

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

584 Phoenix Drive
Rome, New York 13441

April 8, 2022

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

JP O'Brien Plumbing & Heating Supply, Inc.
411 Columbia Street
Utica, New York 13502

Bowers Development, LLC
6308 Fly Road
East Syracuse, New York 13057

Re: 411 Columbia Street, Utica, New York, Tax Map No. 318.41-2-38 (the "Property")

Dear Sir/Madam:

Pursuant to Section 204(C) of the New York State Eminent Domain Procedure Law ("EDPL"), this letter shall serve as the notice of the completion of the synopsis of the Determination and Findings made by the Onelda County Industrial Development Agency ("OCIDA") on April 7, 2022 with respect to the public purpose served by the acquisition of the above referenced Property by eminent domain (the "Findings").

1. Pursuant to Section 204(C)(1) of the EDPL, notice is hereby given that the approximate location of the proposed public project is the entirety of the Property and the reasons for the selection of the Property as surface parking is as follows:

There are no other immediately adjacent surface parking alternatives capable of handling the parking requirements of the Central Utica Building, LLC Medical Office Building ("CUB MOB") to the O'Brien Property since the location of the CUB MOB at the intersection of State and Columbia Streets is bounded by two public streets and an access easement to the Kennedy Plaza Apartments. The Kennedy Apartments is a midrise residential apartment complex to the northeast of the CUB MOB that does not have excess parking available to accommodate the CUB MOB. The property to the north owned by Chesapeake Holdings Orangeburg is not viable as parking for the CUB MOB since that parking area is separated by an access easement to the Kennedy Plaza Apartment which does not make for safe access to the CUB MOB. Further, the acquisition of the O'Brien Property will provide 229 spaces of proximately located and fully contiguous surface parking available to the general public users of the CUB MOB and the Wynn Hospital on weekends and evenings. Proximate adjacent parking is needed for the safe transportation of patients of the CUB MOB and the Wynn Hospital since the patients, care providers and relatives are infirm or elderly. Finally, the Final Environmental Impact Statement issued by the City of Utica Planning Board reflected that the O'Brien Property would be surface parking so that the taking of that property for public parking is consistent with that use. In sum, there are no other feasible alternatives for adjacent surface parking to the CUB MOB.

2. Pursuant to Section 204(C)(2) of the EDPL, a copy of the Findings will be forwarded by the OCIDA to any party making a written request for such Findings to the OCIDA, and the Findings will be provided at no cost to any party requesting the Findings. Any request for the Findings should be sent to OCIDA at 584 Phoenix Drive, Rome New York 13441 Attention: Shawna Papale, Executive Director.

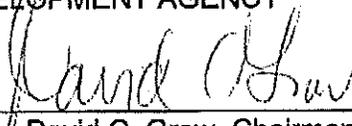
3. Notice is hereby given that pursuant to EDPL Section 207, you have thirty (30) days from the completion by the OCIDA of the publication requirement set forth in EDPL Section 204(A) to seek judicial review of the Findings made by the OCIDA with respect to the above referenced Property.

4. Notice is hereby given that pursuant to EDPL Section 208, the exclusive venue for judicial review of the Findings of OCIDA for the Property is the Appellate Division Fourth Department, 50 East Avenue, Suite 200, Rochester, New York 14604.

5. For your convenience I have enclosed a copy of the synopsis of the findings made by the Agency pursuant to EDPL Section 204(A).

Very truly yours,

ONEIDA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: 

David C. Grow, Chairman

cc. Ms. Shawna Papale, Executive Director (w/enclosure)
Paul J. Goldman, Esq. (w/enclosure)
Brown, Duke & Fogel, P.C. (w/enclosure).