Jefferson County Industrial Development Agency

800 Starbuck Avenue, Suite 800
Watertown, New York 13601
Telephone 315-782-5865 / 800-553-4111
Fax 315-782-7915
www.jcida.com

TO: **JCIDA Alternative Energy Ad Hoc Committee**
Paul Warneck, Chair
William Johnson
John Jennings
Christine Powers

FROM: David J. Zembiec, CEO

DATE: July 18, 2022

SUBJECT: **JCIDA Alternative Energy Ad Hoc Committee Meeting**

A JCIDA Alternative Energy Committee meeting has been scheduled for **Monday, July 25, 2022 at 1:30 p.m.** in the board room, 800 Starbuck Avenue, Watertown, NY.

Please confirm your attendance with Peggy Sampson pssampson@jcida.com at your earliest convenience.

Zoom:
https://us02web.zoom.us/j/84355250468?pwd=R0t4VjRPdGJBZDJrL2JQYVVjKytDdz09
Meeting ID: 843 5525 0468
Passcode: 011440
1-929-205-6099 US (New York)

Thank you.

pss

C: Marshall Weir
Lyle Eaton
Rob Aliasso
W. Edward Walldroff
Lisa L'Huillier
Kent Burto
Greg Gardner
Rob Aiken
David Converse
Justin Miller, Esq.
Media

Jefferson County Industrial Development Agency
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www.jcida.com

JCIDA ALTERNATIVE ENERGY COMMITTEE
Monday, July 25, 2022
1:30 p.m.

AGENDA

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Watertown Renewables, LLC (North Site)**

IV. **Watertown Renewables, LLC (South Site)**

V. **Discuss:**

1. **Utility scale solar projects**
2. **Implications of state assessment rules for solar projects**

VI. **Other/Unfinished business**

VII. **Adjournment**

Jefferson County Industrial Development Agency

Project Summary — Date 6/28/2022

Project	WATERTOWN RENEWABLES NORTH	NAICS:		Project #	
Address	101 Summer St Boston,MA 02110	Project Acres	Total Acres	School	Watertown City
Tax Parce	82.07-1-2.1	North 14	132	Project Type	3.5 MW With Storage
Location	CR 60, Floral Drive, Town of Watertown			Village	
		% Taxable	Taxable	Town	Watertown

Total Project Costs	11,284,795			**Jobs**		
Land - Annual Lease Cost		20,500		Retained		
Site Work		757,083		Added		
Building 20,000 Sq Ft			0	Total	0	
Furniture & Fixtures		133,063		Next Five Years		0
Battery Storage Cost		4,383,950		Construction Jobs		30
Solar Equipment		5,904,661		Current Assessment		95,000 128.35 Acres
Exemption				Project Assessment		1,093,345
Eng/Arch Fees		42,769				
Finance Charges				Agency Fee	$164,240	
Legal Fees				App Fee Paid	2,500 Check 61145	
Solar Installation Labor	0			**Agency Fee is calculated based on the fee schedule**		
Other-Soft Costs		42,769		**on the Application.**		
Total		11,284,795	0			

Sales Tax Exemption			**Watertown Tax Rates**			% Distribution
Taxable Material	0	Waived	County	12.924846	2021	0.42306371
			Town		2021	0
4% County Tax	0	0	School	17.625744	2020	0.57693629
4% NYS Tax	0			30.55059		1
	0					

Mortgage Recording Tax		Waoved
Est Mortgage Amount		30.55
MRT Savings	0	

Total Project Costs	11,284,795
ESD Grant	
NY Sun Award	
Total Grants	0
Net Project Costs	11,284,795

Standard Solar $5500.00 per MW + Battery(3.5MW)

PILOT	Base	Battery	Lamd	PILOT PAYMENT	2% Esc. W/O PILOT Project Taxes	County	Town	School	Total
Year 1	25,400	1,259	150	26,809	33,402	11,342	0	15,467	26,809
Year 2	24,902	1,235	150	26,286	34,070	11,121	0	15,166	26,286
Year 3	24,414	1,210	150	25,774	34,752	10,904	0	14,870	25,774
Year 4	23,935	1,187	150	25,272	35,447	10,691	0	14,580	25,272
Year 5	23,466	1,163	150	24,779	36,156	10,483	0	14,296	24,779
Year 6	23,006	1,141	150	24,296	36,879	10,279	0	14,017	24,296
Year 7	22,554	1,118	150	23,823	37,616	10,078	0	13,744	23,823
Year 8	22,112	1,096	150	23,358	38,369	9,882	0	13,476	23,358
Year 9	21,679	1,075	150	22,903	39,136	9,690	0	13,214	22,903
Year 10	21,254	1,054	150	22,457	39,919	9,501	0	12,956	22,457
Year 11	20,837	1,033	150	22,020	40,717	9,316	0	12,704	22,020
Year 12	20,428	1,013	150	21,591	41,532	9,134	0	12,457	21,591
Year 13	20,028	993	150	21,171	42,362	8,957	0	12,214	21,171
Year 14	19,635	973	150	20,758	43,209	8,782	0	11,976	20,758
Year 15	19,250	954	150	20,354	44,074	8,611	0	11,743	20,354
	332,898	16,504	2,249	351,652	577,641	8,611	0	202,881	351,652
				61%					

2022 Land	Total Acres	Cost /Acre	Project Acres	**Assessment Proj Acres**
45,000	128.35	350.60	14	4,908.45

Storage equals $272.68 /MW X 3,5 MW = $954.68 esc 2% Annually+

Jefferson County Industrial Development Agency
MRB Cost Benefit Calculator

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Date	June 29, 2022
Project Title	Watertown Renewables North
Project Location	Floral Drive Watertown, NY 13601

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

$11,284,795

Temporary (Construction)

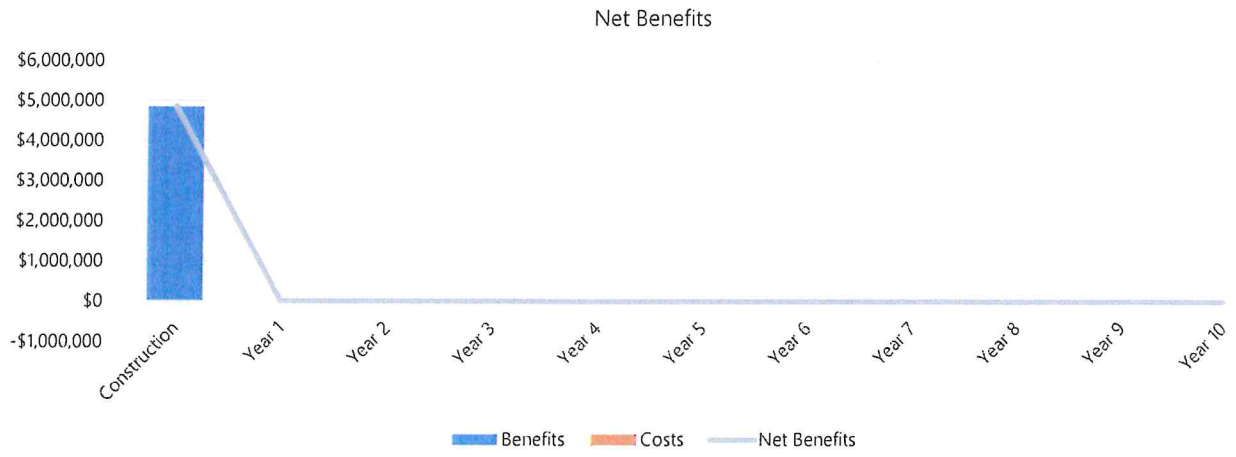
	Direct	Indirect	Total
Jobs	37	18	55
Earnings	$3,733,342	$852,824	$4,586,167
Local Spend	$9,027,836	$3,062,513	$12,090,349

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	0	0	0
Earnings	$0	$0	$0

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

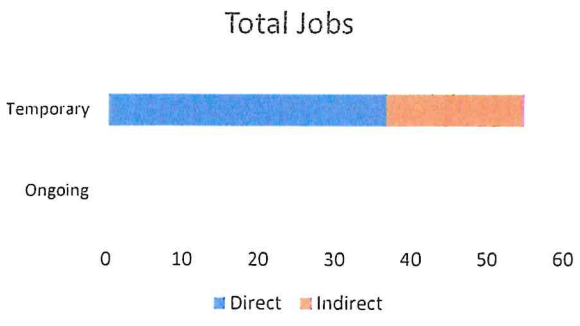
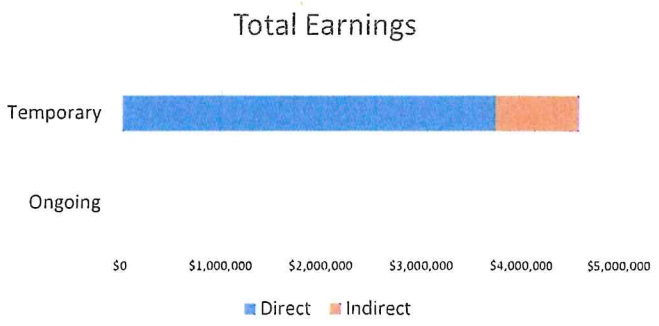


Figure 3



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Ongoing earnings are all earnings over the life of the PILOT.

Fiscal Impacts

MRB | group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$225,984	$187,788
Sales Tax Exemption	$0	$0
Local Sales Tax Exemption	*$0*	*$0*
State Sales Tax Exemption	*$0*	*$0*
Mortgage Recording Tax Exemption	$0	$0
Local Mortgage Recording Tax Exemption	*$0*	*$0*
State Mortgage Recording Tax Exemption	*$0*	*$0*
Total Costs	**$225,984**	**$187,788**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	$4,917,486	$4,876,498
To Private Individuals	$4,586,167	$4,586,167
Temporary Payroll	*$4,586,167*	*$4,586,167*
Ongoing Payroll	*$0*	*$0*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	$331,320	$290,332
Increase in Property Tax Revenue	*$303,229*	*$262,242*
Temporary Jobs - Sales Tax Revenue	*$28,090*	*$28,090*
Ongoing Jobs - Sales Tax Revenue	*$0*	*$0*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	$238,481	$238,481
To the Public	$238,481	$238,481
Temporary Income Tax Revenue	*$206,377*	*$206,377*
Ongoing Income Tax Revenue	*$0*	*$0*
Temporary Jobs - Sales Tax Revenue	*$32,103*	*$32,103*
Ongoing Jobs - Sales Tax Revenue	*$0*	*$0*
Total Benefits to State & Region	$5,155,967	$5,114,979

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$4,876,498	$187,788	26:1
State	$238,481	$0	:1
Grand Total	$5,114,979	$187,788	27:1

*Discounted at 2%

Additional Comments from IDA

Current taxes on property are $2,800. per year. Estimated 2% escalation per year.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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North site

Application to

Jefferson County Industrial Development Agency (JCIDA)

- ☐ **Tax Exempt Bond Financing**
- ☐ **Taxable Bond Financing**
- ☒ **Lease Leaseback Transaction**

Please contact the agency for more information regarding project eligibility and application process.

Applicant (Company) Name:
Watertown Renewables, LLC

Applicant Address:
101 Summer Street, Boston MA 02110

Phone:
860-806-0298

E-mail:
dmanson@nexamp.com

Application Date: 06/09/2022

Internal Use Only

Staff Signature and Date of Submission: _____

Completed Application Date: _____ Staff Initial _____

Revised Date: _____, Revision #: _____

Document Date: February 14, 2022

Fee Schedule

Updated as of the date of the document

Taxable and Tax Exempt Industrial Development Revenue Bonds

Application Fee:	A non-refundable fee of $2,500.00 is payable to the JCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.
Fee:	First $10 million – 1.5% of the principal amount of the bond series. $10 million - $20 million – 1% of the bond series. Any amount over $20 million – 0.5% of the bond series. Annual Fee - $1,500.00
Point of Contact:	David Zembiec – CEO JCIDA+1 (315) 782-5865

Lease Leaseback Transactions

Application Fee:	A non-refundable fee of $2,500.00 is payable to the JCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.
Fee:	With a PILOT: First $10 million – 1.5% Second $10-$20 million - 0.5% Any amount over $20 million - 0.25% No PILOT – 25% of the abatement value Annual Fee - $1,000.00 Application for Re-Assignment of benefits to new ownership - $2,000.00
Renewable Energy Projects:	Annual Administrative Fee - $1,500.00
Point of Contact:	David Zembiec - CEO JCIDA +1 (315)782-5865

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Section I: Applicant Information

Please answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving benefit:

Applicant Name: Watertown Renewables, LLC

Applicant Address: 101 Summer Street, Boston MA 02110

Phone: 860-806-0298 Fax: _____

Website: www.nexamp.com E-mail: dmanson@nexamp.com

Federal ID#: 85-1061381 NAICS: _____

Will a Real Estate Holding Company be utilized to own the Project property/facility? ☐ Yes or ■ No

What is the name of the Real Estate Holding Company: N/A

Federal ID#: N/A

State and Year or Incorporation/Organization: N/A

List of stockholders, members, or partners of Real Estate Holding Company: N/A

Renewable Energy Projects: Attach ownership chart and indicate companies that will eventually own and operate project See attached.

B) Individual Completing Application:

Name: Dallas Manson

Title: Business Development Manager

Address: 101 Summer Street, Boston MA 02110

Phone: 860-806-0298 Fax: _____

E-Mail: dmanson@nexamp.com

C) Company Contact (if different from Section B above):

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-Mail: _____

Revised Date: _____, Revision #: _____

Document Date: 2/14/2022

D) Company Counsel:

Name of Attorney: Kevin R. McAuliffe

Firm Name: Barclay Damon LLP

Address: Barclay Damon Tower, 12th Floor, 125 East Jefferson Street, Syracuse, New York 13202

Phone: 315-425-2875 Fax: _____

E-mail: kmcauliffe@barclaydamon.com

E) Identify the assistance being requested of the Agency (select all that apply):

1. Exemption from Sales Tax ☐ Yes or ■ No
2. Exemption from Mortgage Tax ☐ Yes or ☒ No
3. Exemption from Real Property Tax ■ Yes or ☐ No
4. Tax Exempt Financing * ☐ Yes or ☒ No

* (typically for not-for-profits and qualified small manufacturers)

F) Applicant Business Information (check appropriate category):

Corporation	☐	Partnership	☐
Public Corporation	☐	Joint Venture	☐
Sole Proprietorship	☐	Limited Liability Company	☒

Other (please specify) _____

Year Established: 2020

State in which Organization is established: Delaware

G) List all applicant stockholders, members or partners with % of ownership greater than 5% (including all parent entities) [INCLUDE CHART]

NOTE: All applicants must include a current ownership chart reflecting equity ownership. Applications will not be accepted or deemed complete without this information.

The Agency's acceptance of this application will be specific to the existing equity ownership of the applicant and the Agency's ultimate approval is likewise specific to the applicant equity ownership (the taxpayer beneficiaries of the Agency's financial assistance). The Agency's approval of any proposed project shall be specific to the equity ownership of the Company at the time of application to the Agency. The Agency's approval of any financial assistance, including real property tax exemptions, is non-transferrable and may not be assigned or assumed without the Agency's prior written consent. Any

transfer in excess of fifty percent (50%) of the equity voting interests of the Company (including all parent companies of the Company through and including the ultimate taxpayer(s) owning or controlling the Company), other than to a Related Person of the Company, shall be deemed an assignment and require the prior written consent of the Agency. Any proposed assignment shall require the prior written consent of the Agency upon written application no less than 45 days prior to a regularly scheduled meeting of the Agency.

Name	**% of ownership**
Nexamp Capital, LLC*	100%

*In anticipation of financing, it is possible Applicant's sole member will change to an entity related to Nexamp Capital, LLC prior to closing the lease/leaseback transaction. Applicant will provide the Agency & Agency counsel with advance notice and required deliverables for any such change.

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: Applicant's parent entity, Nexamp, Inc., develops, designs, builds, owns, finances, and operates commercial scale solar systems. Nexamp has over 200-solar projects, totaling 200+ megawatts of solar generating capacity. For this Project, Applicant proposes to develop and operate a 3.5 MW (AC), interconnected solar and storage facility.

Estimated % of sales within Jefferson County: 70% (estimate)**

Estimated % of sales outside Jefferson County, but within New York State: 30% (estimate)**

Estimated % of sales outside New York State but within the U.S.: _____

Estimated % of sales outside the U.S. _____

(*Percentage to equal 100%)**Applicant endeavors to have all sales within Jefferson County, but if Applicant doesn't secure 100% of available subscriptions from Jefferson County, Applicant will expand the offering area beyond Jefferson County.

I) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Jefferson County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentage of local purchases.

The Project will have minimal, if any, annual supplies. After operations begin, the Project will contract with local vendors to provide maintenance services at the Project site.

Revised Date: _____, Revision #: _____

Document Date: 2/14/2022

Section II: Project Description & Details

A) Project Location:

List your current operation(s) locations in Jefferson County:

The Applicant has no current operations. The Applicant will have 2-projects (north & south) at the same address. Affiliates of Nexamp, Inc. have projects in Jefferson County: Pamelia Solar LLC; Waddington Road Solar, LLC; Butterville*

List your current operation(s) locations in New York State:

*Road Solar, LLC; Black River Solar, LLC; Adams Renewables, LLC

Provide the Property Address of the proposed Project:

Part of 22088 Co Rte 60 (Floral Drive), Watertown, NY (82.07-1-2.1)
(Applicant's Northern Solar facility)

Will the completion of the Project result in the removal, or reduction of an industrial or manufacturing plant of the Applicant from: one area of New York State to Jefferson County; or within Jefferson County?

☐ Yes or No ■

If Yes, please provide details _____

Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant located within New York State?

☐ Yes or No ■

If Yes, please provide details _____

Will the Proposed Project cause Applicant's current operations within Jefferson County to be closed or be subjected to reduced activity?

☐ Yes or No ■

If Yes, please provide details _____

If Yes to any of the above three (3) questions, Applicant must complete Section IV of this Application.

Revised Date:_____, Revision #:_____

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Will the completion of the Project result in the abandonment, removal, or reduction of an industrial or manufacturing plant of a closely aligned competitor from one area of New York State or Jefferson County?

☐ Yes or No ■

If Yes, please provide details _____

SBL Number for Property upon which proposed Project will be located: 82.07-1-2.1

What are the current real estate taxes on the proposed Project Site? $2,906

If amount of current taxes is not available, provide assessed value for each:

Land: $_____ Buildings(s): $_____

** *If available please include a copy of current tax bill.*

Are Real Property Taxes current? ■ Yes or ☐ No. If no, please explain _____

Town/City/Village: Watertown School District: Watertown City

Does the Applicant or any related entity currently hold fee title to the Project site? ☐ Yes or ■ No

If No, indicate name of present owner of the Project Site: Mark Catalina

Does Applicant or related entity have an option/contract to purchase the Project site? ☐ Yes or ■ No

B) Please provide narrative of project and the purpose of the project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility): Applicant proposes to develop a 3.5MW AC ground mounted solar energy facility integrated with Tesla battery storage facilities. The Project will operate as both a community distributed generation (a/k/a community solar) and a non-wires alternative project. As with other community solar projects, the Project will allow local residents to subscribe to receive a discount on their electricity bill. The non-wires alternative portion of the Project will assist National Grid with meeting demand during peak hours, which will help address capacity issues at the Coffeen substation. At National Grid's request, the Applicant will discharge the energy stored in the Tesla batteries to the electric grid.

Describe the reasons why the Agency's Financial Assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary): The Agency's financial assistance will help mitigate the risks associated with this Project***,

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Please confirm by checking the box, below, if there is a strong possibility that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ **Yes or** ☐ **No**

If Yes, please provide details: Without the Agency Financial Assistance, it is unlikely this Project would be able to move forward.

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency: N/A

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant? If the Applicant is unable to obtain Financial Assistance from the Agency for this Project, it is unlikely the Applicant will be able to proceed with the project.

C) Will Project include leasing any equipment ☐ Yes or ☒ No

If Yes, please describe: _____

D) Site Characteristics:

Describe the present use of the proposed Project site: The Project site is mostly an open field that occasionally is leased to 3rd parties to farm crops, including hay; but, the landowner has not consistently leased the property for farming (or other) use. The Applicant's proposed Projects (both south & north) encompass approximately 29.2 of the property's 132 acres. The landowner can continue to rent the remainder of the property for farming or other use that will not impede the Project.

Will the Project meet zoning/land use requirements at the proposed location? ☒ Yes or ☐ No

If Yes, please provide local zoning reference that applies: The Town of Watertown provided Site Plan and Special Use Permit approval.

For Renewable Energy Projects – provide acres ☒ leased or ☐ owned: 14 Acres leased (north project)

Revised Date: _____, Revision #: _____

Document Date: 2/14/2022

Describe the present zoning/land use: Neighborhood Commercial/R1

Describe required zoning/land use, if different: N/A

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: No further zoning/land use change is needed. The Town of Watertown changed the boundaries of the existing Neighboring Commercial zone to include the site of Applicant's Projects (see attached maps).

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? If yes, please explain: No

Have site plans been submitted to the appropriate planning board or department?

☒ Yes or ☐ No

** If yes, please provide the Agency with a copy of the related State Environmental Quality Review Act ("SEQR") Environmental Assessment Form that may have been required to be submitted along with the site plan application to the appropriate planning department. Please provide the Agency with the status with respect to any required planning department approval: Site Plan Approval and Special Use Permit approval was issued, including a SEQR Negative Declaration.

Has the Project received site plan approval from the planning department? ☒ Yes or ☐ No.

If Yes, please provide the Agency with a copy of the planning department approval along with the related SEQR determination.

E) Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed project site? ☒ Yes or ☐ No If yes, please provide a copy.

F) Have any other studies or assessments been undertaken with respect to the proposed project site that indicate the known or suspected presence of contamination that would complicate the site's development?

☐ Yes or ☒ No. If yes, please provide copies of the study

G) Provide any additional information or details: Contemporaneously with this Application, the Applicant is submitting an application for another 3.5MW project on the same property (Applicant's "south" project).

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

H) Select Project Type for all end users at project site (you may check more than one):

** Please check any and all end users as identified below.

Industrial	☐	Back Office	☐
Acquisition of Existing Facility	☐	Retail	☐
Housing	☐	Mixed Use	☐
Equipment Purchase	☐	Facility for Aging	☐
Multi-Tenant	☐	Civic Facility (not for profit)	☐
Commercial	☐	Other Solar + Storage	☒

** Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Questionnaire contained in Section III of the Application.

Retail Sales: ☐ Yes or ■ No Services: ☐ Yes or ■ No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

I) Project Information:

Estimated costs in connection with Project:

Renewable Energy Projects use Cost Section on page 12.

1. Land and/or Building Acquisition: $_____
   _____ acres _____square feet
2. New Building Construction: _____square feet $_____
3. New Building Addition(s): _____ square feet $_____
4. Infrastructure Work $_____
5. Reconstruction/Renovation: _____ square feet $_____
6. Manufacturing Equipment: $_____
7. Non-Manufacturing Equipment (furniture, fixtures, etc.): $_____
8. Soft Costs: (professional services, etc.): $_____
9. Other, Specify: _____ $_____

TOTAL Capital Costs: $_____

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Project refinancing; estimated amount
(for refinancing of existing debt only) $_____
Sources of Funds for Project Costs:

Bank Financing: $_____

Equity (excluding equity that is attributed to grants/tax credits) $_____

Tax Exempt Bond Issuance (if applicable) $_____

Taxable Bond Issuance (if applicable) $_____

Public Sources (Include sum total of all state and federal grants and tax credits) $_____

Identify each state and federal grant/credit:

_____ $_____

_____ $_____

_____ $_____

Total Sources of Funds for Project Costs: $_____

Have any of the above costs been paid or incurred as of the date of this Application? ☐ Yes or ☐ No

If Yes, describe particulars:_____

_____

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Renewable Energy Project: Project Costs

1.	Project size	3.5 MWac 4.1 MWdc
2.	Solar equipment costs (panels, racking, all solar equipment to inverters)	$5,904,661
3.	Site equipment and FF&E costs (on-production equipment from inverter to interconnection, including site fencing, security and other equipment)	$133,063
4.	Site work and land preparation costs (earthwork, roadways, landscaping, and site plan improvements, highway cuts, wetland mitigation and other onsite infrastructure costs)	$757,082.56
5.	All interconnection costs whether direct or indirect expense through utility	$0
6.	All pre-development costs, including planning, engineering, site plan and permitting	$42,769
7.	Battery storage costs	$4,383,950
8.	All other soft costs including legal, planning and permitting	$42,769
9.	Community benefit payments or impact fees	$0
10.	Community adder	$0
11.	Community or market transition credit	$0
12.	Total annual lease amount for project	$20,500
13.	Other (please identify):	$
	Total:	$11,284,794.56

Have any of the above costs been paid or incurred as of the date of this Application? ■ Yes or ☐ No

If Yes, describe particulars: The project was submitted for Site Plan/Special Permit Approval with the Town of Watertown; engineering and permitting costs have been incurred.

Revised Date: _____, Revision #: _____

Document Date: 2/14/2022

Mortgage Recording Tax Exemption Benefit: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): $ N/A

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage Amount as indicated above multiplied by 3/4%): $ N/A

Construction Cost Breakdown:

Total Cost of Construction $ 11,178,756.56 (sum of 2,3,4,5, and/or 7 in Question I, above)

Cost for materials: $ 8,009,471.04
% sourced in Jefferson County: TBD %
% sourced in New York State 10 % (including Jefferson County)
List major material suppliers if known _____

Cost for labor: $ 2,521,675.77
Expected Full-Time Equivalent Jobs during construction 30 (estimate)
Expected Total Labor Hours during construction 48,671 (estimate)
List major subcontractors, if known _____

Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

$ N/A

Estimated State and local Sales and Use Tax Benefit (product of N/A % multiplied by the figure, above):

$ N/A

** *Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit: N/A

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JCIDA PILOT Benefit: Agency staff will indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in Section II(I) of the Application.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above in Section II(I) of the Application.

J) For the proposed facility, please indicate the square footage for each of the uses outlined below:

*If company is paying for FFE for tenants, please include in cost breakdown

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing			
Warehouse			
Research & Development			
Commercial			
Retail (see section K)			
Office			
Specify Other			

K) What is your project timetable (Provide dates):

1. Start date: acquisition of equipment or construction of facilities: Q3 2022
2. Estimated completion date of project: Q1 2023
3. Project occupancy – estimated starting date of operations: Q1 2023
4. Have construction contracts been signed? ☐ Yes or ■ No
5. Has Financing been finalized? ☐ Yes or ■ No

** *If constructions contracts have been signed, please provide copies of executed construction contracts and a complete project budget. The complete project budget should include all related construction costs totaling the amount of the new building construction, and/or new building addition(s), and/or renovation.*

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L) Is the proposed Project necessary to expand Applicant employment: ☐ Yes or ☐ No

Is the proposed Project necessary to retain existing employment: ■ Yes or ■ No

M) Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE jobs to be CREATED upon THREE Years after Project completion
**Full time (FTE)	0	0	0

** By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the Three-Year time period following Project completion. convert part-time jobs into FTE jobs by dividing the number of part-time jobs by two (2). A FTE job is one that works the equivalent of a 40-hour week for 48 weeks. A part-time job is one that works the equivalent of a 20-hour week for 24 weeks.

The Project will not result in permanent employment.

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	FTE	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	0		
Professional	0		
Administrative	0		
Production	0		
Transportation/Logistics	0		
Warehousing	0		
Other	0		
TOTAL	0		

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Employment at other locations in County/City/Town/Village: (provide address and number of employees at each location): Not Applicable

Location Address		
Full time		
Part Time		
Total		

N) Will any of the facilities described above be closed or subject to reduced activity? ☐ Yes or ☐ No

** *If any of the facilities described above are located within the State of New York, and you answered Yes to the question, above, you must complete Section IV of this Application.*

** *Please note that the Agency may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.*

O) Is the proposed Project reasonably necessary to prevent the Applicant from moving out of New York State? ☐ Yes or ☐ No. Out of Jefferson County? ☐ Yes or ☐ No.

If yes, please explain and identify the other locations being investigated, type of assistance offered and provide supporting documentation if available: If the Applicant is unable to obtain Financial Assistance from the Agency for this project, it is unlikely the Applicant will proceed with the solar facility

P) What competitive factors led you to inquire about sites outside of Jefferson County or New York State? Interconnection viability and available capacity on the 3-phase feeders

Q) Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? ☐ Yes or ■ No.

Have you applied, or intend to apply for additional Grant Funding, or tax incentives? ■ Yes or ☐ No.

If yes, please identify which agencies and what other Local, State and/or Federal assistance and the assistance sought and dollar amount that is anticipated to be received: The Project may seek tax credit financing,*/

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*/but no defined tax credit financing strategy has been identified for Applicant's Projects (north & south).

Section III Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

A. Will any portion of the Project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

☐ Yes or ■ No. If the answer is yes, please continue. If no, proceed to section V

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? _____ %. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to section V.**

If the answer to A is Yes <u>AND</u> the answer to Question B is greater than <u>33.33%,</u> indicate which of the following questions below apply to the project:

1. Will the Project be operated by a not-for-profit corporation ☐ Yes or ☐ No.

2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (list specific County or ED region) in which the project will be located?

☐ Yes or ☐ No

If yes, please provide a third-party market analysis or other documentation supporting your response.

3. 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 municipality within which the proposed Project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

☐ Yes or ☐ No

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If yes, please provide a third-party market analysis or other documentation supporting your response.

4. 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 or ☐ No.

If yes, explain _____

_____

5. Is the Project located in a Highly Distressed Area? ☐ Yes or ☐ No

Section IV Inter-Municipal Move Determination

The Agency is required by State law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the Applicant from one area of New York State to another area of the State; or in the abandonment of one or more plants or facilities of the Applicant located within the New York State , Agency Financial Assistance is required to prevent the Applicant from relocating out of the New York State, or is reasonably necessary to preserve the Applicant's competitive position in its respective industry.

Explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of New York State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: _____

_____

_____

Section V Adaptive Reuse Determination

(Adaptive Reuse is the process of adapting old structures or sites for new purposes)

Are you applying for a tax incentive under the Adaptive Reuse Program? ☐ **Yes or** ■ **No**

If No, please proceed to next Section

A) What is the age of the structure (in years) _____

B) Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended) ☐ Yes or ☐ No. How many years? _____

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C) Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class) ☐ Yes or ☐ No
If yes, please provide dollar amount of income being generated, if any _____

_____

D) Does the site have historical significance? ☐ Yes or ☐ No

E) Are you applying for either State/Federal Historical Tax Credit Programs? ☐ Yes or ☐ No. If yes, provide estimated value of tax credits _____

F) Summarize the financial obstacles to development that this project faces without Agency or other public assistance. Please provide the Agency with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections, documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages): _____

_____

G) Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the Agency documentation of this support in the form of signed letters from these entities:

_____

_____

_____

H) Please indicate other factors that you would like the Agency to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments:

_____

_____

_____

_____

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Section VI: Estimate of Real Property Tax Abatement Benefits and Percentage of Project Costs financed from Public Sector sources

**** Section V of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
TOTAL							

***Estimates provided are based on current property tax rates and assessment values**

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Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

Calculate %

(Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: _____%

JCIDA will also complete a Cost-Benefit analysis using information contained within this Application, and available to the Public.

Section VII Representations, Certifications and Indemnification

Chris Clark (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Senior Vice President (title) of Watertown Renewables, LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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. 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. Copies of all filings shall be provided to the Agency.

D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.

E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form 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 necessarily 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 E1527-05, 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 within reports required herein.

F. The Applicant and/or the 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 the 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.

G. 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 attorney's fees and any other expenses incurred in defending any suits 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.

H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application

I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:

(i) a non-refundable $2,500 application and publication fee (the "Application Fee");

(ii) a $N/A expense deposit for the Agency's Counsel Fee Deposit.

(iii) Unless otherwise agreed to by the Agency, an amount equal to */* percent (156,423.97%) of the total project costs. */*1.5% up to $10MM, 0.5% above $10MM

(iv) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

J. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable proper or requested action, or withdraws, abandons, cancels, or neglects the Application, or if the Applicant is unable to

find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.

K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.

L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions**.

N. The Applicant acknowledges that it has been provided with a copy of the Agency's Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the "Termination and Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.

O. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

COMMONWEALTH OF MASSACHUSETTS
~~STATE OF NEW YORK~~)
COUNTY OF ~~JEFFERSON~~*) ss.:*SUFFOLK

Chris Clark, being first duly sworn, deposes and says:

1. That I am the Senior Vice President (Corporate Office) of Watertown Renewables, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

WATERTOWN RENEWABLES, LLC

By: _____
(Signature of Officer)

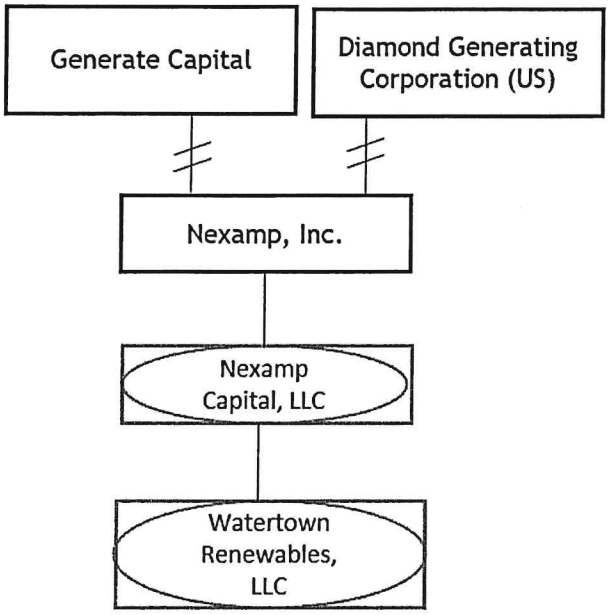
Subscribed and affirmed to me under penalties of perjury
this 21st day of June, 2022

Brianna Rainville
(Notary Public)

BRIANNA RAINVILLE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 3, 2028

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022


Generate Capital
Diamond Generating Corporation (US)
Nexamp, Inc.
Nexamp Capital, LLC
Watertown Renewables, LLC

New York State Department of State Division of Corporations, State Records and Uniform Commercial Code One Commerce Plaza, 99 Washington Avenue Albany, NY 12231-0001
www.dos.state.ny.us/corps

Local Law Filing

FILED
STATE RECORDS
OCT 25 2021
DEPARTMENT OF STATE

Town of Watertown
Local Law No. 2 of the year 2021

A Local Law to Amend Chapter 107 of the Code of the Town of Watertown, Zoning

Be it enacted by the Town Board of the Town of Watertown as follows:

Article 1. - Statement of Authority. This Local Law is enacted, pursuant to the authority granted under Article 16 of the Town Law and Section 10 and 20 of the Municipal Home Rule Law.

Article 2. - Statement of Purpose and Findings. The Town Board of the Town of Watertown hereby determines that it would be beneficial to rezone a portion of 22088 County Route 60 (Floral Drive) from an R-3 Zoning District to a NC Zoning District for compliance of the projects with the recently updated Town Zoning Code. It is the purpose of this Local Law to accomplish the same.

Article 3. Enactment. The Town Board of the Town of Watertown hereby amends Chapter 107-4 of the Code of the Town of Watertown is hereby amended as follows:

§ 107-4. Zoning Map [amended 2-24-2005 by L.L.No.1-2005; 12-8-2005 by L.L.No.5-2005; 12-17-2009 by L.L. No. 4-2009; 11-10-2011 by L.L. No. 10-2011; 8-13-2015 by L.L. No. 3-2015; 4-28-16 by L.L. No.1 – 2016]

"Said Districts are bounded as shown on a map entitled Zoning Map, Town of Watertown, dated October 7, 2021, and certified by the Town Clerk" which with all explanatory matter therein, is hereby made a part of this Chapter.

Article 4. Severability. The provisions of this law are severable and the invalidity of a particular provision shall not invalidate any other provision.

Article 5. Effective Date. This law shall be effective upon filing with the Secretary of State as required by the provisions of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.) I hereby certify that the local law annexed hereto, designated as Local Law No. __ of 2021 of the Town of Watertown was duly passed by the Town Board on October 7, 2021, in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____ *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20____ , in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.) I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 20_____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____ Such local *(Elective Chief Executive Officer)*

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20___, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general)election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ___, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the town of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Pamela Desormo

Pamela Desormo, Clerk, of the
Town of Watertown

(seal)

Date: October 7, 2021

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

I, the undersigned, hereby certify that the foregoing local law contains the correct test and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title Joseph W. Russell, Attorney
Town of Watertown

Date: October 7, 2021

Town of Watertown
Planning Board
22867 County Route 67
Watertown, NY 13601

RE: SEQR Negative Determination, Site Plan and Special Use Permit Approval for Watertown Renewables, LLC & Watertown Renewables 2, LLC

To Whom It May Concern,

The Town of Watertown Planning Board received an application for Site Plan and Special Use Permit review for Watertown Renewables, LLC and Watertown Renewables 2, LLC located at 22088 County Route 60, Tax Map # 82.07-1-2.1. The Planning Board declared lead agency for SEQR on December 8th, 2021 and determined that the project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, a Negative Declaration was issued and the Planning Board granted Site Plan and Special Use Permit approval as stated in the following Motions at the Town of Watertown Planning Board Regular Meeting on December 8th, 2021:

Motion 92-21: Motion by Mr. Vaas, seconded by Mr. MacAdam to affirm that the Town of Watertown Planning Board be Lead Agency for the solar project for Watertown Renewable, LLC and Watertown Renewable 2, LLC located on Mark Catalina property, 22088 County Route 60, Tax Map #82.07-1-2.1

Ayes All: Motion Carried.

Motion 93-21: Motion by Mr. Vaas, seconded by Mr. Boxberger to accept the Negative Declaration for the proposed Solar Project by Watertown Renewable, LLC and Watertown Renewable 2, LLC as there are no significant issues pertaining to the proposed project.

Ayes All: Motion Carried.

Motion 94-21: Motion by Mr. Boxberger, seconded by Mr. Smith to grant site plan/special use permit approval to Watertown Renewable, LLC & Watertown Renewable 2, LLC located at 22088 County Route 60, Tax Map #82.07-1-2.1 for the Solar Energy Project as shown on plans prepared by Crawford & Associates, dated 5/3/21, with a revision date of 10/20/21, and a final revision date of 12/6/21, consisting of Page C-100, C-101, C-102, C-103, C-104, C-105 & C-106 all with the same dates as above, conditional upon submission of all required permits, approvals, provisional easements, and the application fee.

Ayes All: Motion Carried.

Sincerely,

Pam Desormo

Pam Desormo, Co-Chair
Town of Watertown Planning Board

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 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Watertown Renewables, LLC & Watertown Renewables 2, LLC		
Project Location (describe, and attach a general location map): 22088 Co Rte. 60 (Floral Drive), Watertown, NY 13601		
Brief Description of Proposed Action (include purpose or need): This action involves the installation of two solar projects of 3.50 Megawatts (AC) of photovoltaic equipment on approximately 30 acres of land on the 127 acre subject parcel. A zoning amendment is proposed to convert a 50.82 acre portion of the subject parcel from the R-3 Zoning District to the NC Zoning District for compliance of the projects with the recently updated Town Zoning Code.		
Name of Applicant/Sponsor: Watertown Renewables, LLC & Watertown Renewables 2, LLC subsidiaries of Nexamp, Inc.	Telephone: 860-806-0298 E-Mail: dmanson@nexamp.com	
Address: 101 Summer Street		
City/PO: Boston	State: MA	Zip Code: 02110
Project Contact (if not same as sponsor; give name and title/role): Christopher J. Knox, P.E., Crawford & Associates Engineering, P.C.	Telephone: 518-828-2700 x 1138 E-Mail: cknox@crawfordandassociates.com	
Address: 4411 Route 9, Suite 200		
City/PO: Hudson	State: NY	Zip Code: 12534
Property Owner (if not same as sponsor): Mark A. Catalina	Telephone: E-Mail:	
Address: 22088 Co Route 60		
City/PO: Watertown	State: NY	Zip Code: 13601

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 Counsel, Town Board, or Village Board of Trustees ☑Yes☐No	Town Board: Zoning Amendment	
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Planning Board: Special Use Permit, Site Plan Approval	
c. City, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☑Yes☐No	Town Zoning Enforcement: Zoning Permit	
e. County agencies ☑Yes☐No	Jefferson County: Building Permit, Highway Entrance Permit	
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYSDEC: SPDES GP-0-20-001	
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑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 only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **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 where the proposed action would be located? ☑Yes☐No

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

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

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, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

2016 Jefferson County Agricultural and Farmland Protection Plan

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?
R-3 (Residential) and NC (Neighborhood Commercial)

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? A portion of the subject parcel is proposed to be converted to the NC Zoning District

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
Jefferson County Sheriff and New York State Police

c. Which fire protection and emergency medical services serve the project site?
Watertown Fire Department, Town of Watertown Fire Station 3, Glen Park Village Fire Department, Watertown Urgent Care, Cedar Square Medical Center

d. What parks serve the project site?
None

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)? Commercial

b. a. Total acreage of the site of the proposed action? 127.00 acres
b. Total acreage to be physically disturbed? 2.64 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 127.00 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: 8 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 of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 20,644

ii. Dimensions (in feet) of largest proposed structure: 10'-15' height; 3.27' width; and 6.42' length

iii. Approximate extent of building space to be heated or cooled: N/A 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: Stormwater management

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑Other specify: Surface water runoff from impervious gravel drive

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

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

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

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

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 into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

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: _____
- 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: _____

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: _____
- Name of district: _____
- 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? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐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? ☐Yes ☐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? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 1.54 acres (impervious surface)

_____ Square feet or 127.0 acres (parcel size)

ii. Describe types of new point sources. Stormwater runoff swale(s)

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)?

On-site stormwater management structures

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐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? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Heavy equipment / trucks may be used during construction. Light trucks / small lawn care equipment may be used for operation occasional maintenance.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Small portable generators may be used during construction.

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

None

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? ☐Yes ☑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) ☐Yes ☐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_2O)
- _____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 Hydroflourocarbons (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)? ☐Yes☑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? ☐Yes☑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? ☐Yes☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ 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? ☐Yes☐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? ☐Yes☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes☑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? ☐Yes☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7am - 7pm
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: N/A
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Ambient noise levels may be exceeded during construction hours. Construction is expected to last for a period of about 8 months. The facility will not exceed ambient noise levels during operation.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☑ 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? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ 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? ☐ Yes ☑ 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? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: 1 tons per 1 month (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: Cardboard from equipment packaging
- Operation: None

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Solid waste recycling
- Operation: None

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	0.3	1.8	+1.5
• Forested	6.7	6.1	-0.6
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	65.6	79.8	+14.2
• Agricultural (includes active orchards, field, greenhouse etc.)	54.2	39.1	-15.1
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.2	0.2	0.0
• Wetlands (freshwater or tidal)	0.0	0.0	0.0
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☑No

i. If Yes: explain: _____

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? ☐Yes☑No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

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? ☐Yes☑No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

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? ☐Yes☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

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? ☐Yes☑ No

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: ☐Yes☐No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

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? ☐Yes☑No

If yes, provide DEC ID number(s): _____

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? ☐Yes☐No

- 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? ☐Yes☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 2.1-6.5 feet

b. Are there bedrock outcroppings on the project site? ☐Yes☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Shaker Fine Sandy Loam (Sh)	30.4 %
Farmington Loam (ElB)	14.7 %
Galway Silt Loam (GlB/GmC)	12.5 %

d. What is the average depth to the water table on the project site? Average: 0-6.5 feet

e. Drainage status of project site soils:
☑ Well Drained: 33.6 % of site
☑ Moderately Well Drained: 19.6 % of site
☑ Poorly Drained 46.8 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 99.5 % of site
☑ 10-15%: 0.5 % of site
☐ 15% or greater: ____% of site

g. Are there any unique geologic features on the project site? ☐Yes☑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)? ☑Yes☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes☐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? ☑Yes☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 805-10 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... 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? ☐Yes☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes☑No

j. Is the project site in the 100-year Floodplain? ☐Yes☑No

k. Is the project site in the 500-year Floodplain? ☐Yes☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
White Tailed Deer
Turkey
Field Mouse

n. Does the project site contain a designated significant natural community? ☐Yes ☑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? ☑Yes ☐No

If Yes:
i. Species and listing (endangered or threatened):
Indiana Bat, Lake Sturgeon, Loggerhead Shrike, Northern Long-eared Bat, Henslow's Sparrow

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? ☑Yes ☐No

If Yes:
i. Species and listing:
Eastern Small-footed Myotis

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☑Yes ☐No
If yes, give a brief description of how the proposed action may affect that use:
May currently be used for hunting/fishing. Will not be affected by proposed project.

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? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☑Yes ☐No
i. If Yes: acreage(s) on project site? 63.1
ii. Source(s) of soil rating(s): USDA Web Soil Survey

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ 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? ☐Yes ☑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): Rte. 12F Sewer System Evaluation Phase 1A Cultural Resource Survey and Archeologist's Report: Phase 1B Inv

ii. Basis for identification: NYS CRIS Interactive Mapper

h. Is the project site within fives 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 Christopher J. Knox, PE Date 10/27/21

Signature Christopher J. Knox Title Project Manager I

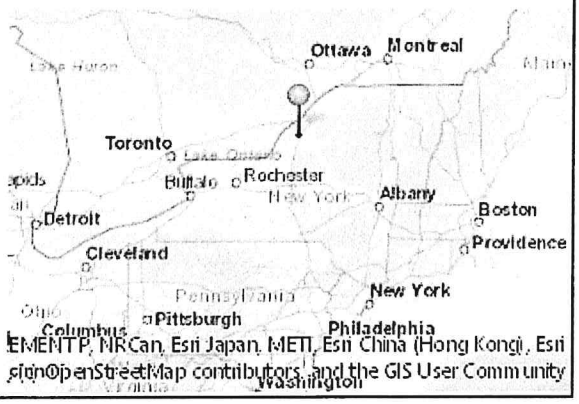
PRINT FORM

EAF Mapper Summary Report

Wednesday, August 12, 2020 2:21 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	805-10
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat, Lake Sturgeon, Loggerhead Shrike, Northern Long-eared Bat, Henslow's Sparrow
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	Eastern Small-footed Myotis
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	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	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____		☐	☐

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	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

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	☑	☐
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	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
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	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☑	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
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	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: _____ _____		☐	☐

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) ☑ NO ☐ YES

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	☐	☐
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	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
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	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
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	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑ NO ☐ YES

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	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

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) ☑ NO ☐ YES

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)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
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	☐	☐
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	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

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.) ☑ NO ☐ YES

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

	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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐

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	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
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	☐	☐
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	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐NO ☑YES
If "Yes", answer questions a - h. If "No", move on to Section 9.

	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	☑	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☑	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☑	☐
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	☑	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☑	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☑	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☑	☐
h. Other impacts: _____		☐	☐

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.)
☑ NO ☐ YES
If "Yes", answer questions a - g. If "No", go to Section 10.

	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	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
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	☐ ☐	☐ ☐
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	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

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.)
☑ NO ☐ YES
If "Yes", answer questions a - e. If "No", go to Section 11.

	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	☐	☐
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	☐	☐
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	☐	☐

d. Other impacts: _____ _____		☐	☐
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	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
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	☐	☐

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.)

☑ NO ☐ YES

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

	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	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

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)

☑ NO ☐ YES

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

	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	☐	☐
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	☐	☐
c. Other impacts: _____ _____		☐	☐

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	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

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	☐	☐
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	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
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	☐	☐
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	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

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.

This project is the installation of approximately 20,645 solar panels covering approximately 35 acres. However the total disturbance of surface area is approximately 2.64 acres. This includes all of the support structures plus any bracing as deemed necessary. Additionally, there will be removal of 63.1 acres of "Productive Soils". Life span of this project will be forty (40) years at which time the Productive soils will then become viable. There are no freshwater wetlands regulated by the New York State Department of Environmental Conservation on site. There are freshwater wetlands, on site, regulated by the U.S. Army Corps of Engineers, Buffalo District, but will not be impacted in any way during any construction phases. These have been mapped.

The project is within a " protected area" of endangered bat species. There will be no cutting of trees on site from April 1 through November 1 for protection of all bat species.

Analysis has been completed for all historic and archeological aspects. No concerns of such have surfaced. No impacts will take place on any or all of any sites known.

The developer has been in contact, in writing, with the Manager of the Watertown International Airport. Discussions and all paperwork have been submitted . No conditions have been set forth by the Airpport Manager for the building and maintaining the solar project.

There was some concern by the New York State Department of Environmental Conservation pertaining to the loss of meadow habitat for grassland birds and Marsh Hawk. However, the sponser of the project proposes to establish additional meadow habitat. This will offset any impacts of placement of the solar panels.

It is also proposed to utilize periodic sheep grazing within the solar array area for co-location of an agricultural use. This will further nourish the meadow habitat by the end product produced by the sheep eating grass.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information
as noted above in the reasons for supporting this project

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Watertown Planning Board 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: Watertown Renewables, LLC & Watertown Renewables 2, LLC

Name of Lead Agency: Town of Watertown Plannlong Board

Name of Responsible Officer in Lead Agency: C. Randy Vaas

Title of Responsible Officer: SEQR Coordinator

Signature of Responsible Officer in Lead Agency: C Randy Vaas Date: 12/06/2021

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: C. Randy Vaas

Address: 22867 County Roulte 67, Watertown, N.Y. 13601

Telephone Number: (315) 782-8248

E-mail: navypap@twcny.rr.com

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

PRINT FULL FORM

Jefferson County Industrial Development Agency

Project Summary — Date 6/28/2022

Project	WATERTOWN RENEWABLES SOUTH		NAICS:			Project #	
Address	101 Summer St Boston,MA 02110		Project Acres	Total Acres		School	Watertown City
Tax Parce	82.07-1-2.1		SOUTH 14	132		Project Type	3.5 MW With Storage
Location	CR 60, Floral Drive, Town of Watertown					Village	
Total Tax Paid 2021-2022	$2,800.00		% Taxable	Taxable		Town	Watertown
Total Project Costs	10,962,688					**Jobs**	
Land - Annual Lease Cost		20,500				Retained	
Site Work		783,781				Added	
Building 20,000 Sq Ft					0	Total	0
Furniture & Fixtures		136,021				Next Five Years	0
Battery Storage Cost		4,383,950				Construction Jobs	30
Solar Equipment		5,552,898				Current Assessment	95,000 128.35 Acres
Exemption						Project Assessment	1,093,345
Eng/Arch Fees		42,769					
Finance Charges						Agency Fee	$148,134
Legal Fees						App Fee Paid	2,500 Check 61146
Solar Installation Labor	0					**Agency Fee is calculated based on the fee schedule**	
Other-Soft Costs		42,769				**on the Application.**	
Total		10,962,688			0		

Sales Tax Exemption

Taxable Material	0	Waived
4% County Tax	0	0
4% NYS Tax	0	
	0	

Mortgage Recording Tax — Waoved

Est Mortgage Amount		30.55
MRT Savings	0	

Watertown Tax Rates

			% Distribution
County	12.924846	2021	0.42306371
Town		2021	0
School	17.625744	2020	0.57693629
	30.55059		1

Total Project Costs	10,962,688
ESD Grant	
NY Sun Award	
Total Grants	0
Net Project Costs	10,962,688

Standard Solar $5500.00 per MW + Battery(3.5MW)

PILOT	Base	Battery	Lamd	PILOT PAYMENT	2% Esc. W/O PILOT Project Taxes	County	Town	School	Total
Year 1	25,400	1,259	150	26,809	33,402	11,342	0	15,467	26,809
Year 2	24,902	1,235	150	26,286	34,070	11,121	0	15,166	26,286
Year 3	24,414	1,210	150	25,774	34,752	10,904	0	14,870	25,774
Year 4	23,935	1,187	150	25,272	35,447	10,691	0	14,580	25,272
Year 5	23,466	1,163	150	24,779	36,156	10,483	0	14,296	24,779
Year 6	23,006	1,141	150	24,296	36,879	10,279	0	14,017	24,296
Year 7	22,554	1,118	150	23,823	37,616	10,078	0	13,744	23,823
Year 8	22,112	1,096	150	23,358	38,369	9,882	0	13,476	23,358
Year 9	21,679	1,075	150	22,903	39,136	9,690	0	13,214	22,903
Year 10	21,254	1,054	150	22,457	39,919	9,501	0	12,956	22,457
Year 11	20,837	1,033	150	22,020	40,717	9,316	0	12,704	22,020
Year 12	20,428	1,013	150	21,591	41,532	9,134	0	12,457	21,591
Year 13	20,028	993	150	21,171	42,362	8,957	0	12,214	21,171
Year 14	19,635	973	150	20,758	43,209	8,782	0	11,976	20,758
Year 15	19,250	954	150	20,354	44,074	8,611	0	11,743	20,354
	332,898	16,504	2,249	351,652	577,641	8,611	0	202,881	351,652
				61%					

2022 Land	Total Acres	Cost /Acre	Project Acres	**Assessment Proj Acres**
45,000	128.35	350.60	14	4,908.45

Storage equals $272.68 /MW X 3,5 MW = $954.68 esc 2% Annually+

Jefferson County Industrial Development Agency
MRB Cost Benefit Calculator

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Date	June 29, 2022
Project Title	WATERTOWN RENEWABLES SOUTH
Project Location	FLORAL DRIVE, WATERTOWN NY 13601

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

$10,962,688

Temporary (Construction)

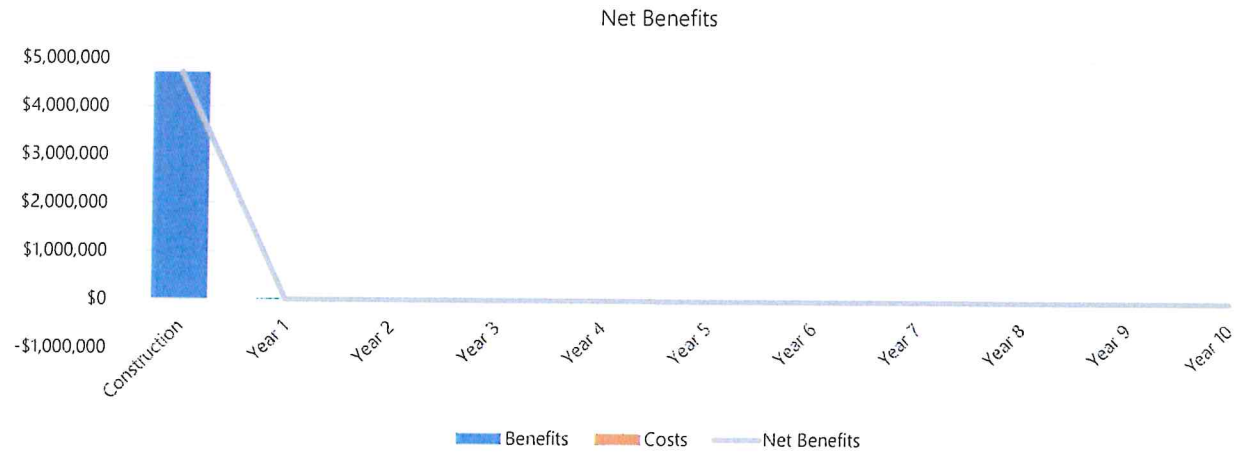
	Direct	Indirect	Total
Jobs	36	18	53
Earnings	$3,626,780	$828,482	$4,455,262
Local Spend	$8,770,150	$2,975,098	$11,745,249

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	0	0	0
Earnings	$0	$0	$0

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

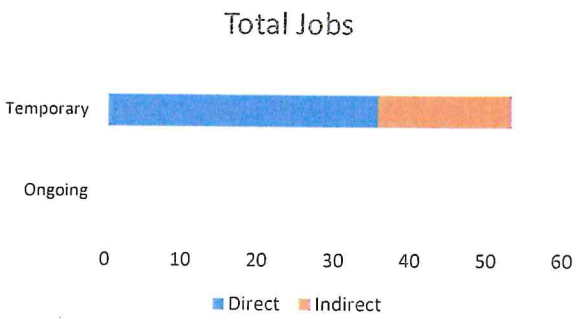
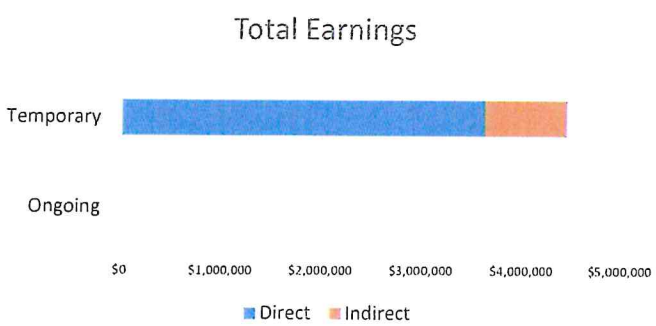


Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

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Fiscal Impacts

MRB | group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$225,989	$187,792
Sales Tax Exemption	$0	$0
Local Sales Tax Exemption	*$0*	*$0*
State Sales Tax Exemption	*$0*	*$0*
Mortgage Recording Tax Exemption	$0	$0
Local Mortgage Recording Tax Exemption	*$0*	*$0*
State Mortgage Recording Tax Exemption	*$0*	*$0*
Total Costs	$225,989	$187,792

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	$4,785,779	$4,744,792
To Private Individuals	$4,455,262	$4,455,262
Temporary Payroll	*$4,455,262*	*$4,455,262*
Ongoing Payroll	*$0*	*$0*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	$330,518	$289,530
Increase in Property Tax Revenue	*$303,229*	*$262,242*
Temporary Jobs - Sales Tax Revenue	*$27,288*	*$27,288*
Ongoing Jobs - Sales Tax Revenue	*$0*	*$0*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	$231,674	$231,674
To the Public	$231,674	$231,674
Temporary Income Tax Revenue	*$200,487*	*$200,487*
Ongoing Income Tax Revenue	*$0*	*$0*
Temporary Jobs - Sales Tax Revenue	*$31,187*	*$31,187*
Ongoing Jobs - Sales Tax Revenue	*$0*	*$0*
Total Benefits to State & Region	$5,017,453	$4,976,465

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$4,744,792	$187,792	25:1
State	$231,674	$0	:1
Grand Total	$4,976,465	$187,792	26:1

*Discounted at 2%

Additional Comments from IDA

0

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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South Site

Application to

Jefferson County Industrial Development Agency (JCIDA)

☐ Tax Exempt Bond Financing
☐ Taxable Bond Financing
☒ Lease Leaseback Transaction

Please contact the agency for more information regarding project eligibility and application process.

Applicant (Company) Name:
Watertown Renewables, LLC

Applicant Address:
101 Summer Street, Boston MA 02110

Phone:
860-806-0298

E-mail:
dmanson@nexamp.com

Application Date: 06/09/2022

Internal Use Only
Staff Signature and Date of Submission: _____
Completed Application Date: _____ Staff Initial _____

Revised Date: _____, Revision #: _____

Document Date: February 14, 2022

Fee Schedule

Updated as of the date of the document

Taxable and Tax Exempt Industrial Development Revenue Bonds

Application Fee:	A non-refundable fee of $2,500.00 is payable to the JCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.
Fee:	First $10 million – 1.5% of the principal amount of the bond series. $10 million - $20 million – 1% of the bond series. Any amount over $20 million – 0.5% of the bond series. Annual Fee - $1,500.00
Point of Contact:	David Zembiec – CEO JCIDA+1 (315) 782-5865

Lease Leaseback Transactions

Application Fee:	A non-refundable fee of $2,500.00 is payable to the JCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.
Fee:	With a PILOT: First $10 million – 1.5% Second $10-$20 million - 0.5% Any amount over $20 million - 0.25% No PILOT – 25% of the abatement value Annual Fee - $1,000.00 Application for Re-Assignment of benefits to new ownership - $2,000.00
Renewable Energy Projects:	Annual Administrative Fee - $1,500.00
Point of Contact:	David Zembiec - CEO JCIDA +1 (315)782-5865

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Section I: Applicant Information

Please answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving benefit:

Applicant Name: Watertown Renewables, LLC

Applicant Address: 101 Summer Street, Boston MA 02110

Phone: 860-806-0298 Fax: _____

Website: www.nexamp.com E-mail: dmanson@nexamp.com

Federal ID#: 85-1061381 NAICS: _____

Will a Real Estate Holding Company be utilized to own the Project property/facility? ☐ Yes or ■ No

What is the name of the Real Estate Holding Company: N/A

Federal ID#: N/A

State and Year or Incorporation/Organization: N/A

List of stockholders, members, or partners of Real Estate Holding Company: N/A

Renewable Energy Projects: Attach ownership chart and indicate companies that will eventually own and operate project See attached.

B) Individual Completing Application:

Name: Dallas Manson

Title: Business Development Manager

Address: 101 Summer Street, Boston MA 02110

Phone: 860-806-0298 Fax: _____

E-Mail: dmanson@nexamp.com

C) Company Contact (if different from Section B above):

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-Mail: _____

Revised Date: _____, Revision #: _____

Document Date: 2/14/2022

D) Company Counsel:

Name of Attorney: Kevin R. McAuliffe

Firm Name: Barclay Damon LLP

Address: Barclay Damon Tower, 12th Floor, 125 East Jefferson Street, Syracuse, New York 13202

Phone: 315-425-2875 Fax: _____

E-mail: kmcauliffe@barclaydamon.com

E) Identify the assistance being requested of the Agency (select all that apply):

1. Exemption from Sales Tax ☐ Yes or ■ No
2. Exemption from Mortgage Tax ☐ Yes or ☐ xNo
3. Exemption from Real Property Tax ■ Yes or ☐ No
4. Tax Exempt Financing * ☐ Yes or ☐ xNo

* (typically for not-for-profits and qualified small manufacturers)

F) Applicant Business Information (check appropriate category):

Corporation	☐	Partnership	☐
Public Corporation	☐	Joint Venture	☐
Sole Proprietorship	☐	Limited Liability Company	☒

Other (please specify) _____

Year Established: 2020

State in which Organization is established: Delaware

G) List all applicant stockholders, members or partners with % of ownership greater than 5% (including all parent entities) [INCLUDE CHART]

NOTE: All applicants must include a current ownership chart reflecting equity ownership. Applications will not be accepted or deemed complete without this information.

The Agency's acceptance of this application will be specific to the existing equity ownership of the applicant and the Agency's ultimate approval is likewise specific to the applicant equity ownership (the taxpayer beneficiaries of the Agency's financial assistance). The Agency's approval of any proposed project shall be specific to the equity ownership of the Company at the time of application to the Agency. The Agency's approval of any financial assistance, including real property tax exemptions, is non-transferrable and may not be assigned or assumed without the Agency's prior written consent. Any

transfer in excess of fifty percent (50%) of the equity voting interests of the Company (including all parent companies of the Company through and including the ultimate taxpayer(s) owning or controlling the Company), other than to a Related Person of the Company, shall be deemed an assignment and require the prior written consent of the Agency. Any proposed assignment shall require the prior written consent of the Agency upon written application no less than 45 days prior to a regularly scheduled meeting of the Agency.

Name	**% of ownership**
Nexamp Capital, LLC *	100%

*In anticipation of financing, it is possible Applicant's sole member will change to an entity related to Nexamp Capital, LLC prior to closing the lease/leaseback transaction. Applicant will provide the Agency & Agency counsel with advance notice and required deliverables for any such change.

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: Applicant's affiliate, Nexamp, Inc., develops, designs, builds, owns, finances, and operates commercial scale solar systems. Nexamp has over 200-solar projects, totaling 200+ megawatts of solar generating capacity. For this Project, Applicant proposes to develop and operate a 3.5 MW (AC), interconnected solar and battery storage facility.

Estimated % of sales within Jefferson County: 70% (estimate)**

Estimated % of sales outside Jefferson County, but within New York State: 30% (estimate)**

Estimated % of sales outside New York State but within the U.S.: _____

Estimated % of sales outside the U.S. _____

(*Percentage to equal 100%)**Applicant endeavors to have all sales within Jefferson County, but if if Applicant doesn't secure 100% of available subscriptions from Jefferson County, Applicant will expand the offering area beyond Jefferson County.

I) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Jefferson County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentage of local purchases.

The Project will have minimal, if any, annual supplies. After operations begin, the Project will contract with local vendors to provide maintenance services at the Project site.

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Section II: Project Description & Details

A) Project Location:

List your current operation(s) locations in Jefferson County:

The Applicant has no current operations. The Applicant will have 2-projects (north & south) at the same address. Affiliates of Nexamp, Inc. have projects in Jefferson County: Pamelia Solar LLC; Waddingham Road Solar, LLC; Butterville*

List your current operation(s) locations in New York State:

*Road Solar, LLC; Black River Solar, LLC; Adams Renewables, LLC

Provide the Property Address of the proposed Project:

Part of 22088 Co Rte 60 (Floral Drive), Town of Watertown, NY (82.07-1-2.1)
(Applicant's Southern Solar facility)

Will the completion of the Project result in the removal, or reduction of an industrial or manufacturing plant of the Applicant from: one area of New York State to Jefferson County; or within Jefferson County?

☐ Yes or No ■

If Yes, please provide details _____

Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant located within New York State?

☐ Yes or No ■

If Yes, please provide details _____

Will the Proposed Project cause Applicant's current operations within Jefferson County to be closed or be subjected to reduced activity?

☐ Yes or No ■

If Yes, please provide details _____

If Yes to any of the above three (3) questions, Applicant must complete Section IV of this Application.

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Will the completion of the Project result in the abandonment, removal, or reduction of an industrial or manufacturing plant of a closely aligned competitor from one area of New York State or Jefferson County?

☐ Yes or No ■

If Yes, please provide details _____

SBL Number for Property upon which proposed Project will be located: 82.07-1-2.1

What are the current real estate taxes on the proposed Project Site? $2,906

If amount of current taxes is not available, provide assessed value for each:

Land: $_____ Buildings(s): $_____

** *If available please include a copy of current tax bill.*

Are Real Property Taxes current? ■ Yes or ☐ No. If no, please explain _____

Town/City/Village: Watertown School District: Watertown City

Does the Applicant or any related entity currently hold fee title to the Project site? ☐ Yes or ■ No

If No, indicate name of present owner of the Project Site: Mark Catalina

Does Applicant or related entity have an option/contract to purchase the Project site? ☐ Yes or ■ No

B) Please provide narrative of project and the purpose of the project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility): Applicant proposes to develop a 3.5MW AC ground mounted solar energy facility integrated with Tesla battery storage facilities. The Project will operate as both a community distributed generation (a/k/a community solar) and a non-wires alternative project. As with other community solar projects, the Project will allow local residents to subscribe to receive a discount on their electricity bill. The non-wires alternative portion of the Project will assist National Grid with meeting demand during peak hours, which will help address capacity issues at the Coffeen substation. At National Grid's request, the Applicant will discharge the energy stored in the Tesla batteries to the electric grid.

Describe the reasons why the Agency's Financial Assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary): The Agency's financial assistance will help mitigate the risks associated with this Project***,

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022

Please confirm by checking the box, below, if there is a strong possibility that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ **Yes or** ☐ **No**

If Yes, please provide details: Without the Agency Financial Assistance, it is unlikely this Project would be able to move forward.

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency: N/A

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant? If the Applicant is unable to obtain Financial Assistance from the Agency for this Project, it is unlikely the Applicant will be able to proceed with the project.

C) Will Project include leasing any equipment ☐ Yes or ☒ No

If Yes, please describe: _____

D) Site Characteristics:

Describe the present use of the proposed Project site: The Project site is mostly an open field that occasionally is leased to 3rd parties to farm crops, including hay; but, the landowner has not consistently leased the property for farming (or other) use. The Applicant's proposed Projects (both south & north) encompass approximately 29.2 of the property's 132 acres. The landowner can continue to rent the remainder of the property for farming or other use that will not impede the Project.

Will the Project meet zoning/land use requirements at the proposed location? ☒ Yes or ☐ No

If Yes, please provide local zoning reference that applies: The Town of Watertown provided Site Plan and Special Use Permit approval.

For Renewable Energy Projects – provide acres ☒ leased or ☐ owned: 15.2 Acres leased (south project)

Revised Date: _____, Revision #: _____

Document Date: 2/14/2022

Describe the present zoning/land use: Neighborhood Commercial/R1

Describe required zoning/land use, if different: N/A

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: No further zoning/land use change is needed. The Town of Watertown changed the boundaries of the existing Neighboring Commercial zone to include the site of Applicant's Projects (see attached maps).

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? If yes, please explain: No

Have site plans been submitted to the appropriate planning board or department?

☒ Yes or ☐ No

** If yes, please provide the Agency with a copy of the related State Environmental Quality Review Act ("SEQR") Environmental Assessment Form that may have been required to be submitted along with the site plan application to the appropriate planning department. Please provide the Agency with the status with respect to any required planning department approval: Site Plan Approval and Special Use Permit approval was issued, including a SEQR Negative Declaration.

Has the Project received site plan approval from the planning department? ☒ Yes or ☐ No.

If Yes, please provide the Agency with a copy of the planning department approval along with the related SEQR determination.

E) Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed project site? ☒ Yes or ☐ No If yes, please provide a copy.

F) Have any other studies or assessments been undertaken with respect to the proposed project site that indicate the known or suspected presence of contamination that would complicate the site's development?

☐ Yes or ☒ No. If yes, please provide copies of the study

G) Provide any additional information or details: Contemporaneously with this Application, the Applicant is submitting an application for another 3.5MW project on the same property (Applicant's "north" project).

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H) Select Project Type for all end users at project site (you may check more than one):

** Please check any and all end users as identified below.

Industrial	☐	Back Office	☐
Acquisition of Existing Facility	☐	Retail	☐
Housing	☐	Mixed Use	☐
Equipment Purchase	☐	Facility for Aging	☐
Multi-Tenant	☐	Civic Facility (not for profit)	☐
Commercial	☐	Other Solar + Storage	☒

** Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Questionnaire contained in Section III of the Application.

Retail Sales: ☐ Yes or ■ No Services: ☐ Yes or ■ No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

I) Project Information:

Estimated costs in connection with Project:

Renewable Energy Projects use Cost Section on page 12.

1. Land and/or Building Acquisition: $_____
   _____ acres _____square feet
2. New Building Construction: _____square feet $ _____
3. New Building Addition(s): _____ square feet $_____
4. Infrastructure Work $_____
5. Reconstruction/Renovation: _____ square feet $_____
6. Manufacturing Equipment: $_____
7. Non-Manufacturing Equipment (furniture, fixtures, etc.): $_____
8. Soft Costs: (professional services, etc.): $_____
9. Other, Specify: _____ $_____

TOTAL Capital Costs: $_____

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Project refinancing; estimated amount
(for refinancing of existing debt only) $_____
Sources of Funds for Project Costs:

Bank Financing: $_____

Equity (excluding equity that is attributed to grants/tax credits) $_____

Tax Exempt Bond Issuance (if applicable) $_____

Taxable Bond Issuance (if applicable) $_____

Public Sources (Include sum total of all state and federal grants and tax credits) $_____

Identify each state and federal grant/credit:

_____ $_____

_____ $_____

_____ $_____

Total Sources of Funds for Project Costs: $_____

Have any of the above costs been paid or incurred as of the date of this Application? ☐ Yes or ☐ No

If Yes, describe particulars:_____

_____

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Renewable Energy Project: Project Costs

1.	Project size	3.5 MWac 4.25 MWdc
2.	Solar equipment costs (panels, racking, all solar equipment to inverters)	$5,552,897.55
3.	Site equipment and FF&E costs (on-production equipment from inverter to interconnection, including site fencing, security and other equipment)	$136,020.98
4.	Site work and land preparation costs (earthwork, roadways, landscaping, and site plan improvements, highway cuts, wetland mitigation and other onsite infrastructure costs)	$783,781.02
5.	All interconnection costs whether direct or indirect expense through utility	$0
6.	All pre-development costs, including planning, engineering, site plan and permitting	$42,769
7.	Battery storage costs	$4,383,950
8.	All other soft costs including legal, planning and permitting	$42,769
9.	Community benefit payments or impact fees	$0
10.	Community adder	$0
11.	Community or market transition credit	$0
12.	Total annual lease amount for project	$20,500
13.	Other (please identify):	$
	Total:	$10,962,687.55

Have any of the above costs been paid or incurred as of the date of this Application? ■ Yes or ☐ No

If Yes, describe particulars: The Project was submitted for Site Plan/Special Permit Approval with the Town of Watertown; engineering and permitting costs have been incurred.

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Mortgage Recording Tax Exemption Benefit: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): $ N/A

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage Amount as indicated above multiplied by 3/4%): $ N/A

Construction Cost Breakdown:

Total Cost of Construction $ 10,856,649 (sum of 2,3,4,5, and/or 7 in Question I, above)

Cost for materials: $ 8,166,620.61
% sourced in Jefferson County: TBD %
% sourced in New York State 10 % (including Jefferson County)
List major material suppliers if known _____

Cost for labor: $ 2,690,028.97
Expected Full-Time Equivalent Jobs during construction 30 (estimate)
Expected Total Labor Hours during construction 48,671 (estimate)
List major subcontractors, if known _____

Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

$ N/A

Estimated State and local Sales and Use Tax Benefit (product of N/A % multiplied by the figure, above):

$ N/A

** *Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit: N/A

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JCIDA PILOT Benefit: Agency staff will indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in Section II(I) of the Application.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above in Section II(I) of the Application.

J) For the proposed facility, please indicate the square footage for each of the uses outlined below:

*If company is paying for FFE for tenants, please include in cost breakdown

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing			
Warehouse			
Research & Development			
Commercial			
Retail (see section K)			
Office			
Specify Other			

K) What is your project timetable (Provide dates):

1. Start date: acquisition of equipment or construction of facilities: Q3 2022
2. Estimated completion date of project: Q1 2023
3. Project occupancy – estimated starting date of operations: Q1 2023
4. Have construction contracts been signed? ☐ Yes or ■ No
5. Has Financing been finalized? ☐ Yes or ■ No

** *If constructions contracts have been signed, please provide copies of executed construction contracts and a complete project budget. The complete project budget should include all related construction costs totaling the amount of the new building construction, and/or new building addition(s), and/or renovation.*

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The Project will not result in any permanent employment.

L) Is the proposed Project necessary to expand Applicant employment: ☐ Yes or ☐ xNo

Is the proposed Project necessary to retain existing employment: ☐ Yes or ■ No

M) Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE jobs to be CREATED upon THREE Years after Project completion
**Full time (FTE)	0	0	0

** By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the Three-Year time period following Project completion. convert part-time jobs into FTE jobs by dividing the number of part-time jobs by two (2). A FTE job is one that works the equivalent of a 40-hour week for 48 weeks. A part-time job is one that works the equivalent of a 20-hour week for 24 weeks.

Salary and Fringe Benefits for Jobs to be Retained and Created: The Project will not result in permanent employment

Category of Jobs to be Retained and Created	FTE	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	0		
Professional	0		
Administrative	0		
Production	0		
Transportation/Logistics	0		
Warehousing	0		
Other	0		
TOTAL	0		

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Employment at other locations in County/City/Town/Village: (provide address and number of employees at each location): Not applicable

Location Address		
Full time		
Part Time		
Total		

N) Will any of the facilities described above be closed or subject to reduced activity? ☐ Yes or ☐ No

** *If any of the facilities described above are located within the State of New York, and you answered Yes to the question, above, you must complete Section IV of this Application.*

** *Please note that the Agency may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.*

O) Is the proposed Project reasonably necessary to prevent the Applicant from moving out of New York State? ☐ Yes or ☐ No. Out of Jefferson County? ☐ Yes or ☐ No.

If yes, please explain and identify the other locations being investigated, type of assistance offered and provide supporting documentation if available: If the Applicant is unable to obtain Financial Assistance from the Agency for this Project, it is unlikely the Applicant will proceed with the Project.

P) What competitive factors led you to inquire about sites outside of Jefferson County or New York State? Interconnection viability and available capacity on the 3-phase feeders

Q) Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? ☐ Yes or ■ No.

Have you applied, or intend to apply for additional Grant Funding, or tax incentives? ■ Yes or ☐ No.

If yes, please identify which agencies and what other Local, State and/or Federal assistance and the assistance sought and dollar amount that is anticipated to be received: The Project may seek tax credit financing,*/

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*/but no defined tax credit financing strategy has been identified for Applicant's Projects (south & north).

Section III Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

A. Will any portion of the Project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

☐ Yes or ■ No. If the answer is yes, please continue. If no, proceed to section V

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? _____ %. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to section V.**

If the answer to A is Yes <u>AND</u> the answer to Question B is greater than <u>33.33%,</u> indicate which of the following questions below apply to the project:

1. Will the Project be operated by a not-for-profit corporation ☐ Yes or ☐ No.

2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (list specific County or ED region) in which the project will be located?

☐ Yes or ☐ No

If yes, please provide a third-party market analysis or other documentation supporting your response.

3. 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 municipality within which the proposed Project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

☐ Yes or ☐ No

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If yes, please provide a third-party market analysis or other documentation supporting your response.

4. 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 or ☐ No.

If yes, explain _____

_____

5. Is the Project located in a Highly Distressed Area? ☐ Yes or ☐ No

Section IV Inter-Municipal Move Determination

The Agency is required by State law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the Applicant from one area of New York State to another area of the State; or in the abandonment of one or more plants or facilities of the Applicant located within the New York State , Agency Financial Assistance is required to prevent the Applicant from relocating out of the New York State, or is reasonably necessary to preserve the Applicant's competitive position in its respective industry.

Explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of New York State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: _____

_____

_____

Section V Adaptive Reuse Determination

(Adaptive Reuse is the process of adapting old structures or sites for new purposes)

Are you applying for a tax incentive under the Adaptive Reuse Program? ☐ **Yes or** ■ **No**

If No, please proceed to next Section

A) What is the age of the structure (in years) _____

B) Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended) ☐ Yes or ☐ No. How many years? _____

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C) Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class) ☐ Yes or ☐ No
If yes, please provide dollar amount of income being generated, if any _____

_____

D) Does the site have historical significance? ☐ Yes or ☐ No

E) Are you applying for either State/Federal Historical Tax Credit Programs? ☐ Yes or ☐ No. If yes, provide estimated value of tax credits _____

F) Summarize the financial obstacles to development that this project faces without Agency or other public assistance. Please provide the Agency with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections, documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages): _____

_____

G) Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the Agency documentation of this support in the form of signed letters from these entities:

_____

_____

_____

H) Please indicate other factors that you would like the Agency to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments:

_____

_____

_____

_____

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Section VI: Estimate of Real Property Tax Abatement Benefits and Percentage of Project Costs financed from Public Sector sources

**** Section V of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
TOTAL							

***Estimates provided are based on current property tax rates and assessment values**

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Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

Calculate %

(Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: _____%

JCIDA will also complete a Cost-Benefit analysis using information contained within this Application, and available to the Public.

Section VII Representations, Certifications and Indemnification

Chris Clark (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Senior Vice President (title) of Watertown Renewables, LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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. 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. Copies of all filings shall be provided to the Agency.

D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.

E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form 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 necessarily 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 E1527-05, 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 within reports required herein.

F. The Applicant and/or the 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 the 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.

G. 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 attorney's fees and any other expenses incurred in defending any suits 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.

H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application

I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:

(i) a non-refundable $2,500 application and publication fee (the "Application Fee");

(ii) a $N/A expense deposit for the Agency's Counsel Fee Deposit.

(iii) Unless otherwise agreed to by the Agency, an amount equal to */* percent (154,813.44 %) of the total project costs. */*1.5% up to $10MM, 0.5% above $10MM

(iv) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

J. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable proper or requested action, or withdraws, abandons, cancels, or neglects the Application, or if the Applicant is unable to

find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.

K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.

L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions**.

N. The Applicant acknowledges that it has been provided with a copy of the Agency's Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the "Termination and Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.

O. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

COMMONWEALTH OF MASSACHUSETTS
~~STATE OF NEW YORK~~)
COUNTY OF ~~JEFFERSON~~*) ss.:*SUFFOLK

Chris Clark, being first duly sworn, deposes and says:

1. That I am the Senior Vice President (Corporate Office) of Watertown Renewables, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

WATERTOWN RENEWABLES, LLC

By: _____
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 21st day of June, 2022

Brianna Rainville
(Notary Public)

BRIANNA RAINVILLE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 3, 2028

Revised Date:_____, Revision #:_____

Document Date: 2/14/2022