



Cortland County

Industrial Development Agency

Regular Meeting of the Members of the Cortland County Industrial Development Agency

June 10th, 2024 – Noon

**11 Main Street, McNeil Conference Center, Cortland New York,
13405**

To Live Stream This Meeting Go To...<https://youtube.com/live/L23T8P2hH-g?feature=share>

Roll Call-

Mike McMahon	Chairman	
Stephen Compagni	Vice Chairman	
Deborah Hayden	Treasurer	
Clint Brooks	Secretary	
Johanna Ames	Member	
Dr. Kathleen Burke	Member	
Donald Richards	Member	
Brendan O'Bryan	Executive Director	
Karen Niday	Corporate Finance Officer	
Eric Mulvihill	Development Specialist	
John Sidd	Agency Counsel	

Approval of Minutes - May 8th, 2024

New Business

1. Review/ Receive Minutes of Public Hearing for Cortlandville PV, LLC
2. Consider Resolution Authorizing Final Inducement of Benefits for Cortlandville PV, LLC
3. Consider Resolution Authorizing the Execution of Documents in Connection With a Straight Lease Transaction for Cortlandville PV, LLC
4. Review/Receive Application for Assistance for SV Cortland One, LLC
5. Consider Resolution Issuing a Negative Declaration of SEQR Findings for SV Cortland One, LLC



Cortland County

Industrial Development Agency

6. Consider Resolution to Authorizing Preliminary Inducement of Benefits for SV Cortland One, LLC
7. Authorize Required Public Hearing for SV Cortland One, LLC

Monthly Reports

- 1.)Finance Report
- 2.)Director's Report

Adjourn –



Cortland County
Industrial Development Agency

Minutes



Cortland County

Industrial Development Agency

Minutes of the Regular Meeting of the Members of the Cortland County Industrial
Development Agency
May 13, 2024 – Noon
40-42 Main Street, Suite A, 2nd Floor Cortland New York, 13405

Roll Call- The meeting was called to order at 12:24 PM

Mike McMahon	Chairman	Present
Stephen Compagni	Vice Chairman	Absent
Deborah Hayden	Treasurer	Present
Clint Brooks	Secretary	Present
Johanna Ames	Member	Present
Dr. Kathleen Burke	Member	Present
Donald Richards	Member	Present
Brendan O'Bryan	Executive Director	Present
Karen Niday	Corporate Finance Officer	Present
Eric Mulvihill	Development Specialist	Present
John Sidd	Agency Counsel	Present
Kevin McAuliffe	Counsel, Cortlandville PV, LLC	Present
Savannah Hempstead	Clerk, Cortland County Legislature	Present
Ashley Millard	Deputy Clerk, Cortland County Legislature	Present
Marie Weiss	Carpenters Local 277	Present
Doug Schneider	Cortland Standard	Present
Tom Williams	Supervisor, Town of Cortlandville	Remote

Approval of Minutes - March 11, 2024 – Chairman McMahon made a motion to approve the minutes as presented, Mr. Richards seconded the motion; all voting in favor, none opposed.



Cortland County

Industrial Development Agency

New Business

1. **Review/ Receive Application for Assistance for Cortlandville PV, LLC** – The board reviewed the application for benefits from Cortlandville PV, LLC. Mr. McAuliffe provided some additional details for the project applicant. Mr. Williams inquired if there is a provision for decommissioning the solar array. Mr. Sidd suggested that the Town Planning Board would have provisions built into site plan review and approval to address site decommission and he suspected the Town would require the owner to post a bond for decommissioning.
2. **Consider Resolution Issuing a Negative Declaration of SEQR Findings for Cortlandville PV, LLC** Chairman McMahon made a motion determining that an action by Cortlandville PV, LLC to construct a five-megawatt (“mw”) community solar project will require no determination of significance or additional SEQRA review, Ms. Ames seconded the motion; all voting in favor, none opposed.
3. **Consider Resolution Authorizing Preliminary Inducement of benefits for Cortlandville PV, LLC** Chairman McMahon made a motion to take preliminary official action toward the acquisition, construction, installation and leasing of a certain commercial project for Cortlandville PV, LLC, Ms. Burke seconded the motion, all voting in favor, none opposed.
4. **Authorize Required Public Hearing for Cortlandville PV, LLC** – The public hearing for Cortlandville PV, LLC will be held May 31st at 11AM at the Cortlandville Town Hall 3577 Terrace Road, Cortland, NY 13045
5. **Consider Resolution to Authorizing the conveyance of a 14-acre parcel of vacant land in the Town of Cortlandville to the Village of Homer** - Chairman McMahon made a motion to authorize the conveyance of a 14-acre parcel of vacant land in the Town of Cortlandville to the Village of Homer, Mr. Richards seconded the motion; all voting in favor, none opposed.

Monthly Reports

- 1.)Finance Report
- 2.)Director's Report

Adjourn –

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 40 Main Street, Suite A, in the City of Cortland, Cortland County, New York on May 13, 2024, at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

Stephen Compagni	Vice Chairman
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FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel
Kevin McAuliffe	Counsel for Cortlandville PV, LLC
Savannah Hempstead	Clerk, Cortland County Legislature
Ashley Millard	Deputy Clerk, Cortland County
Marie Weiss	Council Representative Carpenters Local 277
Doug Schneider	Cortland Standard
Tom Williams	Supervisor, Town of Cortlandville (Remote)

The following resolution was offered by Chairman McMahon, seconded by Ms. Burke, to wit:

Resolution No. 2024-05-13-01

**RESOLUTION DETERMINING THAT AN ACTION BY
CORTLANDVILLE PV, LLC TO CONSTRUCT A FIVE
MEGAWATT ("MW") COMMUNITY SOLAR PROJECT
WILL REQUIRE NO DETERMINATION OF SIGNIFICANCE
OR ADDITIONAL SEQRA REVIEW.**

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Cortlandville PV, LLC (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in a ± 32.14 acre portion of a ± 75.78-acre parcel of land (the "Land") located at 3023 Route 215 in the Town of Cortlandville, Cortland County, New York (2) construction of a 5 MW community solar facility consisting of 10,612 ± photovoltaic panels on single axis trackers, 23 DC to AC inverters, two step-up transformers, and related infrastructure, on the Land (the "Facility") and (3) the acquisition and installation therein and thereon of fixtures and equipment comprising the Facility (the "Equipment"), all of the foregoing to constitute a solar photovoltaic facility to be operated by the Company (the Land, Facility and Equipment being collectively referred to as the "Project Facility"); (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 taxes, real estate transfer taxes, mortgage recording taxes and real property 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, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended ("SEQRA") and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation (the "SEQRA Regulations"), no agency involved in an

action may undertake, fund or approve the action until the requirements of SEQRA have been complied with; and

WHEREAS, a coordinated SEQRA review of the Project was undertaken by the Town of Cortlandville Planning Board (the "Planning Board") acting as lead agency; and

WHEREAS, on or about June 27, 2023, the Planning Board determined that the Project would not cause a significant adverse environmental impact (a "Negative Declaration"); and

WHEREAS, Section 617.6(b)(3) of the SEQRA Regulations provides that if a lead agency exercises due diligence in identifying all other involved agencies and provides written notice of its determination of significance to the identified involved agencies, then no involved agency may later require the preparation of an EAF, a negative declaration or an EIS in connection with the action, and the determination of significance issued by the lead agency following coordinated review is binding on all other involved agencies; and

WHEREAS, the Planning Board duly identified the Agency as an involved agency and provided the Agency with written notice of its Negative Declaration.

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

Section 1. The Planning Board duly recognized the Agency as an involved agency while conducting a coordinated SEQRA review of the Project and provided written notice to the Agency that it had issued a Negative Declaration.

Section 2. The Planning Board's Negative Declaration stands in full force and effect and is binding upon the Agency.

Section 3. Based upon the foregoing, no determination of significance will be issued by the Agency and no further SEQRA review of the Project is required by the Agency.

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:

Michael McMahon	VOTING	Aye
Stephen Compagni	VOTING	Absent
Clinton Brooks	VOTING	Aye
Deborah Hayden	VOTING	Aye
Johanna Ames	VOTING	Aye
Kathleen Burke	VOTING	Aye

Donald Richards

VOTING Aye

The foregoing Resolution was thereupon declared and duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 13, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 13th day of May, 2024.



Clinton Brooks, Secretary

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 40 Main Street, Suite A, in the City of Cortland, Cortland County, New York on May 13, 2024, at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

Stephen Compagni	Vice Chairman
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FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel
Kevin McAuliffe	Counsel for Cortlandville PV, LLC
Savannah Hempstead	Clerk, Cortland County Legislature
Ashley Millard	Deputy Clerk, Cortland County
Marie Weiss	Council Representative Carpenters Local 277
Doug Schneider	Cortland Standard
Tom Williams	Supervisor, Town of Cortlandville (Remote)

The following resolution was offered by Chairman McMahon, seconded by Ms. Ames, to wit:

Resolution No. 2024-05-13-02

**RESOLUTION TAKING PRELIMINARY OFFICIAL ACTION
TOWARD THE ACQUISITION, CONSTRUCTION,
INSTALLATION AND LEASING OF A CERTAIN
COMMERCIAL PROJECT FOR CORTLANDVILLE PV, LLC.**

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Cortlandville PV, LLC (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in a ± 32.14 acre portion of a ± 75.78-acre parcel of land (the "Land") located at 3023 Route 215 in the Town of Cortlandville, Cortland County, New York (2) construction of a 5 MW community solar facility consisting of 10,612 ± photovoltaic panels on single axis trackers, 23 DC to AC inverters, two step-up transformers, and related infrastructure, on the Land (the "Facility") and (3) the acquisition and installation therein and thereon of fixtures and equipment comprising the Facility (the "Equipment"), all of the foregoing to constitute a solar photovoltaic facility to be operated by the Company (the Land, Facility and Equipment being collectively referred to as the "Project Facility"); (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 taxes, real estate transfer taxes, mortgage recording taxes and real property 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, the Agency has given due consideration to the Application and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Cortland County, New York, and (B) the completion of the Project Facility will not result in the removal of an industrial or manufacturing plant of the Company or any other proposed occupant of the Project Facility from one area of the State of New York to another area of the State of New York or in the abandonment of a plant or facility

of the Company or any other proposed occupant of the Project Facility located in the State of New York; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Cortland County, New York by undertaking the Project in Cortland County, New York; 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 is required to make a SEQRA determination for the Project prior to granting the Financial Assistance; and

WHEREAS, pursuant to the Act, any approval of the Project contained herein is contingent upon a determination by the members of the Agency to proceed with the Project following satisfaction of the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act that relate to the Project and full compliance with SEQRA; and

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

Section 1. The Agency has reviewed the Application and based upon the representations made by the Company to the Agency in the Application and at this meeting and, based thereon, the Agency hereby makes the following findings and determinations with respect to the Project:

(A) The Project constitutes a "project" within the meaning of the Act; and

(B) The completion of the Project Facility will not result in the removal of an industrial or manufacturing plant of the Company or any other proposed occupant of the Project Facility from one area of the State of New York to another area of the State of New York and the completion of the Project Facility will not result in the abandonment of a plant or facility of a proposed occupant of the Project Facility located in the State of New York.

(C) The Project Facility will not constitute a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project; and

(D) The granting of the Financial Assistance by the Agency with respect to the Project, through the granting of the various tax exemptions described in Section 2(D) of this Resolution, will promote the job opportunities, health, general prosperity and

economic welfare of the inhabitants of Cortland County, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act; and

(E) A coordinated SEQRA review of the Project was undertaken by the Town of Cortlandville Planning Board (the "Planning Board") acting as lead agency and, on or about June 27, 2023, the Planning Board determined that the Project would not cause a significant adverse environmental impact (a "Negative Declaration"); and

(F) The determination of significance issued by the lead agency following coordinated review is binding on all other involved agencies, including the Agency, and the Agency is now authorized under the Act to undertake the Project in order to promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Cortland County, New York and the State of New York and improve their standard of living.

Section 2. If, following full compliance with the Act, including the public hearing requirements set forth in Section 859-a of the Act, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the Financial Assistance with respect thereto and the Company complies with all conditions set forth in the Future Resolution, then the Agency will (A) acquire an interest in the Project Facility from the Company pursuant to a deed, lease agreement or other documentation to be negotiated between the Agency and the Company (the "Acquisition Agreement"); (B) construct the Facility and acquire and install the Equipment in the Facility or elsewhere on the Land; (C) lease (with the obligation to purchase) or sell the Project Facility to the Company pursuant to a lease agreement or an installment sale agreement (hereinafter the "Project Agreement") between the Agency and the Company whereby the Company will be obligated, among other things, (1) to make payments to the Agency in amounts and at times so that such payments will be adequate to enable the Agency to timely pay all amounts due on the Acquisition Agreement and (2) to pay all costs incurred by the Agency with respect to the Project and/or the Project Facility, including all costs of operation and maintenance, all taxes and other governmental charges, any required payments in lieu of taxes and the reasonable fees and expenses incurred by the Agency with respect to or in connection with the Project and/or the Project Facility, and (D) provide the Financial Assistance with respect to the Project, in accordance with the Agency's uniform tax exemption policy, including (1) exemption from mortgage recording taxes with respect to any documents recorded by the Agency with respect to the Project in the Office of the County Clerk of Cortland County, New York or elsewhere, (2) exemption from sales taxes relating to the acquisition, construction and installation of the Project Facility, (3) exemption from deed transfer taxes and real estate transfer gains taxes on real estate transfers to and from the Agency with respect to the Project, and (4) exemption from real estate taxes (but not including special assessments and special ad valorem levies) relating to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility.

Section 3. If the Agency adopts the Future Resolution, the undertaking and completing of the Project by the Agency, and the granting of the Financial Assistance with respect to the Project as contemplated by Section 2 of this Resolution, shall be subject to: (A) the determination by the members of the Agency to proceed with the Project following a determination by the members of the Agency that all requirements of SEQRA that relate to the Project have been fulfilled; (B) agreement by the Agency and the Company on mutually acceptable terms for the conveyance of the Land to the Agency; (C) agreement between the Company and the Agency as to payment by the Company of payments in lieu of taxes with respect to the Project Facility, together with the administrative fee of the Agency with respect to the Project; (D) a determination by the members of the Agency to proceed with the granting of the Financial Assistance with respect to the Project following a determination by the members of the Agency that the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act have been complied with; (E) the Agency's uniform tax exemption policy or if any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency must follow the procedures for deviation from such policy set forth in Section 874(b) of the Act prior to granting such portion of the Financial Assistance; and (F) the following additional condition(s): None.

Section 4. The officers, agents and employees of the Agency are hereby authorized, empowered and directed to proceed with the undertakings provided for herein on the part of the Agency and are further authorized to do all such acts and things and to execute all such documents as may be necessary or convenient to carry out and comply with the terms and provisions of this Resolution.

Section 5. John P. Sidd, Esq., of the law firm of Hancock Estabrook LLP is hereby appointed Special Counsel to the Agency with respect to all matters in connection with the Project. Special Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company and others to prepare for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution.

Section 6. Pursuant to Section 875(3) of the Act, the Agency shall recover, recapture, receive, or otherwise obtain from the Company that portion of the Financial Assistance which constitutes state sales and use tax exemptions taken or purported to be taken by the Company to which the Company is not entitled or which are in excess of the amount authorized by the Agency or which are for property or services not authorized by the Agency as part of the Project or were taken by the Company when the Company failed to comply with a material term or condition to use property or services in the manner required by the Agency. The Company shall cooperate with the Agency in its efforts to recover, recapture, receive, or otherwise obtain such state sales and use tax exemptions and shall promptly pay over any such amounts to the Agency. The failure to pay over such amounts to the Agency shall be grounds for the New York State Commissioner of Taxation and Finance to assess and determine state sales and use taxes due from the Company

under Article 28 of the Tax Law of the State of New York, together with any relevant penalties and interest due on such amounts.

Section 7. The Executive Director of the Agency, prior to the granting of any Financial Assistance with respect to the Project, after consultation with Special Counsel, is authorized (A) to establish a time, date and place for a public hearing of the Agency to hear all persons interested in the location and nature of the Project Facility and the proposed Financial Assistance being contemplated by the Agency with respect to the Project, said public hearing to be held in the city, town or village where the Project Facility will be located; (B) to cause notice of such public hearing to be given to the public by publishing a notice of such hearing in a newspaper of general circulation available to residents of the governmental units where the Project Facility is to be located, such notice to comply with the requirements of Section 859-a of the Act and to be published no fewer than ten (10) days prior to the date established for such public hearing; (C) to cause notice of said public hearing to be given to the chief executive officer of the county and each city, town, village and school district in which the Project Facility is or is to be located no fewer than ten (10) days prior to the date established for said public hearing; (D) to conduct such public hearing; and (E) to cause a report of said public hearing fairly summarizing the views presented at said public hearing to be promptly prepared.

Section 8. The Chairman, Vice Chairman and Executive Director of the Agency are each hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 9. 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:

Michael McMahon	VOTING	Aye
Stephen Compagni	VOTING	Absent
Clinton Brooks	VOTING	Aye
Deborah Hayden	VOTING	Aye
Johanna Ames	VOTING	Aye
Kathleen Burke	VOTING	Aye
Donald Richards	VOTING	Aye

The foregoing Resolution was thereupon declared and duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 13, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 13th day of May, 2024.



Clinton Brooks, Secretary

A regular meeting of the Cortland County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 40 Main Street, Suite A, in the City of Cortland, Cortland County, New York on May 13, 2024 at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

Stephen Compagni	Vice Chairman
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FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel
Savannah Hempstead	Clerk, Cortland County Legislature
Ashley Millard	Deputy Clerk, Cortland County
Marie Weiss	Council Representative Carpenters Local 277
Doug Schneider	Cortland Standard

The following resolution was offered by Chairman McMahon, seconded by Mr. Richards, to wit:

Resolution No. 2024-05-13-03

**RESOLUTION AUTHORIZING THE CONVEYANCE OF A
14 ACRE PARCEL OF VACANT LAND IN THE TOWN OF
CORTLANDVILLE TO THE VILLAGE OF HOMER**

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, on or about January 3, 2001 the Agency, by and through one of its local development corporations, undertook and completed a project on an approximately 14 acre parcel of land in the Town of Cortlandville then owned by Gerald Contento, Gilda A. Contento and Gerald Contento, Jr. and then operated as an automobile scrap yard (the property now bearing Town of Cortlandville Tax Map ID# 76.00-03-02.000 and hereinafter the "Contento Property") which project involved the cessation of the automobile scrap yard business on the Contento Property, the clearing of all surface waste and buildings from the Contento Property, imposing restrictions on the future use of the Contento Property and acquiring an option to purchase the Contento Property ("Contento Project"); and

WHEREAS, on or about December 22, 2014 the Agency exercised its option to purchase and acquired fee title to the Contento Property; and

WHEREAS, the Contento Property is an extremely challenging site for redevelopment for commercial use for many reasons including, but not limited to, (i) the property is in a Flood Hazard Area (Zone AE, area of high risk of flooding), and (ii) the only access to the property is via a narrow bridge over the West Branch of the Tioughnioga River not suitable for commercial traffic; and

WHEREAS, the Agency has marketed the Contento Property for many years for possible redevelopment for commercial use without success; and

WHEREAS, the Village of Homer ("Village") has expressed interest in acquiring the Contento Property from the Agency for a public purpose including use as a public park, athletic field or playground; and

WHEREAS, the Agency's Disposition of Real and Personal Property Guidelines and §2897 of New York Public Authorities Law permit the conveyance of real property for less than fair market value if the transferee is a government or other public entity, and the terms and conditions of the transfer require that the ownership and use of the real property will remain with the government or any other public entity; and

WHEREAS, in accordance with the Agency's Disposition of Real and Personal Property Guidelines and §2897 of New York Public Authorities Law, the Agency obtained an appraisal of the Contento Property from Landmark Appraisal Co., LLC dated January 31, 2023 which estimated the Fee Simple Stabilized Market Value to be \$105,000.00; and

WHEREAS, the Agency desires to convey the Contento Property to the Village without the payment of any purchase price subject to the following conditions: (i) use of the Contento Property shall be as a public park, athletic field or playground in accordance with Village Law Section 6-624; and (ii) ownership of the Contento Property shall remain with the Village or another public entity; and (iii) upon acquisition of the Contento Property the Village shall deliver to the Agency a release of liability in form and content agreeable to the Executive Director of the Agency and Agency's counsel releasing the Agency from any and all liability related to the Contento Property with the exception of a breach of warranty of title;

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

Section 1. The recitals above are hereby incorporated into this Resolution as if fully set forth herein.

Section 2. The Agency hereby authorizes conveyance of the Contento Property to the Village upon the terms and conditions set forth herein and authorizes the Executive Director to enter such agreements including a Contract to Purchase as may be necessary or required to complete the transaction contemplated herein.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution.

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:

Michael McMahon	VOTING	Aye
Stephen Compagni	VOTING	Absent
Clinton Brooks	VOTING	Aye
Deborah Hayden	VOTING	Aye
Johanna Ames	VOTING	Aye
Kathleen Burke	VOTING	Aye
Donald Richards	VOTING	Aye

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 13, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 13th day of May, 2024.


Clinton Brooks
 Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

Minutes of the Public Hearing

For Cortlandville PV, LLC



Cortland County

Industrial Development Agency

Minutes of the Public Hearing For Cortlandville PV, LLC Proposed Project and Related Financial Assistance – May 31, 2024, held at the Cortlandville Town Offices 3577 Terrace Road, Cortland NY 13045

The Public Hearing was called to order at 11 A.M.

Victor Siegle	Resident, Homer NY
Kevin McAuliffe	Counsel, Cortlandville PV, LLC
Brendan O'Bryan	Cortland County IDA/BDC
Karen Niday	Cortland County IDA/BDC
Eric Mulvihill	Cortland County IDA/BDC

Mr. Mulvihill read the notice of Public Hearing as published in the Cortland Standard on May 17th, 2024.

Mr. Victor Siegle of Homer spoke at the hearing, his comments and concerns are attached.

Mr. Mulvihill asked if there were any additional comments on the proposed project, hearing none he closed the hearing at 11:14 A.M.

I believe that global warming is real and is accelerating. Global warming is one of the most critical problems our society is facing. Replacing fossil fuels with clean energy is essential for our future. It would be wise to implement solar correctly to make a meaningful improvement over our current energy sources.

The intermittent and unreliable nature of solar electricity is the most important problem that should be solved before today's project or any other Cortland County solar projects are Cortland County. To shape a resilient energy future for Cortland County, all of our all stakeholders must collaborate

Upstate NY is currently in the enviable position that over 92% of our electricity is already carbon-free. Our carbon-free electricity is generated from hydro, nuclear, wind, solar, geothermal, and other renewables.

We cannot replace our remaining fossil fuel usage with solar because energy gaps at night, during rainstorms, under heavy cloud cover, or when ice and snow cover solar panels must now be filled by "fast start" fossil fuels. During these stretches adding more solar panels without storage will NOT provide the electricity we need.

Imagine if electric cars ran only when the sun was shining.

Imagine if the water in your kitchen faucet ran only when it was raining.

Adding energy storage to solar power smooths out the delivery of the electricity, making the solar power more reliable and available on demand. If we add energy storage to our solar projects, we will help move NYS towards becoming 100% carbon-free and we will also help our county with energy security. Additional solar energy will be most useful here ONLY when combined with energy storage.

Please read the attached *NY Times* article *Giant Batteries Are Transforming the Way the U.S. Uses Electricity*. Let's learn from the positive experiences of states like California that are far ahead of us in battery storage.

RECOMMENDATION: At the present time proposed solar developments are inappropriate if they do not include corresponding energy storage. Both Cortland County and the Cortland County IDA need a solar and wind taxation policy based on the current appraisal methodology for solar and wind energy systems, not based upon the obsolete and imaginary "dollars

per megawatt” policy. Cortland County and the Cortland County IDA must encourage and subsidize energy storage through tax abatements.

NYSERDA and NYS made a terrible mistake by promoting solar taxation based on the nonsensical concept of “\$/megawatt”. They then made a bigger mistake by allowing solar companies to negotiate their own \$/megawatt rates. NYS has apologized for that mistake by creating the new “Solar and Wind Appraisal Model”. Our IDA is now using the new method for solar appraisals. The IDA should also adopt the new method for solar taxation.

There are at least 7 problems that must be resolved before this project can receive final approval:

First, no energy storage is included, defeating the fundamental requirement to supply electricity when we most need it. Energy storage must be included.

Second, giving a tax abatement for no valid reason to Cortlandville PV pointlessly gives away property taxes needed by our schools, town, and County. The tax abatement must be removed.

Third, the fact that this project will not create any permanent jobs is further evidence that an IDA tax abatement is not appropriate.

Fourth, because we cannot predict future inflation rates and because fixed predictions are often low, a 2% inflation escalator usually becomes an extra, unnecessary gift to the solar developer. The inflation escalators should be based upon inflation measures updated annually.

Fifth, the project location contains an undisclosed forest area of an unknown size. As long as humans must breathe oxygen to survive, forests should NEVER be cut down for solar panels.

Sixth, the full EAF says, “The project will be sited within a fallow field”. From the Internet, “Fallow land is an agricultural technique that consists of not sowing arable land during one or more growing seasons”. “Arable” means land used for or suitable for growing crops. In this case the land was actually used for growing crops. As long as humans continue to require food to survive, productive farmland should never be diverted to solar panels.

Seventh, The supplement to the full EAF states that “The site ... has not in the past many years (5+) been used for farming. That statement is contradicted by “Land has not been farmed for 3 out of last 4 years”

handwritten on Part 3 of the Full EAF. Which one is correct and does the correct answer affect the EAF?

We cannot solve global warming by ourselves, but we can certainly take positive actions. I have composed a detailed plan called ***ELEVATE CORTLAND - Cortland 2040 - Our Sustainable Energy Future***, emphasizing renewable energy, energy efficiency, and community engagement. This plan was intended to stimulate discussion and motivate action. So far, I have not accomplished either of those goals, but giving up is not a useful option.

I know that the year 2040 seems far away, but we will never get there unless we start now. I hope that Cortland County residents will pay more attention to these issues, beginning with serious discussions about potential action sooner than later. Cortland County could become a leader and should not remain lethargic, just waiting for mandates from NYS. Unless we reduce our planet's greenhouse gas concentrations, the Earth will continue to warm, causing a perpetual climate crisis. All of us must deal with this problem, both locally and globally. There is no free lunch when it comes to climate change. Whether we do nothing or we do everything, whatever choices we make will come with considerable costs. How will our society adapt?

Without modern energy systems, our civilization would not exist in Cortland. Unfortunately, we are dependent on the outside world for most of our energy supply. In less time than most people can imagine, our oil and natural gas will run out; we need to be prepared in order to survive here. My conclusion is that solar energy with battery energy storage is the most practical, long-term solution.

RECOMMENDATION: The upcoming Cortland County Strategic Development Plan ("ELEVATE CORTLAND") must include a comprehensive vision, along with explicit objectives and strategies, to forge a sustainable energy future for Cortland County. If we cannot define our energy goals clearly, we have no chance of preventing an eventual energy disaster.

The energy future of Cortland County should not be determined by random, out-of-town solar developers who do not care about Cortland and who are here only for the tax abatements.

RECOMMENDATION: Transforming Cortland County into the first NYS "Carbon Neutral County" would be a great example of how to ***ELEVATE CORTLAND***.

RECOMMENDATION: The following organizations, working together on a bipartisan basis, should support and implement ***Cortland 2040 - Our Sustainable Future***:

Cortland County Business Development Corporation (BDC)
Cortland County Industrial Development Agency (IDA)
Cortland County Legislature
Cortland County Planning Department
Cortland Works Career Center
NYS Governor and the NYS Legislature
National Grid
New York Power Authority
New York State Electric and Gas Corporation (NYSEG)
NYS Energy Research & Development Authority (NYSERDA)
SUNY College of Environmental Science and Forestry (SUNY ESF)

These coordinated programs would:

Provide electricity when and where it is needed in Cortland County and NYS.

Improve the economic conditions of our residents, and

Deliver long-term carbon dioxide reduction and storage employing the most natural, sustainable techniques.

RECOMMENDATION: The Cortland County Legislature should immediately implement a local law that all new solar energy projects must be accompanied by appropriate energy storage. Most importantly, the law should specify that **NO TAX ABATEMENTS** should be allocated to solar projects without energy storage.

Modern energy storage systems will enable a reliable and secure electrical grid year-round. For example, Form Energy's rechargeable long-term iron-air batteries are made from iron, one of the safest, cheapest, and most abundant minerals on Earth.

Solar solar energy has been a focal point for conversations and for arguments in Cortland County for more than 10 years. Yet, in the entire decade, there has never been an open, organized public forum to discuss the best energy future for Cortland County, nor has there been an ongoing forum to understand the ever-changing issues with clean energy.

Please think about the best energy future for Cortland County and begin to take the actions necessary to achieve it.

RECOMMENDATION: Under the sponsorship of the BDC, please sponsor and administer a series of forums on “Clean Energy for Cortland”. I would be very happy to be a panelist.

In summary, I believe that without energy storage, utility-scale solar panels in Cortland County are not nearly as effective as they could be. If we take

this issue seriously and plan our energy future, we can truly increase our energy security.

Please let me know what I can do to help you achieve these recommendations.

Thank you for your attention and consideration,

Victor Siegle
75 South Main Street
Homer, NY 13077
Landline (607) 749-4363
Cell (607) 423-5845
victor_siegle@joborder.com

This document will be made available to representatives of organizations with solar energy decision-making power in Cortland County:

Legislature – Chairman Kevin Fitch and all Legislators
IDA – Executive Director Brendan O'Bryan, Karen Niday
Town Supervisors - Mike Park, Tom Williams, Corey LaSalle
Cortland County Planning Department – Director of Planning Trisha Hiemstra
Cortland County Attorney – County Attorney Victoria Monty
Attorney & Environmental Engineer – Patrick Snyder
Please request copies from Victor_Siegle@JobOrder.com.



Cortland County
Industrial Development Agency

Consider Resolution
Authorizing Final Inducement
for Cortlandville PV, LLC

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the McNeil & Co. Conference Center located at 11 Main Street in the City of Cortland, Cortland County, New York on June 10, 2024 at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. _____

RESOLUTION FINALIZING THE PRELIMINARY
INDUCEMENT RESOLUTION FOR A CERTAIN
COMMERCIAL PROJECT FOR CORTLANDVILLE PV, LLC

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, pursuant to an application (the "Application") presented to the Agency by Cortlandville PV, LLC (the "Company"), as well as a cost benefit analysis, the members of the Agency, on May 13, 2024, adopted a resolution (the "Preliminary Inducement Resolution") whereby the Agency preliminarily agreed, subject to numerous conditions, to consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in a ± 32.14 acre portion of a ± 75.78-acre parcel of land (the "Land") located at 3023 Route 215 in the Town of Cortlandville, Cortland County, New York (2) construction of a 5 MW community solar facility consisting of 10,612 ± photovoltaic panels on single axis trackers, 23 DC to AC inverters, two step-up transformers, and related infrastructure, on the Land (the "Facility") and (3) the acquisition and installation therein and thereon of fixtures and equipment comprising the Facility (the "Equipment"), all of the foregoing to constitute a solar photovoltaic facility to be operated by the Company (the Land, Facility and Equipment being collectively referred to as the "Project Facility"); (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 taxes, real estate transfer taxes, mortgage recording taxes and real property 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, pursuant to the Preliminary Inducement Resolution the Executive Director of the Agency (A) caused notice of a public hearing of the Agency to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project (the "Public Hearing") to be published on May 17, 2024 in the Cortland Standard, a newspaper of general circulation available to residents of the County of Cortland, (B) caused notice of the Public Hearing to be mailed on May 20, 2024, together with notice, if any, that the Agency intends to deviate from its uniform tax exemption policy and which included the Agency's Preliminary Inducement Resolution, by certified mail return receipt requested to the chief executive officer of the county and of each city, town, village and school district, as well as the school district clerk, in which the Project is to be located (C) conducted the Public Hearing on May 31, 2024 at 11:00 o'clock a.m. local time in the Town Court Room at The Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York 13045 in the Town of Cortlandville, Cortland County, (D) prepared a report of the Public Hearing which fairly summarized the views presented at said public hearing and distributed same 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 members of the Agency adopted a resolution on May 13, 2024 (the "SEQR Resolution") in which the Agency determined that a coordinated SEQRA review of the Project was undertaken by the Town of Cortlandville Planning Board (the "Planning Board") acting as lead agency with the Agency as an involved agency and, therefore, no determination of significance would be issued by the Agency and no further SEQRA review of the Project is required by the Agency; and

WHEREAS, having complied with the requirements of Section 859-a of the Act and the requirements of SEQRA with respect to the Project, the Agency now desires to make its final determination whether to proceed with the Project;

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

Section 1. The Agency hereby determines that the Agency has now fully complied with the requirements of Section 859-a of the Act and the requirements of SEQRA that relate to the Project.

Section 2. Having reviewed the Report, and having considered fully all comments contained therein, the Agency hereby further determines to proceed with the Project and the granting of the Financial Assistance described in the notice of the Public Hearing upon the following additional condition: that the Company enter a Host Community Agreement, or equivalent, with the Town of Cortlandville ("Town") whereby the Company agrees to pay the Town an annual amount of not less than \$1,500.00 per megawatt (MW_{AC}) based on the total megawatt capacity of the Project for a term not less than the Term, as defined in both the Lease and PILOT Agreements to be entered into between the Agency and the Company, which amount shall increase by 2% each year of the Term.

Section 3. Pursuant to Section 875(3) of the Act, the Agency shall recover, recapture, receive, or otherwise obtain from the Company that portion of the Financial Assistance which constitutes state sales and use tax exemptions taken or purported to be taken by the Company to which the Company is not entitled or which are in excess of the amount authorized by the Agency or which are for property or services not authorized by the Agency as part of the Project or were taken by the Company when the Company failed to comply with a material term or condition to use property or services in the manner required by the Agency. The Company shall cooperate with the Agency in its efforts to recover, recapture, receive, or otherwise obtain such state sales and use tax exemptions and shall promptly pay over any such amounts to the Agency. The failure to pay over such amounts to the Agency shall be grounds for the New York State Commissioner of Taxation and Finance to assess and determine state sales and use taxes due from the Company under Article 28 of the Tax Law of the State of New York, together with any relevant penalties and interest due on such amounts.

Section 4. The Chairman, Vice Chairman and Executive Director of the Agency are hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 5. 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:

Michael McMahon	VOTING	_____
Stephen Compagni	VOTING	_____
Clinton Brooks	VOTING	_____
Deborah Hayden	VOTING	_____
Johanna Ames	VOTING	_____
Kathleen Burke	VOTING	_____
Donald Richards	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 10, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 10th day of June, 2024.

Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

Consider Resolution Authoring

Lease and Execution of

Documents for Cortlandville

PV, LLC

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the McNeil & Co. Conference Center located at 11 Main Street in the City of Cortland, Cortland County, New York on June 10, 2024 at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. _____

RESOLUTION AUTHORIZING THE EXECUTION OF
DOCUMENTS IN CONNECTION WITH A STRAIGHT-LEASE
TRANSACTION FOR A COMMERCIAL PROJECT FOR
CORTLANDVILLE PV, LLC

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, pursuant to an application (the "Application") presented to the Agency by Cortlandville PV, LLC (the "Company"), as well as a cost benefit analysis, the members of the Agency, on May 13, 2024, adopted a resolution (the "Preliminary Inducement Resolution") whereby the Agency preliminarily agreed, subject to numerous conditions, to consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in a ± 32.14 acre portion of a ± 75.78-acre parcel of land (the "Land") located at 3023 Route 215 in the Town of Cortlandville, Cortland County, New York (2) construction of a 5 MW community solar facility consisting of 10,612 ± photovoltaic panels on single axis trackers, 23 DC to AC inverters, two step-up transformers, and related infrastructure, on the Land (the "Facility") and (3) the acquisition and installation therein and thereon of fixtures and equipment comprising the Facility (the "Equipment"), all of the foregoing to constitute a solar photovoltaic facility to be operated by the Company (the Land, Facility and Equipment being collectively referred to as the "Project Facility"); (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 taxes, real estate transfer taxes, mortgage recording taxes and real property 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, pursuant to the Preliminary Inducement Resolution the Executive Director of the Agency (A) caused notice of a public hearing of the Agency to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project (the "Public Hearing") to be published on May 17, 2024 in the Cortland Standard, a newspaper of general circulation available to residents of the County of Cortland, (B) caused notice of the Public Hearing to be mailed on May 20, 2024, together with notice, if any, that the Agency intends to deviate from its uniform tax exemption policy and which included the Agency's Preliminary Inducement Resolution, by certified mail return receipt requested to the chief executive officer of the county and of each city, town, village and school district, as well as the school district clerk, in which the Project is to be located (C) conducted the Public Hearing on May 31, 2024 at 11:00 o'clock a.m. local time in the Town Court Room at The Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York 13045 in the Town of Cortlandville, Cortland County, (D) prepared a report of the Public Hearing which fairly summarized the views

presented at said public hearing and distributed same 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 members of the Agency adopted a resolution on May 13, 2024 (the "SEQR Resolution") in which the Agency determined that a coordinated SEQRA review of the Project was undertaken by the Town of Cortlandville Planning Board (the "Planning Board") acting as lead agency with the Agency as an involved agency and, therefore, no determination of significance would be issued by the Agency and no further SEQRA review of the Project is required by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on June 10, 2024 (the "Final Inducement Resolution"), the Agency determined, following a review of the Report, to finalize the preliminary determination made by the Agency in the Preliminary Inducement Resolution to proceed with the Project and the granting of the Financial Assistance described in the notice of the Public Hearing; and

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance described in the notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the "Agency Documents"): (A) a certain lease to Agency (and a memorandum thereof) (the "Underlying Lease") by and between the Company, as landlord, and the Agency, as tenant pursuant to which the Company will lease to the Agency the Project Facility; (B) a Uniform Project and Lease Agreement (and a memorandum thereof) (the "Lease Agreement") by and between the Agency and the Company, pursuant to which, among other things, the Company agrees to undertake the Project as agent of the Agency and the Company further agrees to lease the Project Facility from the Agency and, as rental thereunder, to pay the Agency's administrative fee relating to the Project and to pay all expenses incurred by the Agency with respect to the Project; (C) a payment in lieu of tax agreement (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; and (D) various certificates relating to the Project (the "Closing Documents");

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

Section 1. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) The Project constitutes a "project," as such term is defined in the Act; and

(C) The acquisition of the Project Facility and the lease of the Project Facility to the Company will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Cortland County, New York and the State of New York and improve their standard of living; and

(D) It is desirable and in the public interest for the Agency to enter into the Agency Documents.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (A) accept the Underlying Lease; (B) proceed with the Project; (C) acquire the Project Facility; (D) lease the Project Facility to the Company pursuant to the Lease Agreement; (E) enter into the Payment in Lieu of Tax Agreement; and (F) grant the Financial Assistance with respect to the Project.

Section 3. The Agency is hereby authorized to acquire a leasehold interest in the Project Facility pursuant to the Underlying Lease and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 4. The Agency is hereby authorized to acquire the Project Facility as described in the Lease Agreement and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby ratified, confirmed and approved.

Section 5. The form and substance of the Agency Documents as approved by the Chairman, Vice Chairman or Executive Director are hereby approved.

Section 6. (A) The Chairman, Vice Chairman and Executive Director of the Agency are each hereby separately authorized, on behalf of the Agency, to execute and deliver the Agency Documents and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, with such changes, variations, omissions and insertions thereto as the Chairman or Vice Chairman or Executive Director shall approve, the execution thereof by the Chairman or Vice Chairman or Executive Director to constitute conclusive evidence of such approval.

(B) The Chairman, Vice Chairman or Executive of the Agency is each hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 7. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency

with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 8. Pursuant to Section 875(3) of the Act, the Agency shall recover, recapture, receive, or otherwise obtain from the Company that portion of the Financial Assistance which constitutes state sales and use tax exemptions taken or purported to be taken by the Company to which the Company is not entitled or which are in excess of the amount authorized by the Agency or which are for property or services not authorized by the Agency as part of the Project or were taken by the Company when the Company failed to comply with a material term or condition to use property or services in the manner required by the Agency. The Company shall cooperate with the Agency in its efforts to recover, recapture, receive, or otherwise obtain such state sales and use tax exemptions and shall promptly pay over any such amounts to the Agency. The failure to pay over such amounts to the Agency shall be grounds for the New York State Commissioner of Taxation and Finance to assess and determine state sales and use taxes due from the Company under Article 28 of the Tax Law of the State of New York, together with any relevant penalties and interest due on such amounts.

Section 9. 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:

Michael McMahon	VOTING	_____
Stephen Compagni	VOTING	_____
Clinton Brooks	VOTING	_____
Deborah Hayden	VOTING	_____
Johanna Ames	VOTING	_____
Kathleen Burke	VOTING	_____
Donald Richards	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 10, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 10th day of June, 2024.

Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

Review/ Receive Application

for Assistance SV Cortland

One, LLC

PROJECT SUMMARY SHEET
June 2024

PROJECT NAME: SV Cortland One, LLC

PROJECT #: 1101-24-3

TOTAL PROJECT INVESTMENT	\$ 7,605,380
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ESTIMATED VALUE OF EXEMPTIONS BEING SOUGHT BY THE PROJECT: \$250,384
--

Sales Tax Exemption: \$ 229,104

Taxable items related to the construction, equipment and materials.

Real Property Tax Exemption: \$ 21,280

Improvements to the property (the solar arrays) are subject to real property taxes for years 1-25 of the PILOT. Using the NYS Assessment Calculator, an estimated assessment was established for the real property and taxes were then estimated for the 25 year period based on the current tax rate plus a 2% escalator for years 2-25. The amount stated above is net of the revenue generated from a proposed PILOT payment (terms noted below).

ESTIMATED VALUE OF PROJECT REVENUE:	\$ 503,986
-------------------------------------	------------

New tax revenue generated by the project:

PILOT Payment:

\$3,000/MW + 1.5% escalator-25 years \$ 270,567

Increased land taxes on the underlying land * 233,419

**The underlying land taxes are not subject to this request and will go on the tax rolls. The land has been exempt as it is owned by the City of Cortland but due to new commercial activity by a for profit tenant it is now subject to taxes. While some commercial land values in the city can go as high as \$68k/ac, this parcel is listed as wasteland. The city assessor has put a value of \$10k per a/c with the installation of solar panels on the lands. The above estimated revenue is based on the \$10k per 13.67 acres; current tax rate of 53.31 + a 2% escalator for the 25 year term.*

FINANCIAL COMPARISON

DIRECT IMPACT

Taxes:

Current Land Taxes

With no project – 25 years

13.67 a/c -0- (owned by city)

Estimated Land District Taxes

With a project - 25 years

13.67 Acres/Light Industrial: \$233,419

- A gain of \$233,419 of new tax revenue on the rolls as a result of the land converting to an industrial use on wasteland compared to the former use by a tax exempt municipality.

Current Property Taxes on Improvements to Property

N/A

Estimated PILOT payments on Improvements to Property

\$ 270,567

- A gain of \$270,567 new revenue from infrastructure improvements on the land as a result of the project.

Please note there is no Fire District Tax in the city, therefore this project will not be subject to a Fire District Tax on the underlying land or the improvements to the property.

Additionally, a host community agreement was not negotiated in that the share of the PILOT with the other taxing jurisdictions is comparable, so additional compensation was not necessary.

Ratio of investment/abatement 30.375/1

This proposal varies from the agency's Uniform Tax Policy (UTEP), which calls for an overall reduction of 65% of property taxes over a 10- year period. This request is for a 7.25% reduction over a 25- year period. Additionally, this proposal also departs from the UTEP in that payments will be made to the taxing jurisdictions in each year of the agreement – there are no "zero" years.

Solar Development Project

SV Cortland One LLC

Project Rationale

SV Cortland One LLC proposes a \$7.6 million, two-point eight (2.8) Megawatt solar photovoltaic system to establish a community solar facility in the City of Cortland. This project encompasses developing and constructing 6,796 photovoltaic panels on single-axis trackers, 25 Sunny High-power inverters, related infrastructure, and supported by a ballasted racking system. It will be located at 136 South Pendleton Street in the City of Cortland, spanning a 13.67-acre portion of an 18.57-acre parcel. This parcel is a registered Superfund site and is registered under the U.S. EPA Superfund program. This project will generate income for the City of Cortland in an otherwise non-usable parcel.

The proposed construction will also include the construction of a new gravel access road within the proposed solar array area, above-ground ballasted racking, an inverter/transformer pad, new overhead utility lines, and perimeter fencing. Vegetation management will occur within the array area via mowing, a few times a year. At the end of the system's performance life cycle, the array will be decommissioned, and the project site will be restored to its original condition.

SV Cortland One LLC has negotiated a fully binding and full-form lease agreement with the City of Cortland. The pending lease term is for 25 years with an option to extend the lease for two additional 10-year terms. Along with the lease agreement, SV Cortland One has also negotiated a Cooperation and Site Access Agreement with the City of Cortland to ensure all contingencies are covered.

SV Cortland One LLC is seeking a 25-year PILOT from the CCIDA to incentivize the project, which will:

- Provide new revenues to affected taxing entities totaling \$270,567 over the next 25 years (pro rata to the city, county, and school district)
- Generate an additional \$233,419 in new taxes over the term of the PILOT as the result of the land converting to an industrial use on wasteland compared to the former use by a tax-exempt municipality
- Employ a base of local construction workers to assemble the site
- Reduce New York State's reliance on fossil fuels following the Climate Leadership and Community Protection Act (CLCPA)

The City of Cortland conducted the environmental review and is fully supportive of this project. Staff are recommending approval of CCIDA incentives for this project as further detailed in the attached.

CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine the applicant's eligibility for financial assistance from the Cortland County Industrial Development Agency. The answers will also be used in the preparation of papers in this transaction. Accordingly, an officer or other employee of the applicant who is thoroughly familiar with the business and affairs of the applicant and who is also thoroughly familiar with the proposed project should answer all questions accurately and completely. This application is subject to acceptance by the Agency.

**TO: CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY
37 CHURCH STREET
CORTLAND, NEW YORK 13045**

APPLICANT: SV Cortland One, LLC

APPLICANT'S STREET ADDRESS: 1616 16th Street South

CITY: Nashville **STATE:** TN **PHONE NO.:** 413-522-7460

E-MAIL ADDRESS: tory.hanna@dhdsolar.com

**NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS
APPLICATION:** Tory Hanna

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Skyview Ventures, LLC

NAME OF ATTORNEY: Timothy O'Donnell

ATTORNEY'S STREET ADDRESS: 1616 16th Avenue South

CITY: Nashville **STATE:** TN **PHONE NO.:** 209-764-0585

E-MAIL ADDRESS: Timothy.O'Donnell@skyviewventures.com

**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS
APPLICATION**

INSTRUCTIONS

1. The Agency will not approve any applications unless, in the judgment of the Agency, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer, which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project, which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
10. The Agency has established a project fee for each project in which the Agency participates. **UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.**

FOR AGENCY USE ONLY

1.	Project Name or Number	, 20
2.	Date Application Received by Agency	, 20
3.	Date Application Referred to Attorney for Review	, 20
4.	Date Copy of Application Mailed to Members	, 20
5.	Date Notice of Agency Meeting on Application Posted	, 20
6.	Date Notice of Agency Meeting on Application Mailed	, 20
7.	Date of Agency Meeting on Application	, 20
8.	Date Agency Conditionally Approved Application	, 20
9.	Date Scheduled for Public Hearing	, 20
10.	Date Environmental Assessment Form ("EAF") Received	, 20
11.	Date Agency Completed Environmental Review	, 20
12.	Date of Final Approval of Application	, 20

I. APPLICANT INFORMATION-COMPANY TO RECEIVE BENEFITS (the "COMPANY")

A. Identity of Company:

1. Company Name: SV Cortland One LLC
Present Address: 1616 16th Av South, TN
Zip Code: 37212 Employer ID No.: 93-4701347

2. Indicate type of business organization of Company:

a. Corporation. Incorporated in what country? _____;
State: N/A ; Date Incorporated: _____;
Authorized to do business in New York State? Yes _____ No _____
i. Is the Corporation Publicly Held? Yes _____ No _____. If yes, please list exchanges where stock is traded: _____

ii. If no, list all Stockholders having a 5% or more interest in the Company:

Name	Address	Percentage of Holding

b. Partnership. General or Limited partnership? _____
Name all partners below:

Name	Address	General Partner	Limited Partner

c. Limited Liability Company. Formed in what country United States ;
State: New York ; Date of Formation: 12/05/2023

;

Authorized to do business in New York State? Yes ✓ No ;
Name all members below:

Name	Address	Membership Percentage
Skyview Ventures, LLC	1616 16th Av South, Nashville, TN 37212	100%
(Sole member: Andy Karetsky)	see attached Skyview Ventures, LLC flowchart	

d. Sole proprietorship. Name of Sole Proprietor: _____

3. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: Skyview Ventures, LLC., Managing Member

B. Management of Company:

List all officers/directors/managers (complete all columns for each person):

Name and Home Address	Office Held
Andy Karetsky, 1616 16th Av South, Nashville, TN 37212	Authorized Member

C. Company/Management History:

1. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes No ✓
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes No ✓
3. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated bankrupt? Yes No ✓

If the answer to any of questions 1 through 3 is yes, please furnish details in a separate attachment.

II. **PROPOSED PROJECT DATA**

A. **Description of the Project:**

1. Please provide a narrative of the Project and the purpose of the Project (acquisition, construction, renovations and/or equipment purchases). Identify specific uses occurring with the Project. Describe any and all tenants and any/all end users (attach additional pages):
The project is a 2.8 MW solar photovoltaic system that will generate electricity for the City of Cortland.
The property is a registered Superfund site, and is registered under the U. S EPA Superfund program.
The project will generate income for the City of Cortland in an otherwise non usable parcel.

2. Describe the reasons why the Agency's Financial Assistance is necessary and the effect the Project will have on the Company's business or operations and any corresponding benefit to the Cortland County community (attach additional pages):
See attachment.

3. Is there a likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency:

Yes No

4. If the Project could be undertaken without the Financial Assistance provided by the Agency, then provide a statement indicating why the Project should be undertaken by the Agency (attach additional pages):

We believe the Project could NOT be undertaken without Financial Assistance from the Agency.

Therefore, we are requesting Financial Assistance in the form of a PILOT.

B. **Location of Project:**

1. Street Address: 136 S Pendleton St
2. City: Cortland
3. Town: _____
4. Village: _____
5. Is any portion of the Project located outside of Cortland County? If so, identify the other county: _____
6. School District: Cortland Enlarged City School District
7. Tax Parcel Nos.: 86.83-01-01.00

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: ^{18.57}
Attach a map, survey or sketch of the Project site.
2. Are there existing buildings on the Project Site?
Yes No ✓. If yes,
 - a. Indicate each existing building and indicate the approximate size (in square feet) of each building:
N/A
 - b. Are the existing buildings in operation? Yes No ✓.
If yes, describe the present use of each building in operation:
 - c. Are the existing buildings abandoned? Yes No ✓.
About to be abandoned? Yes No ✓. If yes, describe:
 - d. Attach photographs of existing buildings.
3. Utilities Serving the Project Site:

Water: Municipal , Other . If other, describe _____

Sewer: Municipal , Other . If other, describe _____

Electric Utility Co.: National Grid _____

Natural Gas Utility Co.: NYSEG _____

Other Utility Sources: _____
4. Present Legal Owner of the Project Site:
 - a. If the Company owns the Project site, indicate:
Date of Purchase: _____

Purchase Price: _____

b. If the Company does not own the Project site, does the Company have the contractual right to purchase the Project site?

Yes _____ No _____. If yes, indicate:

Date Contract Signed: _____

Date Ability to Purchase Expires: _____

c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and present owner of the Project site?

Yes No _____. If yes, describe:

We have entered an Option Agreement with the City of Cortland to lease 13.67 acres of the parcel. The Option Agreement was extended for an additional six-month period as of March 15, 2024. However, we are in final negotiations with the City of Cortland on our fully binding and full form Lease which is expected to be approved and signed any day. The Lease term is for 25 years with an option to extend the lease for two additional 10-year terms.

5. Zoning District in which the Project is located: GI

6. Are there any variances or special permits affecting the Project site now or which need to be obtained to complete the Project?
Yes No _____. If yes, list below and attach copies of all variances or special permits:
The project required a Special Use Permit which was granted on 09-26-2023.
The project requires a building permit and electrical permit as well.

D. Description of the Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes _____ No . If yes, indicate number of and size of new buildings:
N/A

2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes _____ No . If yes, indicate:
a. The number of buildings to be expanded or renovated: N/A
b. The size of any expansions: N/A
c. The nature of expansion and/or renovation:
N/A

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:
N/A

E. Description of the Equipment:

1. Does part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")?
Yes No . If yes, describe the Equipment:

The project consists of the installation of a solar photovoltaic energy system. The system components include 6,796 panels Longi panels and 25 Sunny Highpower Inverters. The system will be supported by a ballasted racking system.

2. With respect to the Equipment to be acquired, will any of the Equipment be previously used Equipment?
Yes No . If yes, please provide detail below:

N/A

3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:
The use of the equipment is to convert sunlight into energy.

F. Project Use:

1. What are the principal products to be produced at the Project site?
Renewable energy.

2. What are the principal activities to be conducted at the Project?
Generating renewable energy.

3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities?

Yes No ✓. If yes, please provide detail:

N/A

4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? N/A %

5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

a. Will the Project be operated by a not-for-profit corporation?

Yes No . If yes, please explain:

N/A

b. Is the Project likely to attract a significant number of visitors from outside the economic development region (as established by Section 230 of the Economic Development Law) in which the Project will be located?

Yes No . If yes, please explain:

N/A

c. Would the Project occupant, but for the contemplated Financial Assistance from the Agency, locate the related jobs outside of New York State?

Yes No . If yes, please explain:

N/A

d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be

reasonably accessible to the residents of the city, town or village within which the Project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes No . If yes, please provide detail:
N/A

e. Will the Project be located in one of the following: (i) an area which was designed as an empire zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (a) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (b) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

Yes ; No ✓. If yes, please explain:

6. If the answers to any of subdivisions c. through e. of question 5 are yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

Yes No . If yes, please explain:
N/A

7. Will the completion of the Project result in the removal of an industrial or manufacturing plant of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York?

Yes No ✓. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company or a Project Occupant located in

the State of York?

Yes No If yes, provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry?

Yes No If yes, please provide detail:
N/A

b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York?

Yes No If yes, please provide detail:
N/A

G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same?

Yes No If yes, please discuss in detail the approximate stage of such acquisition:

To clarify, our company will not acquire the project's land, but will enter into a lease agreement. The steps have been taken and while we are currently in a development option period with the landowner, we expect to enter into a full lease agreement in Spring of 2024.

2. If the Project includes the acquisition of any Equipment, have any steps

been taken toward acquiring same?

Yes No If yes, please discuss in detail the approximate stage of such acquisition:

We are currently collecting quotes to purchase racking, modules, inverters, combiner boxes, and above ground wire supports. The next step will be obtaining quotes for transformers.

3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes No ✓. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

4. Please indicate the amount of funds expended on the Project by the Applicant in the past three (3) years and the purpose of such expenditures:

The total expenditures to date are 1,200,341.16 with 3/4 of this belong to 2023 and the rest to 2022

A total of \$979,881 are interconnection related expenses, of which 225,918 was refunded due to changes in the CESIR study calculations. \$86,947.50 are permitting expenses \$65,055 are engineering consulting expenses, and the remaining \$10,779 are legal/professional fees

III. INFORMATION CONCERNING LEASES OR SUBLICENSES OF THE PROJECT
(PLEASE COMPLETE THE FOLLOWING SECTION IF THE APPLICANT INTENDS TO LEASE OR SUBLICENSE ANY PORTION OF THE PROJECT)

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes No ✓. If yes, please complete the following for **each** existing or proposed tenant or subtenant:

Sublessee Name: _____

Present Address: _____ City: _____

_____ State: _____ Zip: _____ Employer's ID

No.: _____ Sublessee is: _____

_____ Corporation; _____ Partnership; _____ Limited

Liability Company; _____ Sole Proprietor

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes No .

If yes, please provide on a separate attachment

- a. details; and
- b. the answers to questions II (F) (4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? _____ %

IV. EMPLOYMENT IMPACT

A. Indicate below the number of people presently employed at the Project Site and the number that will be employed at the Project site at the end of the first and second years after the Project has been completed (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the Applicant.

	Current # of Jobs at proposed Project location or to be relocated to Project location	If Financial Assistance is granted, estimate the number of FTE and PTE jobs to be <u>Retained</u>	If Financial Assistance is granted, estimate the number of FTE and PTE jobs to be <u>Created</u> by Two years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the retained and created FTE and PTE jobs Two years after Project completion**
Present Full Time				
Present Part Time				
First Year Full Time				
First Year Part Time				
Second Year Full Time				
Second Year Part Time				
Total:	0	0	0	0

**For purposes of the question, please estimate in the fourth column the number of FTE and PTE jobs, as indicated in the second and third columns, that will be filled by residents of the Labor Market Area. The Labor Market Area includes Cortland County as well as the counties of Cayuga, Onondaga, Tompkins, Broome and Chenango.

Category of Jobs to be Retained and Created	Estimated Average Salary or Range of Salary	Estimated Average Fringe Benefits or Range of Fringe Benefits
Management	N/A	N/A
Professional	N/A	N/A
Administrative	N/A	N/A
Production	N/A	N/A
Independent Contractors	N/A	N/A
Other	N/A	N/A

B. Please state the anticipated date of completion of the Project site and the anticipated date of occupancy of the Project site:

Project Site Completion Date: 12/31/2024

Project Site Occupancy Date: 12/31/2024

V. PROJECT COST

A. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost:</u>	<u>Amount:</u>
Land Acquisition	\$ 0
Building Construction	\$ 3,289,500
Building Renovation	\$ 0
Machinery and equipment costs	\$ 2,863,800
Utilities, roads and appurtenant costs	\$ 0
Architects and engineering fees	\$ 6,500
Costs of Bond issue (legal, financial and printing)	\$
Construction loan fees and interest (if applicable)	\$ 289,368
Other (specify)	
<u>Other financing costs (not related to const. Int.)</u>	\$ 500,790
<u>Permitting</u>	\$ 150,000
<u>Civil scope / Permitting</u>	\$ 348,300
<u>Subscriber acquisition</u>	\$ 157,122
TOTAL PROJECT COSTS:	\$ 7,605,380

****See attached budget breakdown addendum**

B. Have any of the above expenditures already been made by the Applicant?
 Yes ✓ No . If yes, indicate particulars:

In total, we've spent the entire Interconnection budget to National Grid, and together with permitting & procurement costs, we've spent \$1,200,341.16.

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY

A. Tax Benefits:

1. Is the Applicant requesting a real property tax exemption in connection with the Project from the Agency? Yes No
2. Is the Applicant expecting to be appointed agent of the Agency for purposes of receiving an exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes No
3. Is the Applicant requesting a mortgage recording tax exemption in connection with the Project from the Agency? Yes No
4. What is the estimated value of each type of tax exemption being sought in connection with the Project? Please detail the type of tax exemption and value of each exemption:
 - a. N.Y.S. Sales and Compensating Use Taxes: \$ 229,104
 - b. Mortgage Recording Taxes: \$ 0
 - c. Real Property Taxes: \$

⁰ (Please consult with the Agency in calculating the estimated value of the real property tax exemption)

- d. Other (please specify):

\$ _____
\$ _____
\$ _____

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax-exemption Policy? Yes No If yes, please explain how the request of the Applicant differs from the Agency's Uniform Tax-Exemption Policy:

Davis Hill Development (DHD), the developer and long-term owner & operator of the project, has requested a fixed PILOT payment schedule, and has requested a longer-term PILOT than the uniform Tax Exemption Policy allows for.

B. Financing:

1. Is the Applicant requesting that the Agency issue bonds to assist in financing the Project? Yes No If yes, indicate:
 - a. Principal Amount of Bonds Requested \$ _____
 - b. Maturity Requested _____ Years
 - c. Is the Interest on such bonds intended to be exempt from federal income taxation? Yes No

2. What is the approximate amount of private sector financing to be obtained? \$ 6,800,000 . Is the Applicant expecting that the private sector financing of the Project will be secured by one or more mortgages? Yes No ✓ . If yes, what is the approximate amount of private sector financing to be secured? \$ Click here to enter text. .

3. Is the Applicant expecting that any of the financing of the Project will come from public sector sources? Yes No ✓ . What is the approximate amount of public sector financing to be obtained? \$ 0 . If yes, is the Company expecting that the public sector financing of the Project will be secured by one or more mortgages or grant agreements? Yes No ✓ . If yes, what is the approximate amount of public sector financing to be secured? \$ 0 .

4. Please state the approximate amount to be invested in the Project (not borrowed or the subject of a grant) by the Applicant \$ 805,380 .

5. Please state the approximate total amount of borrowed funds to be invested in the Project \$ 6,800,000 .

VII. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

A. Job Listings: In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the Federal Job Training Partnership Act (Public Law 97-300) ("JTPA") in which the Project is located.

B. First Consideration for Employment: In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. **Local Workforce Development:** The Applicant understands and agrees that if the Project receives Financial Assistance from the Agency, except as provided by collective bargaining where practicable, the Applicant will increase the skill base of the local workforce through training, opportunities for professional development and career track advancement.

D. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.

E. **Annual Employment Reports:** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant will file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site.

F. **Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

G. **Federal, State and Local Laws:** The Applicant/Owner/Occupant/Operator receiving the Financial Assistance understands and agrees that it must be, at all times, in compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

H. **Environmental Matters:** The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or Owner of the Premises to prepare and submit an environmental assessment and audit report including, but not limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the Owner and/or the Applicant.

All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-13, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made with reports required herein.

I. Release: The Applicant and/or Owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or Owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations and audits.

J. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suit or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency in connection with the Project, may be subject to recapture and/or termination by the Agency under such

terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application including, without limitation, information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.

K. **False or Misleading Information**. The submission of any knowingly false or misleading information by the applicant may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

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VERIFICATION

(If Applicant is a Corporation, Limited Liability Company, General or Limited Partnership)

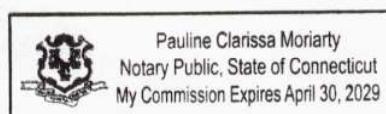
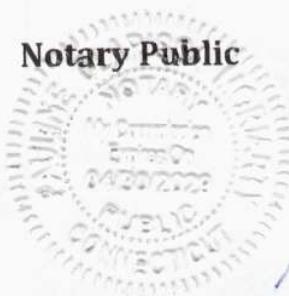
STATE OF New York Connecticut
COUNTY OF Cortland Fairfield ss.:

Andrew Karetzky deposes and says, under the penalties of perjury, that he/she is the Managing Partner (must be the chief executive officer, member, manager, general partner or such other individual duly authorized to bind the applicant) of SV Cortland One LLC (name of applicant); that he/she has read the foregoing application and knows the contents thereof; and that the same is true, complete and accurate to the best of his/her knowledge; that the reason this verification is made by the deponent and not by the applicant is the applicant is a LLC (Corporation, Limited Liability Company, General or Limited Partnership). The grounds of deponent's belief relative to all matters in the application which are not stated upon his/her own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his/her duties as _____ of the applicant and from the books and records of the applicant.

Signature: 
Print Name: Andrew Karetzky

Sworn to before me this 28th
day of May, 2024

Notary Public



Pauline Clarissa Moriarty

Page ~20~

VERIFICATION

(If applicant is sole proprietor)

STATE OF New York)
COUNTY OF Cortland) ss.:

_____ deposes and says, under the penalties of perjury, that he/she has read the foregoing application and knows the contents thereof; and that the same is true, complete and accurate to the best of his/her knowledge; that the grounds of deponent's belief relative to all matters in the said application, which are not stated upon his/her own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application.

Signature: _____
Print Name: _____

Sworn to before me this _____
day of _____, 2024 _____

Notary Public

Attachment 1

II.A.2 Describe the reasons why the Agency's Financial Assistance is necessary and the effect the Project will have on the Company's business or operations and any corresponding benefit to the Cortland County community (attach additional pages):

For Solar projects like ours, the financial outlay of capital for development activities, i.e. Interconnection and Land Use Permitting, and then the outlay of procurement and construction funds, is an extremely risky endeavor. The project does not generate revenue until it is turned on and begins generating electricity. That generation slowly creates revenues, year over year, which are fractional to the initial project expenses. If the full project tax burden is levied on Year 1, the project is unviable, therefore a levelized tax burden (or PILOT) is essential to ensure the tax liability for projects like ours is flatlined across the project lifespan. The benefit of our project goes directly to the community, in this case directly to the City of Cortland, who will benefit for over 25 years from discounted electricity (tens of thousands of dollars each year in savings, combatting year over year electricity increases from National Grid and other providers), generated on a parcel which was otherwise generating zero tax dollars for the City. All within City limits, a wonderful example of local renewable energy production and benefits.

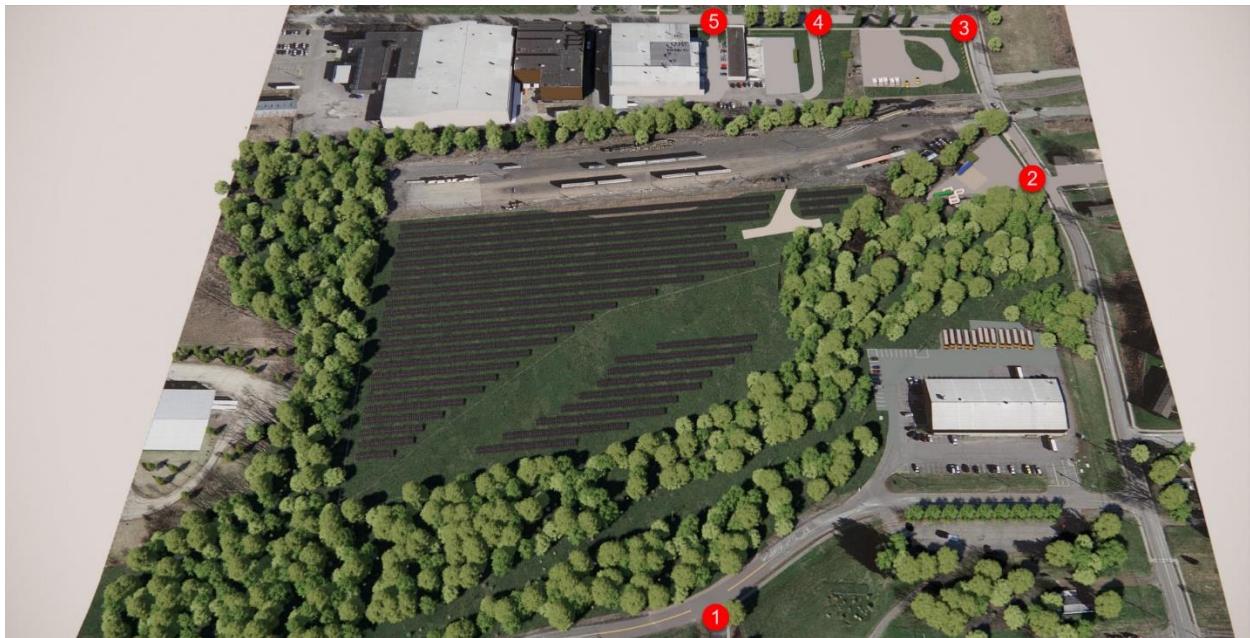
Addendum A

Cortland Rosen Brownfield Visual Analysis Renderings



SV Cortland LLC Visual Analysis

The following visual analysis was performed for the SV Cortland LLC solar array located at 136 Pendleton St, Cortland, NY 13045. The applicant is proposing the construction of a 2.8 mW AC ground-mount fixed-tilt solar array at a city owned brownfield site (EPA regulated superfund site). Five points were chosen to show the visual impacts that the system will have on the surrounding neighborhood. The first point is located at the entry way of Cortland High School. The second point is located at the Cortland Housing Authority owned property on Pendleton St. Point 3 is located at the corner of Pendleton St and Huntington St. Points four and five are located on Huntington St. Both summer and winter simulations were performed. The conclusion of the simulation is that there will be no significant or adverse visual impact from the proposed solar array.



Aerial View 1



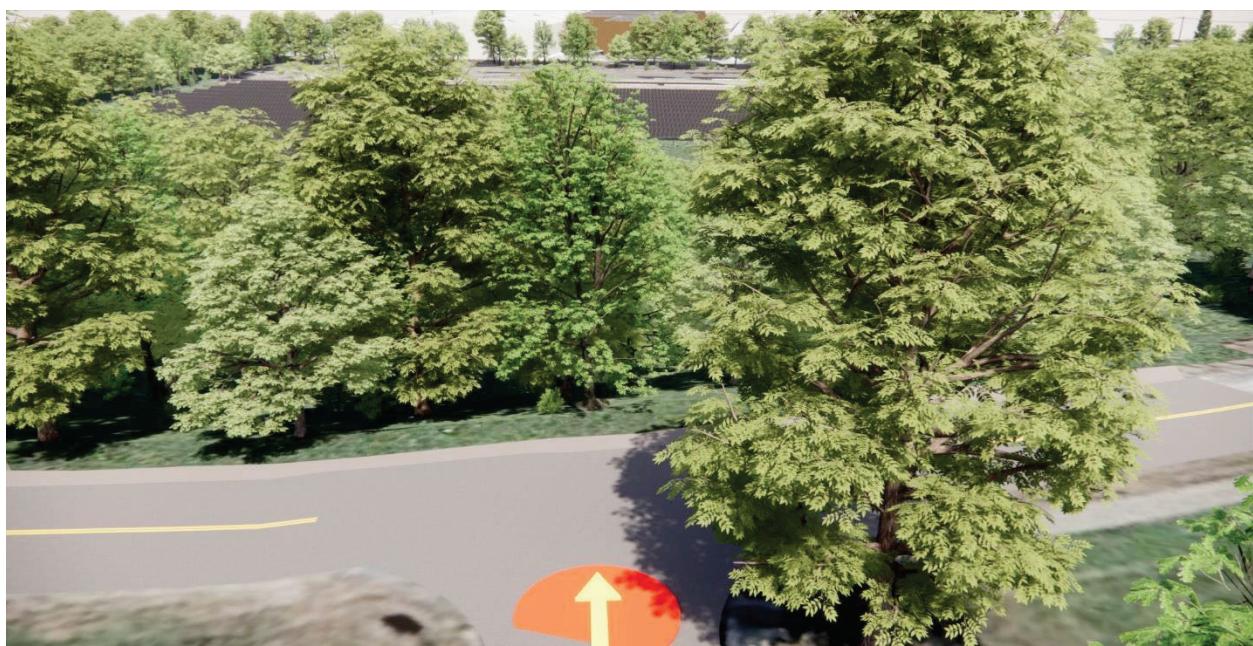
Aerial View 2



Aerial View 3



Ground View 1



Hover View 1



Ground View 2



Hover View 2



Ground View 3



Hover View 3



Ground View 4



Hover View 4



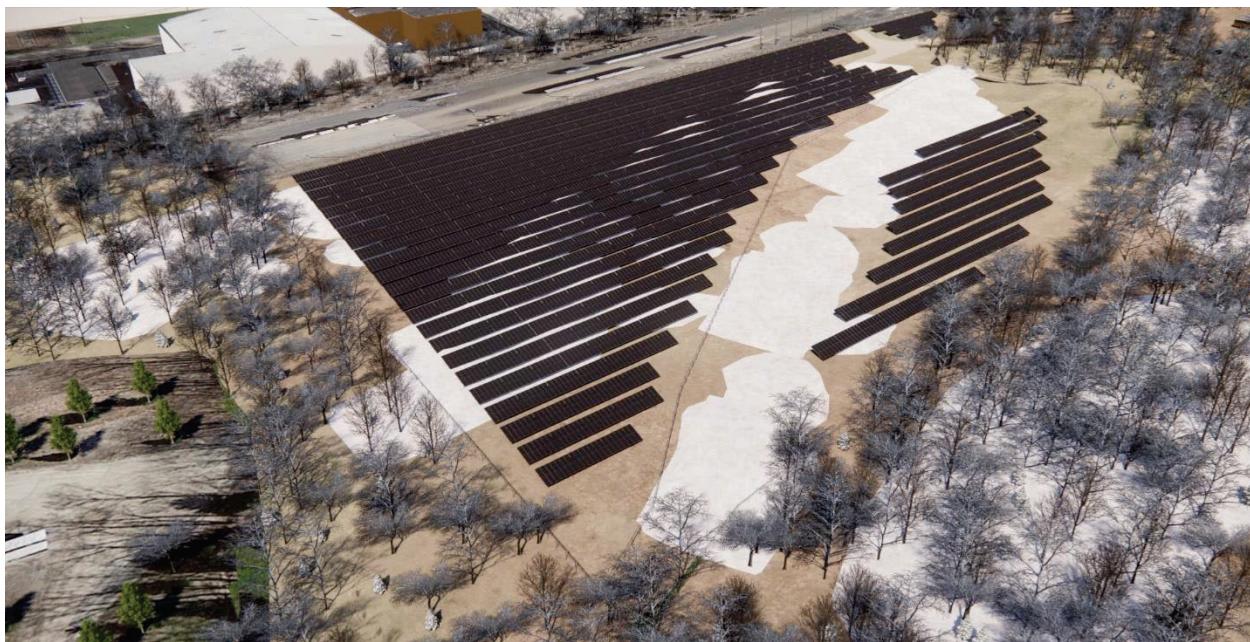
Ground View 5



Hover View 5



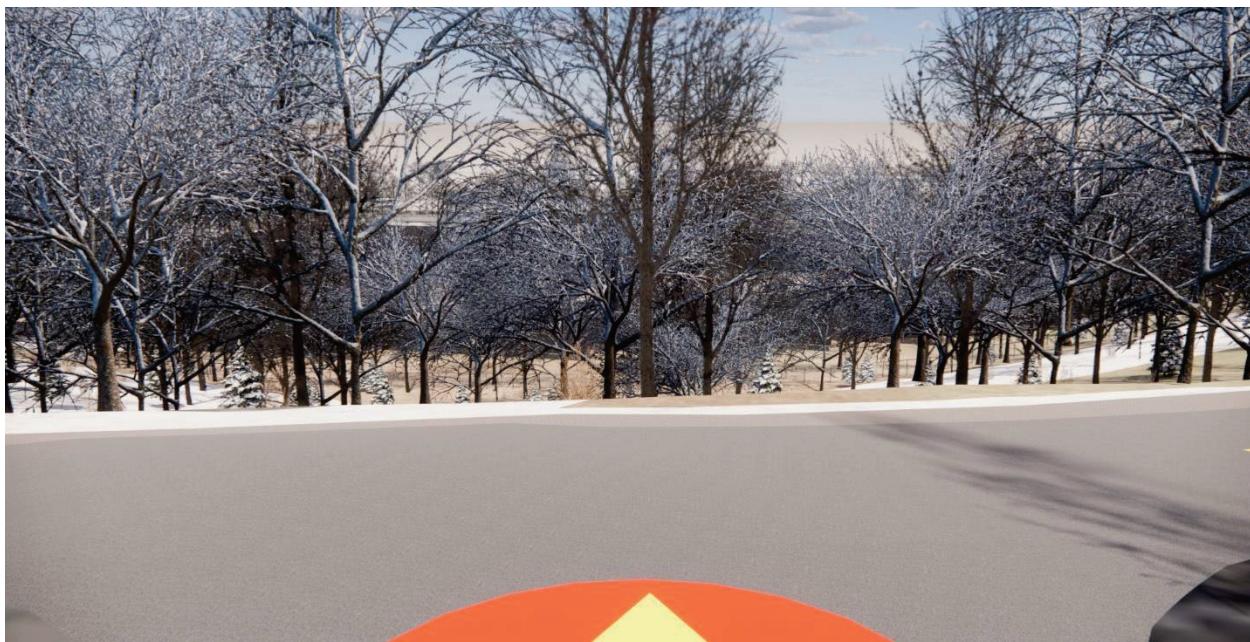
Winter Aerial View 1



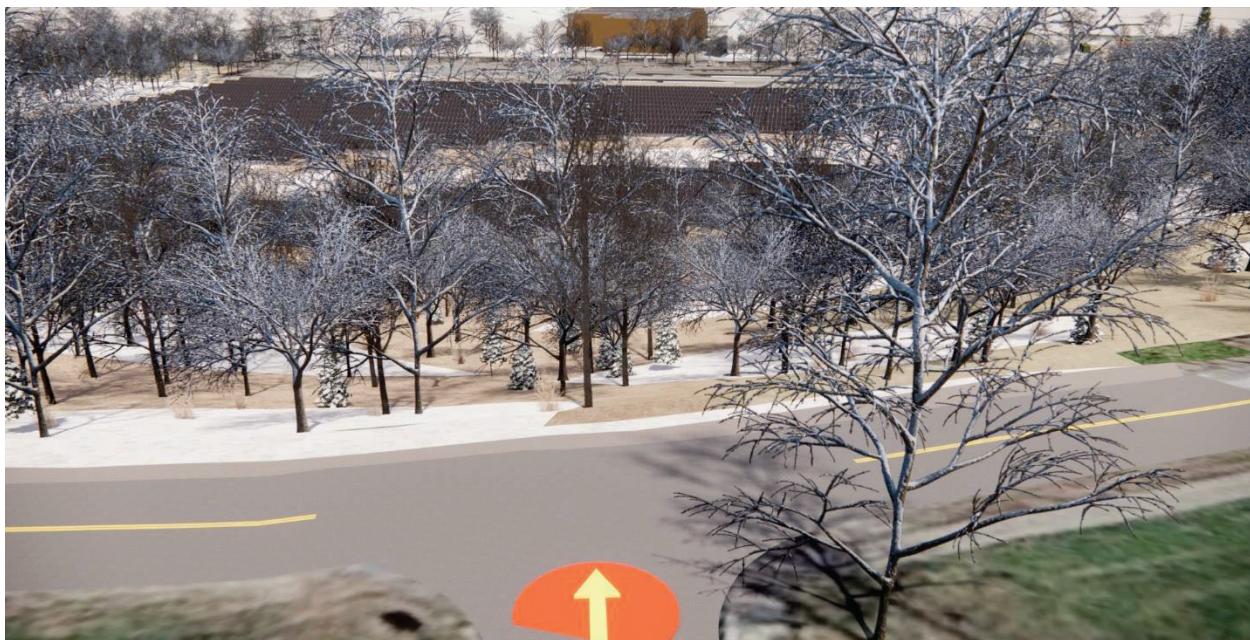
Winter Aerial View 2



Winter Aerial View 3



Winter Ground View 1



Winter Hover View 1



Winter Ground View 2



Winter Hover View 2



Winter Ground View 3



Winter Hover View 3



Winter Ground View 4



Winter Hover View 4



Winter Ground View 5



Winter Hover View 5



Cortland County
Industrial Development Agency

SV Cortland One, LLC

Full Environmental

Assessment Form

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Is the project site within a Coastal Erosion Hazard Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the Yes No only approval(s) which must be granted to enable the proposed action to proceed?

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site Yes No where the proposed action would be located?

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action Yes No would be located?

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Yes No Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, Yes No or an adopted municipal farmland protection plan?

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site? _____

c. Which fire protection and emergency medical services serve the project site? _____

d. What parks serve the project site? _____

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses?

Yes No

If Yes, show numbers of units proposed.

One Family

Two Family

Three Family

Multiple Family (four or more)

Initial Phase

At completion

Initial Phase

Yes No

At completion

g. Does the proposed action include new non-residential construction (including expansions)?

Yes No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

Yes No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: _____

Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): _____

• Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment

Yes No

into any existing wetland, waterbody, shoreline, beach or adjacent area?

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

• acres of aquatic vegetation proposed to be removed: _____

• expected acreage of aquatic vegetation remaining after project completion: _____

• purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

• proposed method of plant removal: _____

• if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

• Name of district or service area: _____ Yes No

• Does the existing public water supply have capacity to serve the proposal? Yes No

• Is the project site in the existing district? Yes No

• Is expansion of the district needed? Yes No

• Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

• Describe extensions or capacity expansions proposed to serve this project: _____

• Source(s) of supply for the district: _____ Yes No

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

• Applicant/sponsor for new district: _____

• Date application submitted or anticipated: _____

• Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

• Name of wastewater treatment plant to be used: _____ Yes No

• Name of district: _____ Yes No

• Does the existing wastewater treatment plant have capacity to serve the project? Yes No

• Is the project site in the existing district? Yes No

• Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Will a line extension within an existing district be necessary to serve the project?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
• Describe extensions or capacity expansions proposed to serve this project: _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
• Applicant/sponsor for new district: _____	
• Date application submitted or anticipated: _____	
• What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
_____ Square feet or _____ acres (impervious surface)	
_____ Square feet or _____ acres (parcel size)	
ii. Describe types of new point sources. _____	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. In addition to emissions as calculated in the application, the project will generate:	
• _____ Tons/year (short tons) of Carbon Dioxide (CO ₂)	
• _____ Tons/year (short tons) of Nitrous Oxide (N ₂ O)	
• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)	
• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF ₆)	
• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)	
• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Estimate methane generation in tons/year (metric): _____	
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____ _____	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend	
<input type="checkbox"/> Randomly between hours of _____ to _____.	
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____	
iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____	
iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No	
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:	
vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Estimate annual electricity demand during operation of the proposed action: _____	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Hours of operation. Answer all items which apply.	
i. During Construction:	
<ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	
ii. During Operations:	
<ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	
i. Provide details including sources, time of day and duration:	_____
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe: _____	
n. Will the proposed action have outdoor lighting?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	_____
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Product(s) to be stored _____	_____
ii. Volume(s) _____ per unit time _____ (e.g., month, year)	_____
iii. Generally, describe the proposed storage facilities: _____	_____
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe proposed treatment(s):	_____
ii. Will the proposed action use Integrated Pest Management Practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	_____
• Construction: _____ tons per _____ (unit of time)	_____
• Operation : _____ tons per _____ (unit of time)	_____
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:	_____
• Construction: _____	_____
• Operation: _____	_____
iii. Proposed disposal methods/facilities for solid waste generated on-site:	_____
• Construction: _____	_____
• Operation: _____	_____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet	<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No • If yes, cite sources/documentation: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____	
iii. Describe any development constraints due to the prior solid waste activities: _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database	<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. If site has been subject of RCRA corrective activities, describe control measures: _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____	

v. Is the project site subject to an institutional control limiting property uses?		<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? 		<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • Explain: _____ _____ _____ 		
E.2. Natural Resources On or Near Project Site		
a. What is the average depth to bedrock on the project site? _____ feet		
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %		
c. Predominant soil type(s) present on project site: _____ % _____ _____ %		
d. What is the average depth to the water table on the project site? Average: _____ feet		
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site		
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site		
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____		
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes to either i or ii, continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____		
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No		
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No		
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No		
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Name of aquifer: _____		

m. Identify the predominant wildlife species that occupy or use the project site:	
n. Does the project site contain a designated significant natural community?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation):	
ii. Source(s) of description or evaluation:	
iii. Extent of community/habitat:	
• Currently: _____ acres	
• Following completion of project as proposed: _____ acres	
• Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Species and listing (endangered or threatened):	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Species and listing:	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, give a brief description of how the proposed action may affect that use:	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, provide county plus district name/number:	
b. Are agricultural lands consisting of highly productive soils present?	<input type="checkbox"/> Yes <input type="checkbox"/> No
i. If Yes: acreage(s) on project site? _____	
ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature	
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. CEA name: _____	
ii. Basis for designation: _____	
iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land		<input type="checkbox"/> NO	<input type="checkbox"/> YES	
<p>Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)</p> <p><i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i></p>				
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.		E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.		E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.		E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.		D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.		D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).		D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.		B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____			<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.
(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.
(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

If "Yes", answer questions a - j. If "No", move on to Section 8.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

If "Yes", answer questions a - h. If "No", move on to Section 9.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.).	E1a, Elb	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 - 3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

(See Part 1. C.2.c, E.1.c., E.2.q.)

If “Yes”, answer questions a - e. If “No”, go to Section 12.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

If “Yes”, answer questions a - c. If “No”, go to Section 13.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

NO

YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

NO

YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

NO

YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

If "Yes", answer questions a - m. If "No", go to Section 17.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.

NO

YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 **105** Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Cortland County
Industrial Development Agency

SV Cortland One, LLC

SEQR Declaration Resolution

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the McNeil & Co. Conference Center located at 11 Main Street in the City of Cortland, Cortland County, New York on June 10, 2024 at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. _____

**RESOLUTION DETERMINING THAT AN ACTION BY SV
CORTLAND ONE LLC TO CONSTRUCT A 2.8
MEGAWATT AC COMMUNITY SOLAR FACILITY WILL
NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL
IMPACT**

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, SV Cortland One LLC (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in a ± 18.57-acre parcel of land (the "Land") located at 136 S. Pendleton Street in the City of Cortland, Cortland County, New York (2) construction of a 2.8 MW AC solar photovoltaic facility and related infrastructure on the Land (the "Facility") and (3) the acquisition and installation therein and thereon of fixtures and equipment comprising the Facility (the "Equipment"), all of the foregoing to constitute a solar photovoltaic facility to be operated by the Company (the Land, Facility and Equipment being collectively referred to as the "Project Facility"); (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 taxes, real estate transfer taxes, mortgage recording taxes and real property 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, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended ("SEQRA") and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation (the "SEQRA Regulations"), no agency involved in an action may undertake, fund or approve the action until the requirements of SEQRA have been complied with; and

WHEREAS, the Project is an action subject to SEQRA; and

WHEREAS, the City of Cortland Planning Commission ("City Planning Commission"), acting as SEQRA lead agency, undertook a coordinated review of the Project with other agencies having discretionary authority to undertake, approve or fund the Project ("Involved Agencies"); and

WHEREAS, on November 26, 2023 the City Planning Commission issued a determination that the Project will not have a significant adverse environmental impact (a "Negative Declaration"); and

WHEREAS, although the Agency is an Involved Agency due to its discretionary authority to provide funding for the Project, it received no advance notification of the coordinated SEQRA review of the Project and did not participate in the review; and

WHEREAS, the Agency intends to conduct its own uncoordinated SEQRA review of the Project before acting on the Application; and

WHEREAS, the Agency, having reviewed the proposed action, makes the following findings and determination of significance with respect to the Project:

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

Section 1. Based upon an examination of the Application, Part 1 of the Full EAF submitted by the Applicant, the Agency's review of the City Planning Commission's Full EAF Parts 2 and 3 and its Negative Declaration, and based on the Agency's knowledge of the Project Site, the area around the Project Facility, and based further upon the Agency's completion of a Full EAF Part 2 and consideration of the criteria for determining significance, the Agency makes the following findings with respect to the Project:

- A. The Project consists of the construction of a photovoltaic energy facility for production of solar energy within a previously heavily disturbed industrial parcel surrounded by other industrial uses within the City of Cortland.
- B. Based upon the Agency's review and completion of a Full EAF Part 2 for the Project, the Agency finds that there will be no significant adverse impact to any relevant environmental resource or receptor.
- C. Although construction of the Facility will result in physical alteration of the land surface at the Facility, the property has been previously disturbed by industrial activity and construction impacts will be temporary.
- D. Surrounding uses are primarily industrial and the Property is screened by vegetation so visual impacts are minimal.

Section 2. Based upon the foregoing, the Agency hereby determines that the action will not have a significant adverse environmental impact and no environmental impact statement will be prepared.

Section 3. A copy of this Resolution, together with Part 3 of the Full EAF Type I Negative Declaration shall be retained in the Agency's records, and notice shall be duly provided to the Mayor of the City of Cortland, the City of Cortland Planning Commission, all involved agencies.

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:

Michael McMahon	VOTING	_____
Stephen Compagni	VOTING	_____
Clinton Brooks	VOTING	_____
Deborah Hayden	VOTING	_____
Johanna Ames	VOTING	_____
Kathleen Burke	VOTING	_____
Donald Richards	VOTING	_____

The foregoing Resolution was thereupon declared and duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 10, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 10th day of June, 2024.

Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

SV Cortland One, LLC

Resolution to Authorize
Inducement of Preliminary
Benefits

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the McNeil & Co. Conference Center located at 11 Main Street in the City of Cortland, Cortland County, New York on June 10, 2024 at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clinton Brooks	Secretary
Deborah Hayden	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Brendan O'Bryan	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. _____

**RESOLUTION TAKING PRELIMINARY OFFICIAL ACTION
TOWARD THE ACQUISITION, CONSTRUCTION,
INSTALLATION AND LEASING OF A CERTAIN
COMMERCIAL PROJECT FOR SV CORTLAND ONE LLC**

WHEREAS, Cortland County 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, SV Cortland One LLC (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in a ± 18.57-acre parcel of land (the "Land") located at 136 S. Pendleton Street in the City of Cortland, Cortland County, New York (2) construction of a 2.8 MW AC solar photovoltaic facility and related infrastructure on the Land (the "Facility") and (3) the acquisition and installation therein and thereon of fixtures and equipment comprising the Facility (the "Equipment"), all of the foregoing to constitute a solar photovoltaic facility to be operated by the Company (the Land, Facility and Equipment being collectively referred to as the "Project Facility"); (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 taxes, real estate transfer taxes, mortgage recording taxes and real property 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, the Agency has given due consideration to the Application and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Cortland County, New York, and (B) the completion of the Project Facility will not result in the removal of an industrial or manufacturing plant of the Company or any other proposed occupant of the Project Facility from one area of the State of New York to another area of the State of New York or in the abandonment of a plant or facility of the Company or any other proposed occupant of the Project Facility located in the State of New York; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Cortland County, New York by undertaking the Project in Cortland County, New York; 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"), by resolution adopted by the members of the Agency on June 10, 2024 (the "SEQR Resolution"), the Agency has determined that the Project 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

WHEREAS, pursuant to the Act, any approval of the Project contained herein is contingent upon a determination by the members of the Agency to proceed with the Project following satisfaction of the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act that relate to the Project;

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

Section 1. The Agency has reviewed the Application and based upon the representations made by the Company to the Agency in the Application and at this meeting and, based thereon, the Agency hereby makes the following findings and determinations with respect to the Project:

(A) The Project constitutes a "project" within the meaning of the Act; and

(B) The completion of the Project Facility will not result in the removal of an industrial or manufacturing plant of the Company or any other proposed occupant of the Project Facility from one area of the State of New York to another area of the State of New York and the completion of the Project Facility will not result in the abandonment of a plant or facility of a proposed occupant of the Project Facility located in the State of New York.

(C) The Project Facility will not constitute a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project; and

(D) The granting of the Financial Assistance by the Agency with respect to the Project, through the granting of the various tax exemptions described in Section 2(D) of this Resolution, will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Cortland County, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act.

Section 2. If, following full compliance with the Act, including the public hearing requirements set forth in Section 859-a of the Act, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the

Financial Assistance with respect thereto and the Company complies with all conditions set forth in the Future Resolution, then the Agency will (A) acquire an interest in the Project Facility from the Company pursuant to a deed, lease agreement or other documentation to be negotiated between the Agency and the Company (the "Acquisition Agreement"); (B) construct the Facility and acquire and install the Equipment in the Facility or elsewhere on the Land; (C) lease (with the obligation to purchase) or sell the Project Facility to the Company pursuant to a lease agreement or an installment sale agreement (hereinafter the "Project Agreement") between the Agency and the Company whereby the Company will be obligated, among other things, (1) to make payments to the Agency in amounts and at times so that such payments will be adequate to enable the Agency to timely pay all amounts due on the Acquisition Agreement and (2) to pay all costs incurred by the Agency with respect to the Project and/or the Project Facility, including all costs of operation and maintenance, all taxes and other governmental charges, any required payments in lieu of taxes and the reasonable fees and expenses incurred by the Agency with respect to or in connection with the Project and/or the Project Facility, and (D) provide the Financial Assistance with respect to the Project, in accordance with the Agency's uniform tax exemption policy, including (1) exemption from mortgage recording taxes with respect to any documents recorded by the Agency with respect to the Project in the Office of the County Clerk of Cortland County, New York or elsewhere, (2) exemption from sales taxes relating to the acquisition, construction and installation of the Project Facility, (3) exemption from deed transfer taxes and real estate transfer gains taxes on real estate transfers to and from the Agency with respect to the Project, and (4) exemption from real estate taxes (but not including special assessments and special ad valorem levies) relating to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility.

Section 3. If the Agency adopts the Future Resolution, the undertaking and completing of the Project by the Agency, and the granting of the Financial Assistance with respect to the Project as contemplated by Section 2 of this Resolution, shall be subject to: (A) the determination by the members of the Agency to proceed with the Project following a determination by the members of the Agency that all requirements of SEQRA that relate to the Project have been fulfilled; (B) agreement by the Agency and the Company on mutually acceptable terms for the conveyance of the Land to the Agency; (C) agreement between the Company and the Agency as to payment by the Company of payments in lieu of taxes with respect to the Project Facility, together with the administrative fee of the Agency with respect to the Project; (D) a determination by the members of the Agency to proceed with the granting of the Financial Assistance with respect to the Project following a determination by the members of the Agency that the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act have been complied with; (E) the Agency's uniform tax exemption policy or if any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency must follow the procedures for deviation from such policy set forth in Section 874(b) of the Act prior to granting such portion of the Financial Assistance; and (F) the following additional condition(s): None.

Section 4. The officers, agents and employees of the Agency are hereby authorized, empowered and directed to proceed with the undertakings provided for herein on the part of the Agency and are further authorized to do all such acts and things and to execute all such documents as may be necessary or convenient to carry out and comply with the terms and provisions of this Resolution.

Section 5. John P. Sidd, Esq., of the law firm of Hancock Estabrook LLP is hereby appointed Special Counsel to the Agency with respect to all matters in connection with the Project. Special Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company and others to prepare for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution.

Section 6. Pursuant to Section 875(3) of the Act, the Agency shall recover, recapture, receive, or otherwise obtain from the Company that portion of the Financial Assistance which constitutes state sales and use tax exemptions taken or purported to be taken by the Company to which the Company is not entitled or which are in excess of the amount authorized by the Agency or which are for property or services not authorized by the Agency as part of the Project or were taken by the Company when the Company failed to comply with a material term or condition to use property or services in the manner required by the Agency. The Company shall cooperate with the Agency in its efforts to recover, recapture, receive, or otherwise obtain such state sales and use tax exemptions and shall promptly pay over any such amounts to the Agency. The failure to pay over such amounts to the Agency shall be grounds for the New York State Commissioner of Taxation and Finance to assess and determine state sales and use taxes due from the Company under Article 28 of the Tax Law of the State of New York, together with any relevant penalties and interest due on such amounts.

Section 7. The Executive Director of the Agency, prior to the granting of any Financial Assistance with respect to the Project, after consultation with Special Counsel, is authorized (A) to establish a time, date and place for a public hearing of the Agency to hear all persons interested in the location and nature of the Project Facility and the proposed Financial Assistance being contemplated by the Agency with respect to the Project, said public hearing to be held in the city, town or village where the Project Facility will be located; (B) to cause notice of such public hearing to be given to the public by publishing a notice of such hearing in a newspaper of general circulation available to residents of the governmental units where the Project Facility is to be located, such notice to comply with the requirements of Section 859-a of the Act and to be published no fewer than ten (10) days prior to the date established for such public hearing; (C) to cause notice of said public hearing to be given to the chief executive officer of the county and each city, town, village and school district in which the Project Facility is or is to be located no fewer than ten (10) days prior to the date established for said public hearing; (D) to conduct such public hearing; and (E) to cause a report of said public hearing fairly summarizing the views presented at said public hearing to be promptly prepared.

Section 8. The Chairman, Vice Chairman and Executive Director of the Agency are each hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 9. 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:

Michael McMahon	VOTING	_____
Stephen Compagni	VOTING	_____
Clinton Brooks	VOTING	_____
Deborah Hayden	VOTING	_____
Johanna Ames	VOTING	_____
Kathleen Burke	VOTING	_____
Donald Richards	VOTING	_____

The foregoing Resolution was thereupon declared and duly adopted.

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

I, the undersigned Secretary of Cortland County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 10, 2024 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 10th day of June, 2024.

Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

Monthly Financial Report

Cortland County IDA
Balance Sheet
May 31, 2024

ASSETS

CURRENT ASSETS		
NBT - Checking 5112	\$ 35,062.21	
NBT Proj Invest Checking	1,161,085.57	
NBT Money Mkt Savings	49,431.04	
Prepaid Expenses	391.64	
TOTAL CURRENT ASSETS		1,245,970.46
PROPERTY AND EQUIPMENT		
Land-Railroad Properties	209,818.00	
Land-Contento Property	91,835.00	
Land-Cleveland St - Apex	303,143.60	
Leasehold Improvements	3,376.80	
Accum.Depreciation-L.H.I.	(2,870.28)	
Office Equipment	5,909.00	
Accum.Depreciation-Equip	(5,909.00)	
NET PROPERTY & EQUIPMENT		605,303.12
RECEIVABLES		
Lease A/R - Park Outdoor	<u>55,587.32</u>	
TOTAL RECEIVABLES		<u>55,587.32</u>
TOTAL ASSETS	\$	<u>1,906,860.90</u>

LIABILITIES/FUND BALANCE

CURRENT LIABILITIES		
TOTAL CURRENT LIABILITIES		0.00
LONG TERM LIABILITIES		
Due to BDC-Contento Property	\$ 91,835.00	
Deferred Inflows-Leases	<u>55,587.32</u>	
TOTAL LONG TERM LIABILITIES		147,422.32
TOTAL LIABILITIES		147,422.32
FUND BALANCE		
Unrestricted Earnings	1,533,136.80	
Net Income	226,301.78	
TOTAL FUND BALANCE		<u>1,759,438.58</u>
TOTAL LIAB & FUND BALANCE	\$	<u>1,906,860.90</u>

Cortland County IDA
Income Statement
For the Five Months Ending May 31, 2024

	Current Month	Year to Date
REVENUE		
Application Fees	\$ 0.00	\$ 5,000.00
Project Fee	0.00	252,000.00
Interest on Deposits	2,951.70	13,321.61
Lease Interest Revenue	0.00	1,824.63
Land Lease	0.00	14,508.37
Cort Crown Homes PILOT	0.00	24,258.90
Creamery Hills PILOT	0.00	10,635.42
83-85 Main LLC PILOT	0.00	14,000.00
Lapeer Cortland Solar PILOT	0.00	45,000.00
DG NY 1 C Ville LLC	0.00	23,409.00
Janis Solar LLC	0.00	31,212.00
Yellow 3 LLC	0.00	17,166.60
DG NY C'Ville #3	0.00	22,950.00
Crescent Commons	0.00	25,000.00
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Total Revenue	2,951.70	500,286.53
	<hr/>	<hr/>
TOTAL REVENUE	2,951.70	500,286.53
 EXPENSES		
Apex/Cleveland St Property	33.09	165.45
Accounting	0.00	7,900.00
Legal	420.00	1,320.00
Property Tax-Sewer/Water	0.00	201.04
D & O Insurance	119.50	597.50
Depreciation	0.00	168.84
Cort Crown Homes PILOT	0.00	24,258.90
Creamery Hills PILOT	0.00	10,635.42
83-85 Main LLC PILOT	0.00	14,000.00
Lapeer Cortland Solar PILOT	0.00	45,000.00
DG NY 1 C Ville	0.00	23,409.00
Janis Solar LLC	0.00	31,212.00
Yellow 3 LLC	0.00	17,166.60
DG NY C'Ville #3	0.00	22,950.00
Crescent Commons	0.00	25,000.00
BDC Admin Support	0.00	50,000.00
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TOTAL EXPENSES	572.59	273,984.75
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NET INCOME	\$ 2,379.11	\$ 226,301.78
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