

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

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

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

**Agenda Items:**

1. Approval of the Jan 2, 2024 Planning Board Meeting Minutes – *Board Action: Approved*
2. Site Plan Review to construct to construct a 12,500 Sq ft addition off the existing building of MDI Truck/ JJAGWing. The project will include clearing underbrush and removing impeding trees from the building site. Once site work is completed a tree line border will be planted on the southern property line to provide a privacy barrier to the existing neighbors of 54 Chase St. Applicant: Pat, Jordan, Josh and Alex Cusick – *Board Action: Tabled*
3. Site Plan Review 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

Pledge of Allegiance

Welcome Fran Daloia to the Board

**Agenda Item 1: Approval of the January 2, 2024 Planning Board Meeting Minutes**

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

Roll call: All in Favor, None Opposed, Motion Carried

**Agenda Item 2: Site Plan Review to construct to construct a 12,500 Sq Ft addition off the existing building of MDI Truck/ JJAGWing. The project will include clearing underbrush and removing impeding trees from the building site. Once site work is completed a tree line**

**border will be planted on the southern property line to provide a privacy barrier to the existing neighbors of 54 Chase St. Applicant: Pat, Jordan, Josh and Alex Cusick**

*Jordan of MDI/JJAGWing LLC* presents the preliminary site plan application. To construct a 12,500 Sq Ft addition to the existing 18000 Sq Ft building to increase storage and keep up with demand for their products. They will be renovating their offices and improving parking and show room. They would like to have the project completed by August.

Chairperson asks for comments or questions from the board?

Crystal asks what type of work is done in the building? Who and how many customers come in?

Jordan: We sell snow plows and the left side of the building is truck repair and outfitting. Not adding any new aspects to the business, just separating them for more space.

Theresa asks how many people are employed?

Jordan: Currently 5, expecting to add 1 person per year for the next 5-10 years.

Fran asks what increase in production capacity are you expecting?

Jordan: Currently limited to space. Can only make what we can fit in the existing building. Increased space would allow us to manufacture more plows. We sell out of our snow plow every year, we ship across the country and to Canada.

Crystal asks Jordan to elaborate on drainage mitigation because there was a comment submitted through the city planning office from a property owner with regard to drainage?

Jordan: Water currently runs around the building and toward the road. None of the roofs have gutters. Tom Gayback said we can tie in gutters to storm water drains and that will eliminate a lot of run off from the roof.. Not adding much impermeable area, less than ½ acre, because the proposed building will go over an existing parking lot.

Andy asks if roof run off will be connected right into the storm water drains?

Jordan: Yes, Tom Gayback said it's a fairly simple process. After construction is completed their shouldn't be any runoff going into the neighbor's properties.

Chairperson Crystal Cosentino opens Public to be Heard.

Mary Nellenback, 42 Chase Street

Question about the EAF have a checkmark next to a historically significant site, what is the historical significance in that area? MDI has been a good neighbor. Ms. Nellenback is concerned that further development could impact water/sewer lines, causing back up. Asks the board to consult city engineers and sewer dept so that construction doesn't further impact chase street residence.

Dave Stigerwald

DMI is a good neighbor. They have cameras and have helped reduce vandalism.

Chairman closed Public to be Heard and asked for staff comments.

Staff recaps that the MDI application that has been received by the board is in its conceptual phase. Staff states that DRC did an initial review of the preliminary drawing and didn't have any significant concerns. Staffed did receive written comments from Ms. Nellenback regarding sanitary and storm water issue. (Written comment at the end of minutes). Comments were forwarded to municipal utilities and engineering department. That review will be included with the review of the engineered drawings that the applicant in is the process of having prepared. Once the engineered drawings, including the survey, is prepared it will be circulated to the board. We will be looking at both those as well as the SEQRA and the question that came up. SEQRA will be something staff looks into at that time. Staff requests the Board table the application, awaiting the engineer drawings for review, and bring the application back for the next board meeting.

Theresa asks if the historic significance was checked in error.

Staff clarifies it could be related to the International Harvester location, but staff will dive further into historical significance.

A motion to table the application was made by: Andy and Second by: Theresa

Roll call: All in Favor, None Opposed, Motion Carried

Crystal Cosentino, as a staff person of the Rescue Mission, recues herself as Chair. Andy Tehan steps in as acting Chair.

**Agenda Item 3: Site Plan Review 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 Andy Tehan asks staff for comments.

Staff recaps the project details of the application presented in December. At the December meeting, public comment was received, but also the board requested a Public Hearing for January and Full EAF be completed, in lieu of Short EAF. In January a Full EAF has been submitted and is included in tonight's materials. Staff recommends the Board proceed with a coordinated Environmental Review to involve all the involved agencies that fund or providing approval to the project. Staff Requests the board to authorize staff to proceed with the coordinated review vis resolution. Staff asks the board to revise the language of the resolution

be amended to read “the Board declares its intent to be lead agency”, not to establish itself as lead agency without the coordination of other agencies.

Andy Tehan asks to hear the language again.

Staff steps through the language of the resolution. The resolution identifies the project and the project information. It identifies the project as an unlisted action, as it does not trigger any type I threshold. It notes the involved agencies that are part of the review. Staff requests that the final paragraph read “...the Board declares its intent to be lead agency...”.

Several comments were received prior to the board meeting regarding the environmental review process indicating that the lead agency cannot be determined until a Full EAF has been received. Staff agrees with that comment and wants to clarify that in the resolution that this is a procedural vote enabling us to seek concurrence from the involved agencies. Also asks that in the interest of conflict that the DEC be lead agency. To clarify only an involved agency holding approval or funding can be the lead agency and do the environmental review. Should no agency want to be the lead agency the DEC can instruct one of those an agency to be the lead agency.

Theresa Walsh asks staff to list involved agencies.

Staff lists involved agencies identified in the Full EAF; Office of Temporary and Disability Assistance, Homeless Housing And Assistance Corporation, Cayuga County and New York State Department Of Transportation.

Staffs reviews 2 board options. Staff asks for direction from the board to facilitate the coordinated review process. Board is not ready to make a determination under SEQRA. All the involved agencies have to be permitted the necessary 30 days to provide comment as well as if they wish to object to the planning board to be lead agency.

Frans asks when would the 30-day time line start?

Staff advises the 30-day timeline starts upon receipt of the EAF from the city to those agencies. EAF's were transmitted after they were received by city staff o January 17<sup>th</sup>. The 30 days would elapse prior to the next planning board meeting. If the board has questions regarding the process, staff wants to be this is a procedural vote. You are not making a determination. Board is approving the resolution as amended and you would be instructing the staff to initiate the coordinated review. Which has been the process of all coordinated reviews this board has taken on.

Andy Tehan clarifies that a coordinated review would give those other 4 agencies input on the review.

Staff confirms they would provide input back to us, yes.

Andy Tehan says negative or positive?

Staff confirms yes.

Andy Tehan asks for comments from the board?

No comments

Andy Tehan asks if there is a motion to amend the resolution to read "...the Board declares its intent to be lead agency.."

A motion to modify the language of the resolution was made by: Theresa and Second by: Fran

Roll Call: All in Favor, None Opposed, Motion Carried (Crystal had recused herself)

Staff states the resolution language has been amended. Requests the chair entertain a motion for approval of the resolution as amended.

A motion to adopt the resolution for the Planning Board to declare its intent to be lead agency to review the SEQRA made by Fran: and Second by Amy

Roll Call: All in Favor, None Opposed, Motion Carried. (Crystal had recused herself)

Staff will continue to work with any of the involved agencies to get their comments back under the environmental review portion of this. If there is objection from an agency, they will notify me of that objection and we can decide how to proceed forward. Whether or not we agree with them to be lead agency or not. If there's not objection, the staff would bring forward SEQRA information as well as a resolution and we will review the SEQRA, potentially as early as next month. The applicant is currently trying to work through addressing some of the comments that have come up and looking to potentially make some adjustment to the plan to address those comments. I want to make sure we have a final set of plans before we we proceed with SEQRA as well as any consideration of plans before the Board. Staff requests the Board table the application and resume next month.

A motion to table the application was made by: Theresa and Second by: Fran

Roll call: All in Favor, None Opposed, Motion Carried (Crystal had recused herself)

The next Planning Board meeting is scheduled for March 5, 2024 at 6:30p.

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

Roll call: All in Favor, None Opposed, Motion Carried (Crystal had recused herself)

Attached are the written comments regarding DMI Truck (2) and Rescue Mission Homeless Shelter (3). Comments were received prior to the 2/6/2024 Planning Board Meeting, provided to the Board, and referenced during the meeting.

Meeting adjourned 7:08pm

Minutes prepared by: A. Teucke

DRAFT

## Selvek, Stephen

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**From:** Daniel Nellenback <mary.dan.nellenb@gmail.com>  
**Sent:** Thursday, February 1, 2024 7:14 PM  
**To:** Selvek, Stephen  
**Subject:** Planning Board meeting on 2/6/24

Hi Stephen,

This is Dan and Mary Nellenback. Our address is 42 Chase Street, Auburn. We would like to make a few comments on the proposed addition to the MDI building.

Our backyard is not the same since the trees have been removed. It used to be a nice secluded space for our kids growing up and in recent years, our grandkids. Now it looks like an industrial wasteland. We don't understand why most of the trees on the ridge had to be cut. The noise and bright lights from the steel loading area have replaced the trees.

Please put in a significant tree line to separate the industrial area from the residential. Please also consider additional trees along the ridge line to block the light and noise pollution.

Thank you.

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## Selvek, Stephen

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**From:** Daniel Nellenback <mary.dan.nellenb@gmail.com>  
**Sent:** Sunday, February 4, 2024 9:35 PM  
**To:** Selvek, Stephen  
**Subject:** Item for planning board on 2/6/24

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Stephen,

This is Dan and Mary Nellenback. Our address is 42 Chase Street, Auburn. We have another issue and concern with the proposed addition to the MDI building.

How much additional flow into the sewer/drainage system will the enlargement of MDI create? Can the current sewer/drainage system handle the additional flow?

We ask this because of back up through the sewer line that has occurred at 42 Chase Street over the years. We moved to this location in 1977. In July 1999, shortly after MDI opened, the first backup through the sewer line occurred. We had no problems with our basement drains for 22 years.

After our basement was flooded three more times by sewer line backups, multiple discussions with the City of Auburn employees, and our line checked with a camera, the City installed a check valve to prevent the backups. After the check valve was installed in August of 2000, we still had back ups in the sewer line in 2004, 2009, and 2014.

At this point the City of Auburn informed us that it would be our responsibility to maintain the check valve.

In 2014 we hired Donofrio Mechanicals to install a double check valve on our line.

We pay for a yearly inspection and cleaning. Since the double check valves have been installed, they have closed on three different occasions. Small amounts of contaminated water enters before the backflow closes the valve. There are still problems with the City of Auburn's sewer and drainage systems.

Can the system handle more??

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## Selvek, Stephen

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**From:** AOL <americangroup1@verizon.net>  
**Sent:** Tuesday, February 6, 2024 4:16 PM  
**To:** Haines, Jennifer; joe camardo; Nate Metarko; Carl L. Schmidt  
**Subject:** 290-292 Grant Ave planning board  
**Attachments:** grant obj pb seqr.pdf

Hello Jennifer

I am receiving objections from others - see attached

We also object to the City Planning Board as Lead Agency

The action is prohibited by existing Covenants & Deed Restrictions running with the land  
Deed Restrictions do not allow any building on the front 1/2 of the lots,  
except a house, on the front 1/2 of the lot

no other buildings are allowed on the front 1/2 of the lots

numerous lots (30+) have prohibitive limits & have the dual effect of an HOA protecting other lots as  
well as prohibiting this proposed project on any specific lot. - we see no answer to that point

A Title search is required as well as a Traffic Study, geo tech study, soil borings, asbestos survey  
. the rock depth listed at 16' is incorrect, no percolation test was noted, the drainage solution will not  
work and affects the floodway/flood plain as the contiguous rock is 6' deep with 3' of shale and then  
limestone at refusal

we note the CT Male survey fails to mention the building encroachment although it shows the  
encroachment on lands of others.

NYSDEC is the only lead agency that will not result in litigation

there are hundreds of home owners in opposition as this project is of nuclear proportions changing  
the character of the neighborhood

Mike

Muskrat Creek Capital, LLC

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290-292 Grant Ave Rescue Mission shelter to be read into the 2/6/24 meeting record

To: americangroup1@verizon.net

Date: Tuesday, February 6, 2024 at 02:00 PM EST

Dear Planning Board Members,

There is a request by staff to declare the Auburn Planning Board as lead agency, by resolution, for this proposed project.

For the following reasons, this resolution is premature & inappropriate at this time:

- (1) Part 1 of the LEAF (long environment assessment form) as submitted, has not been completed in its entirety ie. funding sources are not disclosed (see pg 2 LEAF to mention a few omissions
- (2) there is a 1/9/24 planning board site plan review revision (see pg 2), however no details are available online agenda/meeting attachments or otherwise
- (3) if there is a revised site plan TO AVOID the need for a variance then at the minimum the revised plan needs to be reviewed by the Design Review Committee.
- (4) should there be a new \$250 filing fee with a survey map & topography map?
- (5) 30 day response from other entities yet to pass for their review
- (6) LEAD AGENCY cannot be determined until a FULL EAF has been received, then reviewed.
- (7) for the sake of transparency and to avoid any actual or perception of a conflict of interest the NYSDC should be the LEAD AGENCY

## Selvek, Stephen

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**From:** Karen Walter <kwalter620@gmail.com>  
**Sent:** Tuesday, February 6, 2024 4:38 PM  
**To:** Selvek, Stephen  
**Subject:** Re: 290-292 Grant Ave Rescue Mission shelter to be read into the 2/6/24 meeting record

Dear Planning Board Members,

There is a request by staff to declare the Auburn Planning Board as lead agency, by resolution, for this proposed project.

For the following reasons, this resolution is premature & inappropriate:

- (1) Part 1 of the LEAF (long environment assessment form) as submitted, has not been completed in its entirety ie. funding sources are not disclosed (see pg 2 LEAF, \$1.5 million allocation from Cayuga County & \$82,000 CDBG commitment from City of Auburn to mention a few omissions
- (2) there is a 1/9/24 planning board site plan review revision (see pg 2), however no details are available online agenda/meeting attachments or otherwise
- (3) if there is a revised site plan TO AVOID the need for a variance then at the minimum the revised plan needs to be reviewed by the Design Review Committee, provided to the public with an opportunity for public/verbal input
- (4) should there be a new \$250 filing fee with a survey map & topography map?
- (5) 30 day response from other entities yet to pass for their review
- (6) LEAD AGENCY cannot be determined until a FULL EAF has been received, then reviewed.
- (7) for the sake of transparency and to avoid any actual or perception of a conflict of interest the NYSDEC should be the LEAD AGENCY, not the city planning office/board nor the County of Cayuga

I'd like to make reference to the SEQR Cookbook/process pg 3 and pg 7 Coordinate Review to verify the correct process and the order of same.

The planning board is charged with the responsibility of being the gatekeeper and to take into account the totality of a project and its impact on the community.

Thank you for your attention to this matter,

Sincerely,  
Karen Walter