

**RESOLUTION CONFIRMING SEQR DETERMINATION
KLM DEVELOPMENT L.L.C. PROJECT**

A regular meeting of County of Clinton Industrial Development Agency (the "Agency") was convened in public session in the offices of the Agency located at 137 Margaret Street, Suite 209 in the City of Plattsburgh, Clinton County, New York on November 17, 2025 at 12:00 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairperson of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Trent Trahan	Chairperson
David Hoover	Vice Chairperson
Michael E. Zurlo	Secretary
Joey Trombley	Treasurer
Christine Peters	Member

ABSENT:

Mark Leta	Assistant Secretary/Treasurer
John VanNatten	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Molly Ryan	Executive Director
Toni Moffat	Executive Assistant
Dorothy Brunell	Administrative Assistant
Christopher C. Canada, Esq.	Agency Counsel
Shannon E. Wagner, Esq.	Agency Counsel

The following resolution was offered by J. Trombley, seconded by C. Peters, to wit:

Resolution No. 11-25-05

**RESOLUTION CONCURRING IN THE DETERMINATION BY CITY OF
PLATTSBURGH PLANNING BOARD AS LEAD AGENCY FOR THE
ENVIRONMENTAL REVIEW OF THE KLM DEVELOPMENT L.L.C. PROJECT.**

WHEREAS, County of Clinton Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 225 of the 1971 Laws of New York, as amended, constituting Section 895-f of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, KLM Development L.L.C., a limited liability company organized and existing under the laws of the State of New York (the “Company”), submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a parcel of land located at 15 Hamilton Street (Tax Map No.: 207.20-3-24) in the City of Plattsburgh, Clinton County, New York (collectively, the “Land”) together with existing buildings located thereon (collectively, the “Existing Facility”); (2) the construction on the Land of three (3) facilities each consisting of two (2) stories and two residential housing units (collectively, the “Additional Facility,” and, together with the Existing Facility, the “Facility”); and (3) the acquisition and installation therein and thereon of certain machinery, equipment and other personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company, or an affiliate thereof, as a market rate residential housing facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on October 15, 2025 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project. Pursuant to Section 859-a of the Act, the Executive Director of the Agency caused a copy of the certified Public Hearing Resolution to be sent via certified mail return, receipt requested on October 24, 2025 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located (collectively, the “Affected Tax Jurisdictions”); and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the Financial Assistance being contemplated by the Agency with respect to the Project, to be (1) mailed on October 24, 2025 to the chief executive officers of the Affected Tax Jurisdictions, (2) posted on October 24, 2025 on the Agency’s website and on a public bulletin board located at the offices of the Agency located at 137 Margaret Street, Suite 209 in the City of Plattsburgh, Clinton County, New York, (C) published on October 28, 2025 in the Press Republican, a newspaper of general circulation available to the residents of the City of Plattsburgh, Clinton County, New York, (B) conducted the Public Hearing on November 7, 2025 at 10:00 o’clock a.m., local time at the Legislative Conference Room at the Clinton County Government Center located at 137 Margaret Street in the City of Plattsburgh, Clinton County, New York, and (C) prepared a report of the Public Hearing (the “Public Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), the Agency has been informed that (1) the City of Plattsburgh

Planning Board (the "Planning Board") was designated to act as "lead agency" (as defined under SEQRA) with respect to the Project, and (2) the Planning Board determined that the Project is an "unlisted action" which will not have a "significant effect on the environment" and, therefore, that an "environmental impact statement" is not required to be prepared with respect to the Project and issued a notice of no significant impact on September 8, 2025 (the "Negative Declaration"), which Negative Declaration is attached hereto as Exhibit A, determining that the acquisition, construction, and installation of the Project Facility will not have a "significant effect on the environment"; and

WHEREAS, at the time that the Planning Board determined itself to be the "lead agency" with respect to the Project, it was not known that the Agency was an "involved agency" (as defined under SEQRA) with respect to the Project, and, now that the Agency has become an "involved agency" with respect to the Project, the Agency desires to concur in the designation of the Planning Board as "lead agency" with respect to the Project, to acknowledge receipt of a copy of the Negative Declaration and to indicate that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to SEQRA;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency has received copies of, and has reviewed, the Application, and the Negative Declaration (collectively, the "Reviewed Documents") and, based upon said Reviewed Documents, the Agency hereby ratifies and concurs in the designation of the Planning Board as "lead agency" with respect to the Project under SEQRA (as such quoted term is defined in SEQRA).

Section 2. The Agency hereby determines that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to the SEQRA and, therefore, that environmental impact statement need not be prepared with respect to the Project (as such quoted phrase is used in SEQRA).

Section 3. The members of the Agency are hereby directed to notify the Planning Board of the concurrence by the Agency that the Planning Board shall be the "lead agency" with respect to the Project, and to further indicate to the Planning Board that the Agency has no information to suggest that the Planning Board was incorrect in its determinations contained in the Negative Declaration.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trent Trahan	VOTING	Yes
David Hoover	VOTING	Yes
Michael E. Zurlo	VOTING	Yes
Joey Trombley	VOTING	Yes
Mark Leta	VOTING	Excused
John VanNatten	VOTING	Excused
Christine Peters	VOTING	Yes

The foregoing resolution was thereupon declared duly adopted.

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STATE OF NEW YORK)
) SS.:
COUNTY OF CLINTON)

I, the undersigned (Assistant) Secretary of County of Clinton Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on November 17, 2025 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 17th day of November, 2025.


(Assistant) Secretary

(SEAL)

EXHIBIT A
NEGATIVE DECLARATION

- SEE ATTACHED -

Resolution No. 25-05A

Motion by: Tom Cosgro

WHEREAS, the City Planning Board has before it a project known as the:

15 HAMILTON STREET DEVELOPMENT 2025: Request to construct 3 new townhome duplexes with 30*38' (1,140 sq.ft.) footprints, a shared access drive and parking area on an approximately 0.539 acres (23,487 sq.ft.) parcel where an existing single family residence is undergoing a townhome conversion at 15 Hamilton Street (TMP #207.20-3-24). The parcel is zoned R2. Applicant: KLM Development, LLC / Kim Ford. Plan Preparer: AES Northeast / Scott Allen.

SEQRA DETERMINATION and;

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

WHEREAS, said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of the action on the environment; and

WHEREAS, public comment opportunity was announced with a public hearing held on September 8, 2025, and public comments were received via email ahead of the public hearing; and

WHEREAS, the City's Planning Staff received and reviewed the Site Plan application, maps, plans, SWPPP, ESA Phase I, and SEQRA Part 1 Short EAF; and

WHEREAS, the City's Planning Board reviewed the information filed with the application for the Project, including but not limited to the EAF Part 1 and additional information provided to supplement and clarify the same; and

WHEREAS, the City's Planning Board determined by resolution on August 25, 2024 that this project is an Unlisted ACTION in accordance with said Environmental review procedures and that a coordinated review would not be done; and

WHEREAS, the City's Planning Board completed a complete a detailed and comprehensive environmental review of the Project to determine whether there was a significant impact which would require the preparation of a Draft Environmental Impact Statement (DEIS);

NOW, THEREFORE, BE IT RESOLVED,

RESOLVED that the City's Planning Board acting as the "Lead Agency" in a SEQRA Review does hereby receive and place on file the Detailed Site Plan applications, supplemental documentation, completed EAF and other related material submitted;

and, be it further

RESOLVED that the City Planning Board has reviewed the Community Development Office's recommendations and supplemental documents referenced above and does hereby find and determine that the Project does not:

- a) involve a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production, potential for erosion, flooding or drainage problems;
- b) involve the removal or destruction of large qualities of vegetation or the interference with plant or animal life or impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of plant or animal, or the habitat area of such species, or other significant adverse impacts to natural resources,
- c) conflict with the City's current plans or goals for the area where the project is located
- d) impair the character or quality of the neighborhood;
- e) represent a major change in the use of energy;
- f) create any hazards to human health;
- g) represent a substantial change in the use of the land;
- h) significantly increase the number of people who would come to the site absent such development; or
- i) impair the environmental characteristics of the area;

and, be it further

RESOLVED that the City Planning Board of the City of Plattsburgh after review of the said Detailed Site Plan application, completed EAF part 2, and related materials does hereby determine as "Lead Agency" for the SEQRA Review process that the "Project" will not have a significant effect on the environment. Therefore, the preparation of a DEIS is not required; and, be it further

RESOLVED that the City Planning Board does hereby declare that the Project and environmental review process considered for the development does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project;

and, be it further

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15 HAMILTON STREET DEVELOPMENT

RESOLVED that the Planning Board of the City of Plattsburgh does hereby authorize and direct the Chairman of the Planning Board to have prepared and to execute a "Notice of No Significant Environmental Impact" (NEGATIVE DECLARATION) for this "Project"; and, be it further

RESOLVED that the "Notice of No Significant Impact" (NEGATIVE DECLARATION) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation and Local Law of the City of Plattsburgh and all related material shall be maintained on file at the City Hall Offices of the Planning Board and available for Public Inspection.

Seconded By: Abby Muser-Herr

Discussion (Not Verbatim):

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	Yes	No	Abstain	Recused	Absent
Roll Call:					
James Abdallah	x				
Rick Perry	x				
Abby Meuser-Herr	x				
Tom Cosgro	x				
Carlie Leary	x				
Emily Reinhardt (Alt)					

Carried: 5-0

ACTION TAKEN: **Adopted X** Defeated ☐

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15 HAMILTON STREET DEVELOPMENT