this afternoon.

*Marnie Eisenstadt writes about people and public affairs in Central New York. Contact her anytime [email](#) | [Twitter](#) | [Facebook](#) | 315-470-2246.*

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**CARL L. SCHMIDT**

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*cschmidt@hancocklaw.com*

January 2, 2024

**VIA E-MAIL ONLY: [sselveek@auburnny.gov](mailto:sselveek@auburnny.gov)**

City of Auburn Planning Board  
Attn: Crystal Cosentino, Chairman  
and City of Auburn Planning Board Members  
Memorial City Hall  
24 South Street  
Auburn, NY 13021

**Re: Auburn Rescue Mission Project  
290-292 Grant Avenue  
SEQRA and Site Plan Review**

Dear Chairman Cosentino and Members of the Board:

Our office represents Frontier Auburn, LLC, with regard to its concerns related to the above-referenced project that includes development of a 7,560 square foot, three-story building and other improvements upon 0.606 acres of the combined lots located at 290 and 292 Grant Avenue (the "Project"). The Applicant has previously submitted a Site Plan Review Application ("Application") which is currently pending before the Planning Board.

The purpose of this letter is to address the issues scheduled for the January 2, 2024 Planning Board meeting, during which there is scheduled a public hearing concerning site plan review for the Project. For the reasons set forth herein, the Planning Board is not in a position to issue a decision on the pending Site Plan, and we respectfully request the Public Hearing be held open.

## **I. COMPLIANCE WITH SEQRA**

We understand that the Board has requested that the Applicant submit a Full Environmental Assessment Form ("FEAF") to facilitate its environmental review of the Project. However, our inquiries to the City have revealed that the Applicant has yet to submit the required FEAF.

Pursuant to 6 NYCRR 617.7(b)(2), the Board is not in a position to make a SEQRA determination of significance until it has reviewed the FEAF. Nevertheless, should the prerequisite FEAF be submitted, as is more fully addressed herein, the Board must issue its



determination of significance and make findings pursuant to the State Environmental Quality Review Act (“SEQRA”) before it can make its decision on the pending Application.

Without the Applicant’s submission of Part 1 of the FEAF, we are left at a significant disadvantage in discerning the proposed impacts of the Project.

Review of the minutes of the prior meeting indicates that the Board has not acted to make its initial determination classifying the Project as a Type I or Unlisted action. If the Project is deemed a Type I action, then the Board must conduct a Coordinated SEQRA Review. Even if the Project is not a Type I action, the Board should conduct a SEQRA review to obtain input from all Involved and Interested Agencies before making its Determination of Significance.

For the reasons further elaborated below, the significant environmental impacts of the Project likely require the preparation of an Environmental Impact Statement (“EIS”). Moreover, even in the absence of the applicant’s FEAF, it is clear that there are numerous discretionary area variances that will be required of the Zoning Board of Appeals (“ZBA”), to accommodate the expansive structure on the proposed lots. Accordingly, the Planning Board should commence a coordinated SEQRA review.

If the Board chooses not to conduct a Coordinated SEQRA review, it is respectfully submitted that when the Board completes Part 2 and Part 3 of the FEAF and makes its determination of significance pursuant to 6 NYCRR 617.7, a Positive Declaration must be issued. There are many potentially significant environmental impacts that require preparation of an EIS.

As will be more fully addressed below, the information that has to date been provided by the Applicant cannot support the issuance of a Negative Declaration pursuant to SEQRA. In the event the Board does issue a Negative Declaration, we believe the Board should disapprove the site plan for the Project as it is currently constituted in the Application and supporting documents.

**A. THE PROJECT IS TOO LARGE FOR THE PROPERTY**

The Project Application clearly proposes construction of a large three-story structure which fails to conform to the City’s bulk requirements within the small 0.606-acre property. The proposed structure encroaches significantly into the required thirty-foot rear setback with almost half of the building falling within the thirty-foot line in some places. We have confirmed with the City that an Area Variance Application has been filed with the ZBA but have not been provided with a copy of the same and the City has yet to respond to our FOIL request in this regard.

Moreover, while the design contemplates fourteen parking spaces to accommodate up to fourteen employees, it is not clear that this conforms with the requirements of the City of Auburn Zoning Code (the “Code”). At Section 305-48(I) the Code requires off-street parking for “*each of the uses herein identified*” (emphasis added). The Application does not provide any criteria

for how the 8 “transitional” apartment units would be utilized, and the inclusion of 8 such dwelling units would appear to establish another use which would require the support of an additional parking space each. See Code § 3205-48(I) (“Residential Uses”). To the extent that interpretation of the zoning code is beyond the jurisdiction of the Planning Board, this ambiguity must be resolved by the ZBA and the Planning Board should not issue any approval pending the outcome of this determination, including the ZBA’s granting any discretionary parking variance that may be necessary to accommodate the Project. See *Catskill Heritage Alliance, Inc. v. Crossroads Ventures, LLC*, 161 AD3d 1413 (3d Dept 2018).

It is unlikely that twenty-two parking spaces could even be sited within the Project property given the already significant nonconformity concerning bulk constraints. Accordingly, the determination of the numerous area variances is so integral to the viability of the Project that the Board may not be able to make a decision on the Site Plan pending the ultimate resolution of these anticipated issues before the ZBA. Moreover, as is more amply discussed below, the siting of the proposed structure in violation of the City’s bulk and parking requirements has significant environmental and planning impacts that should be assessed in an Environmental Impact Statement.

**B. THE PLANNING BOARD SHOULD ISSUE A POSITIVE DECLARATION AND REQUIRE AN ENVIRONMENTAL IMPACT STATEMENT**

**1. REQUIREMENTS FOR DETERMINING SIGNIFICANCE UNDER SEQRA DICTATE THAT THE BOARD SHOULD ISSUE A POSITIVE DECLARATION**

There are clearly several aspects of the Project that could potentially cause moderate to large environmental impacts. “To determine that an EIS will not be required for an action, the lead agency must determine either that there will be no adverse environmental impacts or that the identified adverse environmental impacts will not be significant.” 6 NYCRR 617.7. Courts have determined there is a relatively “low threshold” for triggering a Positive Declaration and preparation of an EIS, and that a Positive Declaration is required for an action which may have any significant impact on the environment. See *Tehan v. Scrivani*, 97 AD2d 769 (2<sup>nd</sup> Dept 1983).

The following are some areas where this Project presents potentially significant impacts on the environment, and which the Board must consider under SEQRA.

**1. Impact on Surface Water and Flooding**

According to the Preliminary Stormwater Management Calculations (“Preliminary Calculations”) submitted with the Application, the current stormwater plan comprises only a preliminary design subject to “more in-depth analysis of stormwater management facilities” and development of a detailed engineering design in the future. Inasmuch as the stormwater facilities design has been presented in nothing more than a conceptual posture unaccompanied even by a completed FEAF, it would



be premature to make a determination as to the potential impact of the Project upon Surface Water and Flooding.

Nevertheless, the Preliminary Calculations make clear that “[p]ortions of the site will flow unrestricted into the Grant Avenue right-of-way.” Pending a final engineering design and stormwater study, there remains significant potential for the Project to cause moderate to large impact to surface water and localized flooding.

## **2. Impacts on Groundwater**

As noted in the Preliminary Calculations and the engineering drawings appended to the Application, the preliminary stormwater design contemplates the installation of drywells and a large subsurface infiltration chamber. This design would potentially permit stormwater to act as a conduit for pollutants to enter groundwater. These potential impacts to groundwater may be moderate to large requiring further investigation.

## **3. Impact on Aesthetic Resources**

The Project proposes to replace the current appropriately sized buildings with a large three-story structure which fails to conform to the City’s bulk requirements. The proposed structure encroaches significantly into the required thirty-foot rear setback. The remaining lot surrounding the building is almost exclusively consumed by parking facilities, leaving minimal space for landscaping and provision of any access to open space for the many proposed residents of the Project.

This imposing structure would be placed between an important thoroughfare and a residential community and has the potential to cause a moderate to large impact to the aesthetic resources of nearby residents, commuters, and visitors as they enter the City on Grant Avenue. Accordingly, the impact of the project on aesthetic resources will require further investigation.

## **4. Impact on Transportation**

The Applicant has yet to submit an FEAF or any traffic study which would initially quantify the transportation related impact of the project. However, the Applicant proposes to house 80 beds and 8 “transitional” apartment dwellings within the Project. The addition of a significant number of residents to the neighborhood will likely result in added demands upon public transportation and pedestrian infrastructure. Moreover, residents would have to travel by various means from the Project site to remotely located services facilities, increasing vehicular miles travelled and pedestrian traffic along the busy Grant Avenue thoroughfare.

Likewise, as noted, the necessary parking at this site is subject to a ZBA zoning interpretation and the design will require additional parking and/or the issuance of a

variance by the ZBA. Failure to provide sufficient parking at the Project site will likely lead to overflow parking and added traffic congestion on neighboring properties and it is unclear that twenty-two parking spaces could be sited on the Project site given the already significant area nonconformity concerning bulk constraints. Accordingly, this Project has the potential to cause moderate to large impacts to transportation in the local vicinity.

#### **5. Impact on Noise, Odor and Light**

As noted above, the Project proposes to site a significant number of residents in a largely commercial use area with substantially no provision for outdoor recreational or open space. Given the substantial departure from the currently prevailing uses and density of neighboring lots, it is reasonable to expect that there will be an alteration of the existing pattern and quantity of noise above ambient conditions in the vicinity of the Project.

Additionally, the Applicant has provided an untitled site lighting map which demonstrates that there will be some impact of light shining onto adjoining properties. However, this document fails to provide any meaningful insight into the basis of its conclusions and provides no narrative facts such as to the height of fixtures and whether the lighting plan will rely upon natural screening. Without information that should be provided in a FEAF, the impact of the Project's lighting plan on neighboring properties cannot be reasonably determined.

Accordingly, there remains potential for moderate to large impact of the Project on noise and light which require further investigation.

#### **6. Consistency with Community Plans**

The Project is not consistent with the community's plans. As stated above, the Project proposes to site a large residential/institutional facility upon only a 0.606-acre combined parcel of land. The siting of the proposed structure within this small lot is demonstrably inconsistent with local zoning regulations in that it will require an area variance to accommodate the significant intrusion of almost half of the building into the required thirty-foot rear setback.

Likewise, the Project would increase residential density in a district predominated by commercial retail properties. The surrounding neighborhood lacks the necessary resources in terms of open space and recreational opportunities to sufficiently support the added residential population. This is especially problematic considering the lack of sufficient open space on the Project site itself to accommodate the needs of its residents.

Accordingly, the Project is inconsistent with community plans and its impact thereto should be treated as moderate to large requiring further investigation.



**7. Consistency with Community Character**

The Project is not consistent with the community character. The architectural scale of proposed three-story facility would dominate the Grant Avenue street front, which is currently occupied almost exclusively by single story commercial buildings. Likewise, the imposing structure would significantly encroach into the required rear setback, impairing access to light and space for the residents in the neighborhood behind the structure.

Accordingly, the Project as currently proposed is materially inconsistent with the existing community character.

When the Board completes Part 2 of the FEAF, it will become apparent that there are a number of environmental impacts that may be moderate to large. Moreover, as the Board completes Part 3 of the FEAF, it will find that many of those impacts are important and require further study in the EIS.

When the Board makes its determination of significance pursuant to 6 NYCRR 617.7, a Positive Declaration must be issued. The Applicant should be directed to submit a Draft EIS (“DEIS”) pursuant to 6 NYCRR 617.9, which will provide the Board and the public with additional details associated with the Project. Only after a Final EIS (“FEIS”) is prepared, along with SEQRA Findings pursuant to 6 NYCRR 617.11, would the Board be in a position to make an informed decision on the pending applications for the Project. The EIS on this Project will provide the Board with additional environmental details before it makes its decision.

**II. THE APPLICATION FAILS TO MEET THE CRITERIA FOR ISSUANCE OF SITE PLAN APPROVAL AS SET FORTH IN THE CITY OF AUBURN ZONING CODE AND THEREFORE THE APPLICATION SHOULD BE DISAPPROVED**

As an initial matter, the Board may not proceed with site plan approval until it has complied with the requirements of SEQRA. Gen. City § 27-a(10); 6 NYCRR 617.3(a). Regardless, even if the Board completes the requirements of SEQRA, we do not believe the Board can approve the pending applications. Section 305-85(E)(6) of the Code sets forth a non-exhaustive list of criteria the Planning Board shall review prior to granting site plan approval. After reviewing these elements, the Board is authorized to approve or disapprove the site plan or to attach conditions and restrictions upon approval of a site plan. § 305-94(f)(1).

The Board must review, *inter alia*, the following delineated considerations and for the reasons provided herein should disapproved:

**1. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs:**

As noted above, the Project proposes to site a large three-story institutional facility upon only a 0.606 acre combined parcel of land. The architectural scale of structure

is incompatible with the Grant Avenue street front. The site of the proposed building within this small lot is inconsistent with zoning bulk and parking regulations in that it will require at least one area variance to accommodate the significant intrusion of much of the structure into the required rear setback. Moreover, the Project proposes to site a significant number of residents in the neighborhood while providing inadequate parking facilities and no significant open space or recreational facilities to accommodate them.

## 2. Adequacy of stormwater and drainage facilities:

The Applicant's submission makes clear that its current stormwater design is preliminary in nature and subject to the development of a detailed engineering design at some point in the future. In the absence of any final design, the Applicant simply provides a conclusory opinion that it will easily achieve compliance with relevant standards. It is respectfully submitted that the Application fails to provide the board with a final design or sufficient actionable information by which to review the adequacy of stormwater facilities.

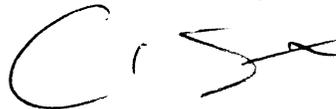
Importantly, the Board's obligation to the existing residents of the community is not limited to a pro forma technical review of these delineated elements. Rather, it is clear that a planning board "is required to set appropriate conditions and safeguards which are in harmony with the general purpose and intent of the [municipality's] zoning code." *Dietrich v. Planning Bd. of Town of West Seneca*, 118 AD3d 1419 (4<sup>th</sup> Dept 2014) quoting *Valentine v. McLaughlin*, 87 Ad3d 1155 (2d Dept 2011). The Project here is entirely inconsistent with the community plans and standards embodied in Auburn's Zoning Code and must be disapproved.

## CONCLUSION

Based on the above, it is respectfully submitted that Board should disapprove the Site Plan Review Application for this project. In the alternative, it must demand that the Applicant submit a FEAF and, upon its review, make a determination of significance pursuant to 6 NYCRR 617.7. Upon review of the SEQRA factors designated in the FEAF, the Board should issue a Positive Declaration and require the preparation of an EIS to further investigate the potentially significant environmental impacts associated with the Project.

Very truly yours,

**HANCOCK ESTABROOK, LLP**



Carl L. Schmidt

CLS/lmg

cc: Nate Garland, Esq., Corporation Counsel (Via E-Mail: [ngarland@auburnny.gov](mailto:ngarland@auburnny.gov))