

1 STATE OF NEW YORK
2 COUNTY OF CORTLAND

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In the Matter Of:

3
4 State University of New York (SUNY) Cortland -
5 Proposed Student Life Center,
6 State Environmental Quality Review Act (SEQRA),
7 State University Construction Fund (SUCF),
8 SEQRA Lead Agency
9 Draft Environmental Impact Statement (DEIS)

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PUBLIC HEARING

Held on May 7, 2012

10 Draft Environmental Impact Statement (DEIS),
11 Barry Elementary School, Cortland, New York

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24 Transcription of Public Hearing Based on Live Video
and Audio Recordings of Proceedings

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A P P E A R A N C E S

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P R O C E E D I N G

(Following based on video/audio transcription only:)

MR. HEATON: We may as well get started. It's ten minutes after 7.

So this is the public hearing on the Draft Environmental Impact Statement for the SUNY Cortland Student Life Center. We're going to go through quickly one of the SEQR process, the State Environmental Quality Review Process, projects have been so far, where we're at in the process now and what the next steps are.

My name's Patrick Heaton. I work at EDR Companies in Syracuse, New York. We are preparing and prepared the Draft Environmental Impact Statement on behalf of the State University Construction Fund. We're an environmental consulting and landscape architecture simple engineering firm based in Syracuse and Rochester.

So a few things before we get underway.

We're recording the comments that we receive tonight for the sake of having a record of what everybody said. There's a red video camera set up over here, pointing at out where I'm standing. We appreciate when people come up and talk, if they speak to the camera, clearly state your name, spell your last name and then go

1 on from there.

2 We've asked everybody to sign in tonight. So if
3 you haven't done that, we'd appreciate it if you would
4 sign in before you leave so we have an accurate
5 representation of who came tonight.

6 And if you'd like to speak, we're asking you to
7 fill out -- put your name on a speaker card. This, again,
8 gives us another form of record of who spoke and we can
9 keep track of who said what.

10 Similar -- many of you were here for the public
11 scoping meeting we had for this process. We ask people to
12 keep their comments limited to five minutes that time, so
13 we're sure that everybody had a chance to speak. We'll do
14 the same thing tonight. If we get through the entire list
15 of people who want to speak and we still have time, we can
16 start at the top and go through it again if there's
17 additional comments that people want to make.

18 So before we get to the comments, I'm going to
19 very quickly go through a summary of where we are in the
20 SEQR process.

21 The State Environmental Quality Review Act
22 requires specific steps when you're evaluating the
23 environmental impacts of the project. So what we have
24 here is the steps that we've gone through so far.

25 In January, the State University Construction

1 Fund, circulated a notice that it intended to serve as the
2 lead agency for the review of this project, which means it
3 will coordinate the comments and reviews of other agencies
4 that are received and the public's comments, as well, on
5 this project.

6 In February, the Construction Fund issued a
7 positive declaration, which means that there's sufficient
8 reason to think this project might have a significant
9 affect on the environment; that an Environmental Impact
10 Statement should be prepared.

11 So at the same time, the Construction Fund
12 issued a draft public scoping document which defined what
13 the contents of the Draft Environmental Impact Statement
14 would be. There was a public comment period, and on that
15 scoping document, we held a public scoping meeting where
16 people commented on the scoping document. The City of
17 Cortland Environmental Advisory Committee offered
18 extensive commentary on the draft public scoping document,
19 and in March the Construction Fund issued a final version
20 of that scoping document.

21 So the scoping document served as the basis for
22 a Draft Environmental Impact Statement which was released
23 in April. We are now in the public comment period for the
24 Draft Environmental Impact Statement where we expect that
25 agencies that we have sent it to in the public are reading

1 and reviewing the document and putting together their
2 comments and concerns on the document.

3 So the DEIS is available for review at the
4 Memorial Library on campus. It's also available on the
5 Construction Fund's web site. It's also available at City
6 Hall and on the City of Cortland's web site. There's a
7 link to the Construction Fund site.

8 Tonight is the required public hearing on the
9 DEIS where you will have an opportunity to offer oral
10 comments on the document. You can also, in addition to
11 that, submit written comments up until the 17th of this
12 month. And I should point out that we have up here a card
13 with the addresses, mailing addresses, e-mail address, web
14 site, all the various ways that you can provide written
15 comments on the DEIS. So if you want to take one of these
16 with you tonight so you have it, that's available.

17 So May 17th is the end of the public comment
18 period. The Construction Fund, the consultants will be
19 looking through and summarizing all the comments that we
20 receive and concerning what the appropriate way to respond
21 to those comments are. We're anticipating that in June we
22 will release a Final Environmental Impact Statement, which
23 will include a summary of the responses to the comments
24 that are received on the DEIS. And that will be followed
25 by a finding statement where the Construction Fund will

1 summarize its findings and the outcomes of this SEQR
2 process.

3 So I just wanted to offer, again, the various
4 places that the DEIS is available for review: On the
5 area, SUNY Cortland at the library, City Hall, City Hall's
6 web site, as well.

7 The Department of Environmental Conservation
8 offers some guidance on how to effectively navigate the
9 SEQR process because they know a lot of people are not
10 familiar with it. These are their recommendations on how
11 to comment on a Draft Environmental Impact Statement so
12 that your comments are as effective as they can be. I
13 will just read this.

14 Commenting on the Draft EIS is a valuable way
15 for the public to have direct input into the
16 decision-making process. The following guidelines are
17 good practice by anyone making comments. The first is to
18 focus on major issues. They're brought up in the DEIS.
19 The DEC recommends that if oral comments are made at a
20 hearing, they should follow them up with written comments,
21 covering at least the main points that you made at the
22 public hearing. That's not required but, again, that is
23 what the DEC recommends.

24 You should consider whether the studies
25 conducted and presented in the DEIS and the sources of

1 information are adequate to support the analyses and
2 conclusions as they're presented in the DEIS.

3 Continuing. Give careful attention to the
4 comparative assessment of alternatives that's presented in
5 the DEIS and offer additional reasonable alternatives if
6 they could be identified by the commenter.

7 And, lastly, to review all mitigation measures
8 which are analyzed and suggest additional reasonable
9 members to reduce adverse environmental impacts if they
10 could be identified by the commenter.

11 So, again, that's the DEC's guidance to the
12 public on how to be most effective when you're commenting
13 on an Environmental Impact Statement.

14 So, lastly, it's scheduled to go to 9:00
15 tonight. We've asked that you sign up to speak. And when
16 you do speak, again, clearly state your name for the
17 record and spell your last name if that's helpful. Please
18 respect the five-minute time limit. My colleague, Ben
19 Brazell -- do you have your timer?

20 MR. BRAZELL: Yes.

21 MR. HEATON: -- will let you know if you're
22 getting close to the five-minute limit. Again, we're not
23 trying to arbitrarily limit the possibility to speak. We
24 just want to make sure that everybody that come and wants
25 to comment has an opportunity to do so.

1 And then if you're uncomfortable speaking or if
2 you have additional comments after the public hearing, you
3 have until May 17th to offer written comments on the DEIS.
4 Again, the addresses, mailing address, e-mail address, for
5 those comments is available up at the table.

6 So with that, I guess I'll just call these up in
7 the order that we had them signed up.

8 Maybe before we do that. Are there any
9 questions about the process, the format of how we want
10 this to go?

11 No? Okay.

12 MS. JO SCHAFFER: I have one question. How are
13 you getting paid?

14 MR. HEATON: Our client in this project is the
15 Construction Fund.

16 MS. JO SCHAFFER: Is the Construction Fund.

17 MR. HEATON: Mm-hmm.

18 Sharon Stevans is the first person we have.

19 MS. SHARON STEVANS: Where is the video is
20 going?

21 MR. HEATON: The video is going to a
22 stenographer service that will be putting together a
23 formal transcript --

24 MS. SHARON STEVANS: Okay.

25 MR. HEATON: -- of tonight's proceedings.

1 MS. SHARON STEVANS: Okay.

2 MR. HEATON: So that's why we want to make sure
3 that we get a -- that's our recording of what everybody
4 says.

5 MS. SHARON STEVANS: I see, okay.

6 My name is Sharon Stevans and Stevans is spelled
7 S-T-E-V-A-N-S.

8 And I would like to focus my comments on the
9 visual section of the plan, the impact on the
10 neighborhood, though I share the concerns of others about
11 potential water quality issues, noise, et cetera.

12 Page 14 states in reference to the view from
13 Pearl and Warren, quote, "With the proposed project in
14 place, the view loses its feeling of openness. However,
15 the new building appears modern and clean and gives order
16 to the view." This statement is absurd, especially when
17 written by professional planners. A prison wall is
18 orderly and that is what this view looks like.

19 It goes on to say, "The contrast between the
20 horizontal grip base of the structure on the ground level
21 and the vertically aligned metal and glass panels on the
22 upper stories help to reduce the mass of the building."
23 This sounds more like wishful thinking and is not
24 accurate.

25 And finally, it states, quote, "SUNY's

1 development of the Student Life Center neither preserves
2 nor undermines the continued single family residential use
3 of the adjacent properties." This is further wishful
4 thinking as it most certainly does undermine the continued
5 use of the properties as owner-occupied residences.

6 The plan makes no effort that I could see to
7 mitigate the problem of increased vehicle parking on these
8 residential streets as it simply states that most users
9 will walk. This will not be case for all the off-campus
10 users who will be driving and will need a place to park.

11 The only way to mitigate the impact on the
12 adjacent neighborhood, whose interests seem to be rather
13 glibly and condescendingly dismissed, is to move the
14 building.

15 While an alternate site seems to be wholly
16 negated by the questionable rating performed by the site
17 selection committee, the building orientation, design and
18 placement can and should be modified on the college
19 preferred site. The building should be moved further to
20 the west to reduce the monstrous visual impact. The Lusk
21 Field House could be torn down if necessary.

22 The design can be altered to have the massive
23 glass and brick wall face the Water Works with a smaller
24 and reduced elevation of the facade confronting the
25 neighborhood.

1 The plan makes reference to the fact that SUNY
2 is exempt from local land use regulations. However, the
3 College has an obligation to be a good institutional
4 citizen of the community. The relationship between the
5 college and the city needs balance. With the plan as
6 currently constituted, the city and its residents continue
7 to make adjustments and sacrifices with no real
8 concessions that I can see on the part of SUNY.

9 We value having SUNY here, but I would hope for
10 more evidence that SUNY values this community in return.

11 MR. HEATON: Thank you.

12 Next we have Tom Larson.

13 MR. THOMAS LARSON: I'm Tom Larson. My last
14 name is spelled L-A-R-S-O-N. I'm going to speak
15 specifically to the draft statements, Section 3.2,
16 Subsection 3.2.1, and even below that another section on
17 the surface water, which is 3.2.1.1.

18 MS. CHARLOTTE FERRIS: Will you speak a little
19 louder, please?

20 MR. THOMAS LARSON: 3.2.1.1, Surface Waters.

21 The second paragraph indicates that the stream
22 Otter Creek, located approximately 800 feet west of the
23 project site -- Otter Creek is a Class C, parenthetical,
24 small lower case "t," New York State DEC protected stream,
25 indicating that it may support a trout population.

1 I took a photo last summer, in July, of a brook
2 trout that I caught right at the Groton Avenue bridge. I
3 will e-mail this to the person in charge of the SEQRA. To
4 catch a brook trout in a stream in July is pretty rare.
5 To catch one in the middle of the city is almost unheard
6 of, I think. The fish have a very low threshold for water
7 temperature changes and a fish of this size, as you'll see
8 when I'm able to e-mail it in the record, it's mature.
9 There are several other stratifications of age classes in
10 there -- in the stream there and all throughout the stream
11 that we've caught fish in July. And I had only moved to
12 New York last year and I discovered that you don't do that
13 in New York. You let the fish have a break in the summer.
14 I was catching trout all summer long and didn't know that
15 until after the fact.

16 But I think that the other classification which
17 may have more restrictions is Class C, parenthetical TS --
18 Capital T, Capital S. And clearly I think is a trout
19 spawning stream. A way to clarify that might be an
20 electro fishing. I don't know if one of those might be
21 planned to make sure that you're counting the fish that
22 are there, getting a population study in that way.

23 The way you protect that -- like I say, I was
24 shocked that there was a fish of that species there so
25 much so that I sent it to a colleague of mine in

1 Pennsylvania and he didn't believe it, either, because
2 we -- typically when you see brook trout in their
3 environmental law they're usually pretty remote areas.

4 The -- I'm surprised that it's there because of
5 the amount of impervious coverage that that's being
6 drained. And adding another, I think, 10,000-square-foot
7 roof or whatever size it is -- I'm less concerned about
8 the construction phase and the storm water will be managed
9 during that. I'm sure the siltation will have a lot of
10 filtering, but super heated water from more impervious
11 coverage entering a watershed like that could have an
12 affect on a population of trout like this.

13 I think there are numerous areas of currently
14 pervious -- impervious areas that could be -- I'm thinking
15 of a parking deck. Instead of the broad large parking
16 area and then use that existing impervious for a building
17 like this. I think there are buildings in the impervious
18 areas throughout the campus there in that lower campus
19 that have very little use that more -- a structure like
20 this could be placed upon rather than adding to the
21 impervious coverage in that watershed and in the proximity
22 to that stream.

23 That's all.

24 MR. HEATON: Thanks.

25 The next card I have is Frank Kelly, City of

1 Cortland Environmental Advisory Committee.

2 MR. FRANK KELLY: Okay. And that's who I am.
3 And you spell my last name K-E-L-L-Y.

4 As you know, we're going to -- we have prepared
5 a six-page printed document and we're going to enter that
6 into the record. In the interest of letting other people
7 speak and not wanting to drone on, I'm going to try to
8 summarize the major points of that document.

9 One of the charges of our committee is to
10 evaluate environmental impacts on potential projects in
11 the city and make suggestions and comments regarding that.

12 And in addition to that, in this particular
13 case, we were specifically asked by the Mayor, the Council
14 and Director of Administration and Finance, Matt Cook,
15 from the City to become involved and so we did.

16 We have attended several of the meetings, and as
17 you pointed out, submitted prior comments and we're
18 submitting these, as well.

19 On the positive side, we'd like to commend the
20 project sponsors for the attention that they've paid for
21 the aquifer protection, storm water management and
22 flooding. And we think these are paramount and these are
23 above all other considerations. And anything we say
24 subsequent to this, we want to be clear, we would not want
25 the changes that we're proposing to be considered to be

1 made worthy to a compromise these three areas.

2 We also want to commend PDR for what appears to
3 be a professionally done document in general. And now
4 that we've made some positive comments, you'll notice as
5 you read through the six pages that we've got some
6 concerns, some comments and some things.

7 Most of those comments, by the way, in the areas
8 I've just mentioned and the others like traffic and noise
9 and so forth are technical in nature. So we're asking
10 questions about like what kind of chemicals are going to
11 be used, what kind of suppressants are going to be used;
12 things like that.

13 The second category is simply calling to the
14 attention that as with any project of this nature, you can
15 say that you're going to do X, Y and Z, and if you do,
16 that makes a big difference; okay? But the doing, that's
17 why you have a clerk of the works in projects. The actual
18 execution of the project's important. So we want to call
19 attention to those things.

20 The biggest concern we have is the one that was
21 very nicely summarized by our first speaker; okay? And
22 that is the location of the building.

23 And what we're saying here is that we believe --
24 the committee having looked at the study and some of the
25 companion studies that go back to 2010, by the way, the

1 comprehensive plan that was done then, that a second
2 look -- a second harder look ought to be taken at the
3 location. And some of the things that come to mind are
4 the same as you articulated; moving the building back,
5 maybe reconfiguring it; things like that. We understand
6 these things have been looked at before, but we're not
7 convinced, notwithstanding what I just said, that the
8 document as written adequately disposes of those
9 alternatives.

10 Again, we're not saying that any of those other
11 alternatives ought to be selected, even if it relieves the
12 neighborhood pressure which we think ought to be done if
13 in doing so we're burdening the aquifer more. But we
14 don't believe the DEIS as written adequately makes those
15 arguments.

16 One other note, we're a little bit concerned
17 about traffic and parking. And we think that maybe the
18 estimates of the additional burdens there have been
19 underestimated.

20 As a general comment, and I don't think I need
21 to say this, you know, to people around that table, but
22 just to make it part of the public record: In order for a
23 process like this one to be credible -- and we're aware as
24 a committee that this is a limited process. And I said
25 this to the previous neighborhood meeting that we held in

1 this same room.

2 You know, we as citizens may have objections to
3 this project as I have as a neighbor might have objections
4 to one of my neighbors cutting down his trees or painting
5 his house with polka-dots and so forth. The SEQR process
6 is process is a limited one. However, I do think that
7 even within those limitations some of the concerns that
8 are being expressed are legitimate.

9 And the other thing I will say in closing is
10 that for -- my belief; okay? As a -- is that for a
11 process like this to be credible, it has to be willing to
12 look at the comments. There's no point in having it if
13 you're just paying lip service to them. There's no point
14 in having it if you're just going through the motions.

15 So what we're hopeful is that the professionals
16 who are commended for the quality of their work are going
17 to be professional enough and the University who has
18 articulated its concern about being a good neighbor is
19 going to be a good neighborhood enough to take a serious
20 look at not only the concerns we expressed but the other
21 concerns that are brought up tonight.

22 Thank you.

23 MR. HEATON: Thank you. Next is Jo Schaffer.

24 MS. JO SCHAFFER: First of all, I thank
25 Mr. Kelly and the committee for what is a very

1 well-defined report on behalf of the City in response to
2 the DEIS.

3 What you do point out, and which I think is
4 physical to almost anyone who reads this, having done a
5 SEQR review prior to this point, is the fact that it is a
6 positive declaration and there are major, major points in
7 this that need to be mitigated. With reading upon the
8 DEIS as I read it off my computer, those mitigations are
9 not deep enough nor consistent enough to warrant giving a
10 negative declaration on this project as it stands.

11 Start down with the adverse impacts reading
12 through it was the employment opportunities. I find it
13 laughable to say that there might be ten new positions in
14 this building when those positions are going to be
15 obviously low-end salary positions, CSEA maintenance and
16 cleaners because there's only one classroom. It is not
17 intended to be an academic site but a recreation site.
18 Those recreation employees are for the most part, if you
19 have any knowledge and awareness of how that operation
20 works in the city -- in the university, is basically work
21 study for interns. There are not work opportunities for
22 professionals, whether you would expand the service or
23 not.

24 The ability to attract and retain students, I
25 stated previously I found that offensive. I'm wearing

1 semi-black because in a sense I'm mourning for the soul of
2 my university to think the only way we retain and attract
3 students is by the quality of their golf swing. I would
4 rather see the University promote its fine academic
5 programs and faculty. That's the kind of students that we
6 want. Those are the kind of students I think we all would
7 like to all see in our community and at our university.
8 And it would serve the model of the University better than
9 a student life recreation center, of which we have two
10 already on campus.

11 I went through the HEPR building the other day
12 and the site -- the recreation site was half-empty. I'm
13 not so sure in the long run that it's money well spent,
14 but as a university person, I have to say that I'm really
15 concerned about that as not being adequately addressed.

16 Second of all, the impact of students not
17 wanting to walk to exercise to me is one of those
18 paradigms I find rather amusing. On the other hand,
19 what's more severe is the students have never been poled
20 as to where this is -- building is to be placed, how far
21 it might be from public transportation and so on. That's
22 part of the mitigation in that section which has not been
23 addressed as far as I can see.

24 I'm going to toward visual impact into the
25 residents. It's already been mentioned about the

1 character and scale of this monstrously large building
2 adjacent to what is an R-1 District. An R-1 District to
3 those who know zoning and code is a residential,
4 one-family area.

5 The character of this building is indeed
6 institutional. Sharon, you described it quite adequately
7 in character and in scale. Mitigating it with
8 buffering -- I don't know where you're going to going to
9 find five-story tall trees ready to plant to buffer this
10 building on a community or to make it more attractive.

11 More importantly is the nature of the mitigation
12 in terms of storm water and pollution. I'm not a
13 specialist in it. I heard the comments about runoff. I
14 know what runoff from large parking areas does to the
15 storm water. It's not just what pours off the roof of a
16 building.

17 The thing that is major concern is this is not
18 just the city imposing restriction. You have not
19 addressed the consistent fact that this entire building is
20 to be placed on a CEA which is a state determined
21 significant piece of property. And it is not just a
22 running track that's being replaced but an entire green
23 field over the Certified Environmental Area.

24 I'm sure you have copies of the SEQOR,
25 Section 617.7, on determining significance and what the

1 CEA is and does. I'm can submit it to you. I'm sure you
2 have copies of it and you don't need to know it's
3 Section 617.7.

4 It's crucial because issue after issue is a
5 criteria for determining the significance of why it's
6 important to keep impervious coverage of that area limited
7 not 150,000 square foot for impervious building being
8 placed on a Certified Environmental Area.

9 Not only that the City has designated that
10 section of property within the city as a wellhead
11 protection area. That's not addressed in your plan,
12 either; and, therefore, there's no mitigation because
13 there's nothing to mitigate, again, since you don't really
14 talk about it as being a very crucial spot.

15 Is there mitigation? Yes, I would like to talk
16 about mitigation. Mitigation is for protection of the
17 wellhead -- wellheads. Three wells that supply the city
18 in this ground area of the water and the CEA would be to
19 relocate the building to one of the previously approved
20 sites in the original plan which -- yes.

21 MR. BRAZELL: Five minutes is up.

22 MS. JO SCHAFFER: I would like to come back
23 because I have other mitigating things like traffic and
24 noise and the character. I would like to come back at the
25 end of the session. Thank you.

1 MR. BRAZELL: You're welcome.

2 MR. HEATON: Okay. I mean, since we said we'll
3 do this in that order, I think we will do for sake of
4 process. I have only one other additional card for a
5 person.

6 So Katy Silliman.

7 KATY SILLIMAN: Yes. Well, can Jo finish and
8 then you come to me?

9 MR. HEATON: It's fine.

10 We've got plenty of time, yeah. So that's fine,
11 if you just assume do it that way.

12 MS. KATY SILLIMAN: Yeah, I just assume let you
13 finish.

14 MS. JO SCHAFFER: Oh, thank you.

15 MS. KATY SILLIMAN: You're on a role, Jo.

16 MS. JO SCHAFFER: I'm on a role.

17 Well, I did read this very carefully. As you
18 can see, I went through this item by item.

19 MS. KATY SILLIMAN: Yeah, I appreciate that.

20 MS. JO SCHAFFER: So we were at the end of
21 protected wellhead and the CEA.

22 In one of the previous forums that just came up,
23 SUNY Construction Fund was asked if it could protect a
24 hundred percent guarantee the water supply and the
25 question was answered which would answer, no, we can never

1 do that. My response at that point was: If you can't
2 guarantee our water supply by a hundred percent, then it
3 doesn't belong there. The water supply is crucial to the
4 college, it's crucial to the community. Water is a thing
5 that we have touted as a major, major attraction in this
6 community, be it for fish, be it for wildlife, be it for
7 drinking. I mean, I find it sometimes very peculiar when
8 students are coming unloading from Long Island cases of
9 bottled water. I turn to their parents and say, "You
10 know, you can save enormous amounts of money. The water
11 coming out of the tap is absolutely wonderful." It's
12 superb. We should protect it.

13 In your DEIS, you talk about the proposed
14 increase in usage in this building of 3,000 students a
15 day. Do you have any idea of how many and how large a
16 crowd 3,000 students a day is? The entire rest of the
17 campus where most of the activity, intellectual and
18 academic activities, take place, there are 7500 students
19 on campus. They're not all here at the same time and
20 they're distributed across the entire campus, maybe 4- or
21 5,000 at a time. They're saying and suggesting there will
22 be 3,000 people participating in activities in this
23 building on a given day. The noise, the traffic, just
24 talking on their cell phones. I can hear 3,000 cellphones
25 going off down the street as they march towards the

1 building.

2 I do not object to the closing of Warren Street.
3 It's one of the things that you mitigate. To me that's a
4 very lovely thing to have students going by my home. I
5 enjoy talking with them. I enjoy seeing them. I know
6 that they like walking to where they're going, which is a
7 HPER building, which is considerably further than this
8 building. That's not the traffic issue.

9 The traffic issue is the parking. Students
10 chose to park on our city streets now because they cannot
11 afford to buy books and pay tuition and pay a parking fee.
12 I think it's \$125 a year in addition if they have to
13 drive. They don't all live on campus. Many of our
14 students live off campus. We have a large number of
15 commuting students. They need to park. They can't afford
16 to park on campus. They park on our public streets.

17 The other night, the night of the concert which
18 was, I think, 2-, 3,000 students. There were students.
19 They were having a good time. I didn't have a single beer
20 bottle on my lawn. I was pleased that they are acting as
21 good neighbors. However, there were a number coming down
22 the street who were smoking what I consider to be
23 semi-controlled substances. You can tell the way they
24 were talking and laughing. That's going to increase by
25 tenfold if we get more and more parking and more and more

1 people coming in and out of town to park on those streets.

2 The noise. 3,000 students at 6:30 in the
3 morning, 5 in the morning when this is projected to be
4 open 'til 2 and 3 at night in an area which is no more
5 than a hundred feet from neighboring homes is offensive to
6 even consider.

7 Odor. That -- you mention in your section as
8 well you talk about mitigate it to say there will be
9 screening. I would not like to live nextdoor to Burger
10 King or McDonald's. I would not like to live nextdoor to
11 a place that's making hamburgers for the 300 seated
12 restaurant every single day.

13 It is due west of an area which is horizontally
14 lined up with this projection. It's not a question of
15 being able to reconform or mitigate a westerly flow of
16 wind from the west to the east which is how that would
17 flow. So that's the noise, the traffic, the odor.

18 The character of the building. I have to tell
19 you that I'm an art historian. I do teach and have taught
20 in the past history of architecture ranging from the very
21 first buildings created by humankind for religious and
22 shelter purposes.

23 Your proposed design is particularly
24 unattractive for a campus that posed itself as being in a
25 green area, on a green star, that is concerned with green

1 architecture. To cover a green space of that building is
2 to me hardly mitigating any of the surfaces.

3 On mitigation, in terms of the other things, one
4 was I am very pleased to see -- I did see limited issues
5 was buffering. Buffering is a major concern. I don't
6 think it's possible in the building of that dimension,
7 with that kind of linear footage, with that kind of
8 footprint.

9 The people that I know who live in my
10 neighborhood have decided that they better enjoy the last
11 of the sunsets now because they will never see a sunset
12 again. The building is to the west. The suspicion: It
13 will take care of our gardens, it will take care of our
14 ability to enjoy what we thought we had in terms of an R-1
15 neighborhood.

16 Mitigating? Yes, there is a mitigation. Is
17 there a legitimate one? Yes. And I'm going to offer you
18 a win-win solution. It's a win for the college, it's a
19 win for the students, and it's a win for the community,
20 and it's a win for the residents.

21 You must have had and must have seen the
22 original aerial proposals for the site. The original
23 proposals had six identified sites of building.

24 Out of hand, the very first meeting we all
25 agreed, community college -- the two sites were

1 unacceptable. One was at the top of the hill, even though
2 that's where almost all of the activity of the college
3 goes on. It was just too small a space; it wasn't
4 convenient. And the other was to the end of 281.
5 Route 13 had just been expanded. That expansion, by the
6 way, increased enough impervious coverage on the west end
7 of the campus to increase flooding out of the Water Works
8 into the north end by an enormous percentage. I'm sure
9 Mike could tell me -- would be able to tell you how much
10 that was, but that was an extraordinary amount of flooding
11 and that was from impervious coverage. That was
12 discarded. So that left four potential sites.

13 There are sites still listed. I'm assuming you
14 are still up on your proposals. That would give us all a
15 win-win. Just drive the site yourself. If the sun comes
16 out tomorrow, go drive the site.

17 The football field, Chugger Davis, is the last
18 piece of the remaining ingredient between the so-called
19 upper campus and the lower campus. It's not just a
20 running tract. There are people walking that tract, there
21 are games played, there are teams that practice on that
22 playing field, a lacrosse team comes out to practice, the
23 JV. It's used all the time. You do not discuss that in
24 terms of usage of that space for recreational purposes for
25 the college, as well as the community. It's a space that

1 needs to be protected for recreational mitigation.

2 So there are other spaces. You look down
3 closer, there are tennis courts. There are basketball
4 courts. There's a parking lot. There is an HPER
5 building. Immediately to the south and west of the HPER
6 building, there's a piece of territory that is somewhat
7 used for parking. It's already covered. It's been
8 covered once or twice. The most I've ever seen it covered
9 is when the Jets had a game and people came and parked
10 there and they parked because they couldn't find parking
11 in the other lots or because the street parking was
12 already gone. But that's only two weeks out of the entire
13 year.

14 There is a building back there which is used, I
15 think, for storage of junked equipment from the college.
16 It is a disgraceful building. It's a temporary building.
17 It doesn't look like it belongs to the college. And it's
18 on a piece of property where it would be downwind of any
19 noise and odor to a Residential 1 neighborhood.

20 There are two small streets that come in at a
21 perpendicular way which are only constructed halfway up so
22 those people would not be affected, certainly not by any
23 westerly wind. They are already abused by the lighting
24 from the stadium. I'm sure -- I don't know if there are
25 any people here from that district, but I feel sorry for

1 you that you have those lights on all the time in your
2 backyard.

3 That's a better site. It's across the street
4 from the HPER building. There could be tie-ins. There
5 could be all kinds of interesting things done with it.
6 The bus stops immediately in front of the space from the
7 campus bus service. It's not any further than the kids
8 are used to now going down to the -- in the recreational
9 area where you have the HPER building. It would not
10 increase impervious coverage. It's already covered.
11 There is a football field -- practice field adjacent.
12 They use the practice field at Chugger Davis. Why would
13 you get rid of a perfectly wonderful one which is adjacent
14 to an R-1 neighborhood to cover up another one with
15 something else? It makes no sense. This would be a
16 win-win for everybody: The community, the water, the
17 environment, the students; even the college, I think,
18 could be convinced that students could walk or take a bus
19 to go exercise. I think that's . . .

20 MR. HEATON: Well --

21 MS. JO SCHAFFER: That was before I saw the
22 DEIS. Do I respond --

23 MR. HEATON: Yes, if you would like your written
24 comments to be considered in response to the DEIS.

25 MS. JO SCHAFFER: I would, yes.

1 MR. HEATON: You should submit them.

2 MS. JO SCHAFFER: I appreciate that.

3 MR. HEATON: Okay.

4 MS. KATY SILLIMAN: My name is Katy Silliman and
5 I'm the Second Ward Alderman for the City of Cortland.
6 And I really appreciate the environmental advisory
7 committee's draft. Greatly appreciated to put this in
8 perspective for the people of Cortland. And I also
9 appreciate the job you've done trying to protect our
10 aquifer. I think everybody agrees that that's an
11 important thing and we see that you're working hard to
12 protect that.

13 The ranker is around the site. It just feels
14 like SUNY Cortland is not being a good neighbor, not being
15 part of the community, doing what they want to do. That's
16 the feeling. And if we were a wealthier community, and if
17 there were 500 people down here, you might take notice
18 more than you are and that -- that causes a lot of ranker.

19 This building is going to cost \$56 million.
20 It's going to cover over 5 acres of land. 50 percent of
21 the kids in the City of Cortland school district are on
22 free or reduced lunch. 50 percent of the kids in our city
23 come from families living in poverty; all right?

24 We have a pool, Wickwire pool. It's 65 years
25 old. It needs work. We can't afford to fix our little

1 pool. \$5 million would build a phenomenal pool for us.
2 And you're putting \$56 million into this recreational
3 center for students who, by the way -- the ones I've
4 talked to -- have said that they haven't -- they weren't
5 even consulted. They weren't even asked. The majority of
6 them don't live on campus. They drive anyway.

7 So what it feels like is that you're wedded to
8 this design and you've built a beautiful design and you
9 see it as a gateway and a connection between upper and
10 lower campus. But that's the design. In reality, it's
11 not going to serve its purpose.

12 Chugger Davis Field, the original field, is a
13 beautiful gateway. We all enjoy it. It's a place where
14 students and community come together. The students I've
15 talked to say they don't mind walking further. Actually,
16 they say they like the Tomik Center up on campus because
17 it's so handy and it was recently redone. That's what the
18 students I was talking to on Friday were telling me.

19 So please move the building. Move the building.
20 Make it a win-win situation. I think the people of
21 Cortland are very -- they're not making as much noise as
22 they could. And I wish that that were more appreciated.

23 I feel like we are being good neighbors. We
24 appreciate that you're going to build this building.
25 You're going to build the building and it's going to be

1 with our tax dollars, as well; all right? You should move
2 the building. You really should to be a good neighbor, to
3 work with the people of Cortland. You can still make a
4 beautiful -- you can have a beautiful green transition
5 from upper to lower campus. And you can win a lot of
6 accolades for yourselves.

7 I'm just -- I'm sorry, I'm -- that's all I want
8 to say. I agree with everything that the people have said
9 before me.

10 Keep our water pure. It's amazing that we have
11 brook trout. Mr. Larson knows what he's talking about.
12 And that's something to be proud of. And in Cortland
13 we've got to hang on to everything that we've got to be
14 proud of, you know, because we're struggling. And there's
15 a big division between the University and the Town's
16 people. And I don't think that that divide should be
17 widened. I think that you should really work hard to move
18 the building. Pick another site.

19 I woke up at 2:00 in the morning last night
20 because students were walking past my house. I was up
21 from 2 to 4:30. And they were just talking. And when
22 they walk down the street at 2 in the morning, they talk
23 like this. I don't get it. It's dark, everything's
24 quiet. I don't know why they're not talking like this
25 (whispering), but they're not and that's just how they

1 are. God bless them.

2 You're going to have more traffic because most
3 of them live off campus. Most of them aren't going to be
4 walking to that building. And you're going to have noise
5 at night. You really need to move the building.

6 Thank you.

7 MR. BRAZELL: Ma'am, would you spell your name
8 for the record?

9 MS. KATY SILLIMAN: Yes. I'm sorry.

10 It's Silliman. S- as in Seattle,
11 -I-L-L-I-M-A-N. Katy, K-A-T-Y.

12 MR. HEATON: The last card I have is for Craig
13 Little.

14 MR. CRAIG LITTLE: My name is Craig Little.
15 Actually, I didn't come intending to speak. I thought I
16 might speak if an issue that I thought about was not
17 addressed. It was actually mentioned by Jo Schaffer. I
18 have sat, fortunately, in a backyard on Pearl Street and
19 been there in the afternoon, having a hamburger and
20 watching the sun go down.

21 I live on the other side of the hill, but one of
22 the things that I've been thinking about as a resident on
23 the other side of the hill is what it's going to be like
24 to sit in a backyard of Pearl Street with that building
25 there.

1 I've been looking around the room here and
2 trying to estimate how high the ceiling is. I'm gonna
3 judge a really conservative estimate here. My guess is
4 that that ceiling barely makes 20 feet and it's probably
5 less. What I'd ask you to do is imagine, double that and
6 add 10 feet. And then put that a hundred feet from your
7 house on the west side.

8 I'd ask that the people responsible for the
9 Environmental Impact Statement actually calculate -- this
10 is not rocket science. I haven't done it, but I think you
11 can handle it. I ask you to calculate when the sun is
12 going to go down at various times on Pearl Street once
13 that building is there.

14 So aside from everything else, it's certainly
15 something that's been in the back of my mind. I'm sure
16 it's in the forefront of the minds of people who live in
17 the Pearl Street area and I'd certainly like to ask -- I'd
18 like to ask you to take their consideration into account.

19 Thank you.

20 MR. FRANK KELLY: Can I just add something, Pat?

21 MR. HEATON: Yeah. I was just going to say that
22 that's all the cards that we've received of people who
23 wanted to speak. If there's anyone else who would like to
24 make additional comments or didn't sign up who would like
25 to speak, we can keep going.

1 So, Frank, please, ago ahead.

2 MR. FRANK KELLY: A couple things. I think
3 one -- I'll switch back and forth between sort of personal
4 and committee, if I may. And I'll get -- it's on tape,
5 right, unfortunately? My committee members will be after
6 me.

7 As a former recreation professional -- and I
8 understand I'm just speaking from very limited data -- it
9 occurred to me that putting this facility closer to the
10 PER building when there are overlapping activities,
11 especially in this tundra environment of ours, might
12 actually have some program positives. I don't know that
13 to be sure but something to be looked at.

14 I've happened to, you know, work more recently
15 in a field that is in our culture largely about mitigation
16 and that's the field of medicine and healthcare. You
17 know, so what we do is we spend a gazillion dollars on
18 antidepressants, anti-allergy, antibiotics, all those
19 kinds of stuff. What we don't as good a job with is
20 prevention, you know, or eliminating the problem to begin
21 with.

22 And I don't pretend for a moment that looking at
23 one of those other sites doesn't have its concerns,
24 certainly doesn't have its financial impacts. But judging
25 by the comments that I've heard tonight and the comments

1 I've heard at prior meetings and the other input we've had
2 as a committee, you know, you could pretty much eliminate
3 90 percent of the negative feelings about this project in
4 this city by moving that building. And if it couldn't --
5 if the move could not be as dramatic as some people have
6 suggested here -- all right? -- then even a minor move to
7 the west would accomplish some of this. It would reduce
8 the visual impact, even if you were to almost butt it
9 against Lusk Field House which surely -- again, as a
10 former commissioner of parks and recreation, I looked at
11 that building and that's not going to be there forever.
12 You know, I know that you're using it now for intermurals.
13 Because my initial thought was why not just blow that down
14 and replace it. You've already got a building there. I'm
15 told that the height is almost identical. It doesn't look
16 that way visually but maybe it is.

17 But even if you were to move the building closer
18 and eliminate that courtyard, in time -- you know, this is
19 like planting too much caliper trees instead of whips or
20 mature ones. You know, you gotta -- you're obviously
21 looking down the road. This new building is going to be
22 there for a long, long time.

23 The other thing which I know would be
24 problematic would be to site it on the ball field. I know
25 that a lot of money has been spent on that ball field.

1 But, again, even these kind of things, other than some of
2 the more dramatic ones that have been proposed, would
3 help.

4 This is a matter of creative problem solving.
5 You know, so to reject it entirely, you know, to simply
6 say that this -- the concerns that have been expressed are
7 immaterial I think is shortsighted. So again, I would
8 hope that there's some kind of movement on this issue.

9 That's all I have to say about that.

10 MR. HEATON: Yes.

11 MR. MICHAEL DEXTER: My name is Mike Dexter.
12 I've lived here all my life. I spoke to another
13 organization a couple years ago, being the hospital, when
14 they were anticipating putting up a new addition. They
15 tore down five houses. The lot is still empty.

16 I spoke at that time and one of the people that
17 was running the meeting asked me what my concerns were
18 being where I lived. And I said basically on the other
19 side of town. And they wanted to know why I would be
20 interested in commenting on what was going on at the
21 hospital since I didn't live in the neighborhood.

22 My feeling at that time, and it certainly is my
23 feeling tonight seeing the people that are here that I
24 know very closely from different venues that I've been to,
25 is that it's my community. I've lived here all my life.

1 My parents lived here all my life. I guess my biggest
2 concern was that even though I don't live in the
3 neighborhood, I'm here to support my neighbors who are in
4 my community.

5 I see a lot of familiar faces here, people that
6 maybe don't live close to the college. But certainly
7 people who will be affected for a long time, especially
8 the people on Pearl Street in that area, that will have
9 this -- and the last time I saw you had a meeting here I
10 read in the paper where somebody said a two-story
11 building.

12 I find it very difficult -- I don't know whether
13 that was a correct statement that somebody had made. I
14 find it very difficult to say a two-story building is
15 50-feet high because most people's houses are three
16 stories and they're talking 30 feet. So I don't know who
17 made that statement, but it certainly was a misstatement
18 to say that it would only be two-stories high.

19 But my main reason for coming tonight and not
20 having anything really constructive to say, other than
21 listening to my neighbors talk about their concerns for
22 their neighborhood, it's my community; it's their
23 community. I live on other side of town. But if they
24 have problems with this being in their backyard, then I
25 have a problem with it being in my backyard because

1 Cortland is my backyard.

2 MS. JO SCHAFFER: Thank you. Thank you.

3 I have a question about the -- there's no
4 section for health or for area health under the
5 environmental issues. I'm just curious as to whether or
6 not that's come up in other venues and other SEQR reviews.

7 But it seems to me that we're talking about
8 mitigation of a building that's already -- not only
9 preconceived probably on drawings -- State's probably done
10 almost final drawings and has nothing left to be done but
11 to be constructed. The constructed aspect of this that
12 concerns me in terms of the health of the community.

13 It's going to be two years of construction; it's
14 going to be two years of noise; it's going to be two years
15 of dust; it's going to be two years of excavation, of
16 extraordinary displacement of community and its
17 environment and then followed by an eternity of living
18 with this.

19 You can hear in my voice -- I'm looking around
20 the room. We are all neighbors. We've all been here a
21 long time. And we're to protect it. But a lot of us now
22 have health problems and what brought to mind was
23 Mr. Kelly's statement about what do we do to prevent it.

24 A lot of us have, as you can hear in my voice,
25 atmospheric incursions from the amount of pollution that

1 we have just in the neighborhood now with the amount of
2 traffic, with the amount of car traffic. Fortunately, the
3 buses now have gone to a different form -- not all of them
4 but some of them have gone to a different form of spewing
5 stuff into the air.

6 A lot of us have concerns about respiratory
7 diseases, the kinds of things that can affect us. I have
8 asthma, late-developed asthma. Thank you very much.

9 Two years of having to live through the
10 construction of something that is not addressed in your
11 SEQOR. And I think since it's a site which is so close to
12 a residential area it needs to be included and then have
13 some sort of mitigation. I don't know what you could
14 possibly do to mitigate. Trucks, dump trucks,
15 excavational equipment, large farm equipment. I have seen
16 I don't know how many times things idling at loading docks
17 on this campus, idling and spewing into the atmosphere the
18 kind of stuff that I would really like not to have to
19 breathe in my backyard or the backyard of this complex.
20 that's another area which is not addressed in your SEQOR
21 that needs to be addressed if you're going to go further
22 on any construction site.

23 MR. HEATON: Yes. Thank you.

24 (Video/audio transcription concluded. Following
25 based on video/audio only to live transcription

1 with audio and video file backup:)

2 MR. VINCENT PICERNO: My name is Vincent
3 Picerno. I've been to almost every meeting. I think I
4 missed one.

5 MR. HEATON: I'm sorry, sir. Can you spell your
6 last name?

7 MR. VINCENT PICERNO: Oh. P-I-C-E-R-N-O; okay?

8 But we say -- besides all of the meetings, Bill
9 and I represented the Pearl Street that we're talking
10 probably years ago when this all started. And I remember
11 that they were so proud of the fact that this building was
12 going to be a crown jewel of the campus. And you have
13 visions of this really magnificent building from looking
14 at from the top of the hill and you go down -- what's the
15 street?

16 MS. JO SCHAFFER: Neubig.

17 MR. VINCENT PICERNO: Yeah, Neubig. And I don't
18 know if it's been discussed or appeared any place but I
19 haven't read anything or heard anything about are they
20 going to do anything with Neubig in widening it. They
21 bought the house down at the end there. I'm not sure why.
22 But if they own that house and they expand, there are two
23 things there that might affect drainage, et cetera, et
24 cetera, traffic.

25 Now, every time I've spoken I've said the same

1 thing. I haven't planned anything because I say the same
2 thing each time: Please move the building. It will solve
3 all the problems.

4 Now, Binghamton built a magnificent building
5 just as they're proposing. They put it on their PER
6 building. It's a big addition to it. At considerably
7 less cost, million and millions less; the very point
8 you're making. I think that would be something to
9 consider.

10 And I remember the last time we met you had on
11 the screen -- and, Greg, it's the kind of thing you're
12 speaking of, it showed how dark it would be at 2 in the
13 afternoon during the height of winter and you had the
14 black ox in here. And people just gasped. And when we
15 left, everybody was like, my God, it's going to be dark at
16 3:00 in the afternoon. We're talking about a 50-foot
17 building. I mean, that's a huge hall. And I live right
18 on Pearl and Warren. I live right next to Jo. We share
19 that little walkway in there. So we know what we're
20 worrying about and it's something I think they really
21 ought to realize why we're so worried. It's not just a
22 matter of being stubborn or, you know, arguing move the
23 building someplace else.

24 But the arguments I get even talking with the
25 president is the fact that, well, we want it so the kids

1 can walk there. We're only asking for a hundred yards.
2 They can walk the length of a football field to get to the
3 PER building. Why not give us a hundred yards? It was
4 articulated by Jo what's available. There's all kinds of
5 land that's available. I mean, why is it so graded in
6 concrete that it has to be there?

7 Now, as I said last time, I don't mean to be
8 cynical, but I will be, you know. Is it an ego trip for
9 somebody or some people? I mean, you know, 56, 58, it
10 will be 60 or 65 by the time it's over with. Now, I think
11 the building and -- I can see the arguments of the college
12 that it may good, it will be good for the health
13 department -- or the recreation department.

14 And when we suggested -- I remember we reaction
15 of somebody, well, one of the meetings, we want this to be
16 identified that there's recreation. We don't want it to
17 be near the physical education because it's not a physical
18 education. That's an academic program. We want to be
19 separate. We want to have a place where the kids won't be
20 drinking downtown; they will be here eating. I don't know
21 about that because they aren't going to be serving liquor.
22 You know. And we are concerned about the trucks, we're
23 concerned about the 300-chair dining area, the food.

24 You know, it's going to be open. Jo says two
25 years. It's almost three years in construction that's

1 taking place.

2 You know, a 300-seat dining room. How many
3 trucks are you going have in there to pick up garbage,
4 make deliveries?

5 It will be open up at 6 in the morning because
6 people have to pick up their canoes and bicycles and
7 rentals and things of that nature which will be taking
8 place. You know, I can go on and on. And I do apologize
9 for repeating myself. But in listening to you folks
10 tonight, I just got moved because I feel so deeply about
11 what you're saying and I agree with you. And I think I
12 just had to speak up and I hope -- I'm repeating. But
13 move the building.

14 Each time I met, except for the one I missed, I
15 speak, and the last thing I say: If you move the
16 building, I think it solves every problem that I'm
17 concerned with. We won't worry about our water anymore.
18 We won't water about the drain coming down the hill.

19 And I would like to have them articulate what
20 kind of road they're thinking about, how wide it will be,
21 whether it's going to get closer to our Water Works as it
22 goes down to the area right at the edge of the field.

23 I know they're planning on keeping that building
24 there where the police are going to be housed so they can
25 guarantee the folks down at the end of Pearl Street they

1 will protect you. That's one of the things they said they
2 would do. It's on the -- yeah, so maybe that ought be
3 discussed, too. I don't know anything about it.

4 But, Craig, he does have a report I think on the
5 very thing you're speaking of if you want to look at the
6 black sections at 3:00 in the afternoon during the winter.

7 Thank you.

8 MR. HEATON: Thank you.

9 So, again, that's -- we've been through everyone
10 who wants to speak. I would encourage any and all of you
11 who want to still again provide comments on the EIS to
12 provide them in writing, be that via e-mail. You can mail
13 them.

14 MS. KATY SILLIMAN: Can I ask? What is your
15 role -- besides preparing the statement, what is your role
16 and what is the purpose of this gathering? Is it just so
17 we can blow off steam? Will anything come of our
18 comments? Because that's why we keep saying it over and
19 over because it bears repeating and it doesn't feel like
20 there's any movement to really accommodate the concerns of
21 the community.

22 MR. HEATON: What I will say is that the purpose
23 of SEQR is to avoid, or minimize, or mitigate
24 environmental impacts to the maximum extent that an
25 applicant can for the project that they're trying to

1 build. But it's a process that's intended to identify
2 what the impacts are and work through ways to avoid
3 minimizing those impacts and hearing the community's
4 concerns about what they think those impacts are and what
5 solutions they propose is part of that. And the lead
6 agency is responsible for considering all of these
7 comments and responding to them in one way or another.

8 MS. KATY SILLIMAN: Okay.

9 MR. HEATON: I mean, that's the generic process.
10 That's how SEQR works.

11 MS. KATY SILLIMAN: Would it behoove us to start
12 a move the building campaign and get as many people as we
13 can to write in before the deadline simply saying, "please
14 move the building," because that would solve a lot of
15 problems?

16 MR. HEATON: I think that -- that's not my role
17 to provide how people should comment or what they should
18 comment on. That would be inappropriate for me to
19 comment, to reply to that.

20 MR. BRAZELL: I just might add to that.
21 Oftentimes in the SEQR process when we're responding to
22 comments, we'll summarize comments. There will be a
23 record -- an official record of all the comments. But to
24 the extent there's very similar comments, we're not going
25 to list everyone of them and have a response.

1 So we'll say something like, you know, 50 people
2 said "move the building." And then there will be an
3 official response to that. So it wouldn't necessarily add
4 to the process, I guess.

5 MR. HEATON: I will also say that -- I mean, the
6 FEIS will be the Construction Fund's formal response to
7 all these comments. So I understand wanting to have
8 satisfaction of an answer to some of your concerns
9 tonight.

10 MS. KATY SILLIMAN: No, no. I understand.

11 MR. HEATON: But that's not something we're able
12 to provide right now.

13 MS. KATY SILLIMAN: Right. I think we
14 understand that you're not just going to say, okay, we'll
15 move the building. The SUNY reps here are not just going
16 to say, "We're convinced." That's not going to happen.

17 But when you say the environmental study, most
18 people think environment: Water, soil, things like that.
19 And we are concerned with the physical environment of the
20 people in the community and want to make sure that that's
21 getting through.

22 So if it helps -- you know, if it helps for us
23 to have people, a number of people, 250 people wrote and
24 said "move the building," then so be it.

25 MR. FRANK KELLY: I wonder, Pat, if part of the

1 question that's being asked is something a little bit in
2 addition -- okay? -- to that. And that is, that is it not
3 EDR's role and responsibility as the engineering planning
4 consultant in this process -- right? -- for the app- -- I
5 mean, for the Fund, for the lead agency, to not just
6 record and summarize whatever the inputs are, what Katy is
7 talking about or any of them, but also to put your
8 professional twist on it. In other words, to go further
9 than that and make an analysis or an evaluation where
10 those things are appropriate, whatever that might be.

11 MR. HEATON: Again, that is the -- that is the
12 contents of Environmental Impact Statement and the purpose
13 for preparing the documents.

14 MR. FRANK KELLY: Because I think some people
15 have the impression that all you're doing is being a
16 secretary and it's really more than that. That's why you
17 did the site studies that you did on noise and traffic and
18 things like that because you're taking -- you're trying to
19 take a look at all of these issues. You're not just
20 playing the role of a secretary.

21 MS. KATY SILLIMAN: Right.

22 MR. HEATON: I'll return to the advice that we
23 put up earlier about that the DEC provides on how to
24 effectively comment on the DEIS and get your input
25 included in the SEQOR process and that's the best advice I

1 can give to any of you on that part.

2 MS. JO SCHAFFER: I have something to
3 Mr. Kelly's comments.

4 I think what we're seeing this community that's
5 interested in mitigating a lot of these things that you've
6 identified and some of the solutions we have are a little
7 bit more than, perhaps, the SUNY Construction Fund would
8 like to really see. But it's something that we really
9 feel.

10 On the other hand, we are -- we feel -- and if
11 someone disagrees, please step up and say it. As a
12 community organization, we see ourselves against the
13 monolith, the monolith of the state government. We see
14 ourselves against SUNY Construction Fund, which has not
15 listened truly to a lot of concerns.

16 I went doing a lot of, you know, investigation
17 on SEQR reviews of plans that are already on the SUCF web
18 site, that we're facing a governmental agency that has
19 decided they're going to have this building come hell or
20 high water. That's, I think, the feeling that most of us
21 have or had for the past 11 years. I mean, Vince says
22 we've been at this thing for 11 years now.

23 MR. VINCENT PICERNO: Started 11 years ago.

24 MS. JO SCHAFFER: We have a feeling that we are
25 exercising what is our right and duty as citizens in this

1 process, but I think we also understand that we're up
2 against the State of New York. The State appoints the
3 DEC; the State appoints SUCF; the State appoints the
4 chancellor of the SUNY system. We see this as an
5 incredibly large --

6 MS. KATY SILLIMAN: Goliath.

7 MS. JO SCHAFFER: -- entity that we as citizens
8 have very little power except through this process. So my
9 question was: How many times -- I notice there's a
10 positive declaration and I'm not so sure everybody here
11 knows that a positive declaration is really a negative
12 declaration, negative is really a positive. There's a
13 peculiarly of terminology that a positive declaration
14 means something that needs to be looked at and negative
15 means you can go ahead and do your project.

16 If there's a continued positive declaration and
17 it continues, SUNY is going to go ahead and done what they
18 wanted to do anyway notwithstanding the SEQOR because they
19 think they have the DEC in its pocket; they think they
20 have the construction -- I mean, it's really to us a very
21 frustrating process.

22 If this positive declaration continues and the
23 SUNY Construction Fund comes back on its final -- on the
24 FEIS and there still are major things in there which are
25 positive declarations, what happens then?

1 MR. HEATON: Again, I can speak to the SEQR
2 process. The finding --

3 MS. JO SCHAFFER: That's what I'm talking about,
4 is the SEQR process.

5 MR. HEATON: The finding statement that the
6 Construction Fund -- the decision of SEQR is presented in
7 a finding statement, wherein the lead agency will describe
8 its rationale for all the conclusions that its reached and
9 describe all the ways that it believes it has identified
10 ways to avoid, minimize, mitigate the first impacts.
11 That's the obligation of a finding statement. So that
12 will be the ultimate location for those conclusions to be
13 presented.

14 There was one person in the back.

15 MS. CHARLOTTE FERRIS: Yeah. If this e-mail --

16 MR. HEATON: Since we're still having the
17 hearing, I'd ask you that you give your name.

18 MS. CHARLOTTE FERRIS: Charlotte Ferris.

19 MR. HEATON: Thanks.

20 MS. CHARLOTTE FERRIS: I live on the hill, so I
21 get to see -- hear and see the football. I mean, I can
22 tell you play by play from the noise and the lights at
23 night and all. But that's all right. I live with it.

24 But if -- this e-mail where comments are to go
25 to, if they've got 10,000 hits in the next ten days all

1 say "move the building," would it make any difference or
2 should I take bets now?

3 I'm willing to take bets it's going to be where
4 you want to put it. It's not going to be moved.

5 MR. BRAZELL: Jo, just to quickly respond a
6 little more to your comment.

7 It's the lead agency's obligation and
8 responsibility under SEQR to take a hard look. And so the
9 SEQR findings have to demonstrate that they've taken a
10 hard look at all potential adverse impacts.

11 MS. JO SCHAFFER: That's not very encouraging.

12 MR. BRAZELL: That's the SEQR requirement.

13 MS. JO SCHAFFER: I know. I've done SEQR
14 reviews before and I know what it's involved with it. One
15 against an agency almost as big as the State of New York.
16 Probably is bigger, Wal-Mart. So I understand the whole
17 SEQR process. And that's one of the things -- what was
18 interesting to me was Wal-Mart was far more agreeable in
19 working with the Town of Cortlandville during and after
20 the SEQR review than the State University Construction
21 Fund is with us.

22 MR. HEATON: In closing, I want to say, again,
23 the address that you can provide comments to you, you can
24 take one of these cards with you. And the city's
25 environmental advisory committee was good enough to bring

1 copies of their comments on the DEIS. So to the extent
2 some of you would like to see what they've commented on,
3 they have copies here for people to take, as well.

4 MR. FRANK KELLY: Matt Cook tells me that those
5 copies -- that same content is on the City web site,
6 right?

7 Pat just pointed out that there are extra copies
8 of the committee's comments here for people to take if
9 they want hard copies. But it's also on the city web
10 site, right?

11 MR. MATT COOK: It's posted on our web site. If
12 you give us any written comments, we will also post those
13 on our web site.

14 MR. FRANK KELLY: And if you want to submit any
15 other comments to us in addition to, you know, directly,
16 you're welcome to do that, as well.

17 MS. JO SCHAFFER: Thank you for your patience.

18 MR. HEATON: Thank you.

19 (Proceeding concluded.)
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C E R T I F I C A T I O N

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