

Jefferson County Industrial Development Agency

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TO: **JCIDA Loan Review Committee**
David Converse, Chair
Robert E. Aliasso, Jr.
John Jennings
Christine Powers
Kent Burto

FROM: David J. Zembiec, CEO

DATE: August 17, 2022

SUBJECT: **JCIDA Loan Review Committee Meeting**

A JCIDA Loan Review Committee meeting has been scheduled for **Wednesday, August 24, 2022 at 8:00 a.m.** in the board room, 800 Starbuck Avenue, Watertown, NY.

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

Thank you.

pss

C: Lyle Eaton
Marshall Weir
W. Edward Walldroff
Paul Warneck
William Johnson
Lisa L'Huillier
Greg Gardner
Rob Aiken
Justin Miller, Esq.
Media

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JCIDA LOAN REVIEW COMMITTEE

Wednesday, August 24, 2022

8:00 a.m.

AGENDA

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Sally Port View LLC**
- IV. Other/Unfinished business**
 - 1. OYA Ellisburg Assignment**
 - 2. Wilna PV, LLC**
 - 3. L2, LLC**
- V. Adjournment**

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Resolution Number 09.01.2022.01

**RESOLUTION FOR AUTHORIZING A
REVOLVING LOAN TO
SALLY PORT VIEW LLC**

WHEREAS, A request for a Revolving Loan in the amount of One Hundred Twelve Thousand Five Hundred Dollars (\$112,500) for capital improvements to real estate to be located in Three Mile Bay, NY. This will be a loan participation with the North Country Alliance (lead agency) for a total project of \$8,414,874, and

WHEREAS, Staff reviewed the request and recommends approval of a loan in the amount of \$112,500 for 20 years with a rate of 5%. Construction period will be interest only not to exceed 12 months, monthly principal and interest to term out loan over 240 months. There are 14 FTE's projected over three years. Collateral will be co-proportional second mortgage position, assignment of rents and leases on all real estate located at 7828 NYS Route 12E, Three Mile Bay, NY 13693, co-proportional second lien on all assets of the business, and a personal guarantee by Kurtis Bennett, and

WHEREAS, on August 24, 2022, the Loan Review Committee of the Jefferson County Industrial Development Agency reviewed this request and recommended approval of the loan and terms to the full Board of Directors, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the request for a One Hundred Twelve Thousand Five Hundred Dollar (\$112,500) loan to Sally Port View LLC with all terms and conditions as set forth in this Resolution, and be it further,

RESOLVED, that the Chairman, Vice Chairman, Secretary and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.

W. Edward Walldroff
Secretary

TRANSFORMATIONAL TOURISM FUND

Borrower: Sally Port View LLC

Project Location: 7828 NYS Route 12E, Three Mile Bay, NY 13693
(60.08-1-24.1)

Borrower Address: 21277 Fox Ridge Road, Watertown, NY 13601

Ownership: Kurtis Bennett-100%

Loan Amount: \$250,000.00

Term: 20 years

Rate: 1%

Payments: Construction Period Interest Only not to exceed 12 months, monthly principal and interest to term out loan over 240 months.

Guarantor: Kurtis Bennett

Use of Funds: Capital Improvements to Real Estate

Collateral: Co-proportional second mortgage position and assignment of rents and leases on all real estate located at 7828 NYS Rt.12E, Three Mile Bay, NY 13693; co-proportional second lien on all assets of business

Jobs: Existing: 0
Years 1-3:14 FTE

Total Project Costs

Sources of Funds

Tourism Loan Fund	\$ 250,000.00
NCA	\$ 112,500.00
JCIDA	\$ 112,500.00
National Grid Grant	\$ 300,000.00
NCEDF	\$ 300,000.00
REDC-Bridge Loan	\$1,425,000.00
Pursuit/WSB 7a Loan	\$5,000,000.00
Cash Equity	<u>\$ 914,874.00</u>
Total	\$8,414,874.00

Uses of Funds

Acquisition of Land	\$ 625,000.00
Improvements*	\$6,207,695.00
Contingency	\$ 620,695.00
Equipment	\$ 450,000.00
Interim Interest	\$ 295,000.00
Professional Fees	\$ 85,000.00
SBA Guaranty Fee	\$ 131,484.00
Total	<u>\$8,414,874.00</u>

Pursuit/WSB SBA 7a Guaranty – Pending-Assumes 25 years with a rate between 6-8%. Underwriter used 8%.

NCA-Pending-Assumes 20 years at 5%

Sally Port View LLC

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JCIDA-Pending-Assumes 20 years at 5%

NCEDF-Pending-Assumes 15 years at ½ WSJ Prime plus 1 set at closing (current WSJ 5.5% as of 8/4/22)

REDC Grant-Pending

National Grid Grant-Pending

Cash Equity-Cash contributed by applicant. Already paid \$625,000 cash to acquire property.

***Improvements Budget-Quote provided by Goutremout Brothers Construction as of 7/19/22**

• Site Work	\$1,593,935
• Main Building	\$2,988,050
• Tower	\$ 244,711
• Cottages	\$ 481,536
• Support Building	\$ 357,000
Total GC Construction Budget	\$5,665,232
General Contractor Overhead	\$ 339,914
Total GC Payment	\$6,005,145
National Grid Utility Install	\$ 202,550
Total Construction Budget	\$6,207,695

Description of Project

Sally Port View LLC is requesting \$250,000 from the Tourism Fund to build an event center and cabins on property in the Town of Lyme. Per the tax records, the property is 57.68 acres of which 840x150 is waterfront, 53.71 acres is tillable, and 1.08 acres is residual.

Sally Port View (SPV) is an event campus currently under construction on 1,200 feet of prime Lake Ontario waterfront and approximately 60 acres of cleared picturesque farmland just outside the village of Three Mile Bay.

The entire campus will be curated to provide a first-class experience which highlights a modern 12,000 square foot indoor event space with 2 suites, professional kitchen, bar, conference room, and more. The campus will also include 5 cottages and a network of maintained private trails along the shoreline and throughout the property.

An architecturally unique site theme of modern minimalization, accompanied by the local farmhouses & barns, will transform this property into a nationwide destination to:

- Host almost anything - weddings, anniversaries, concerts, graduations, military events, conferences, sporting events, family unions, weekend getaways, and more
- Lodge guests for accompanying and/or unrelated events
- Create opportunities for local catering, cleaning, part- and/or full-time employment, transportation, and other symbiotic business development
- Improve the infrastructure of the community and engage locals through discounted and charitable use of the space for select education and public functions
- Utilize the town's greatest asset - the lakeshore - for economic development, which is consistent with the Town of Lyme's Development Plan.

Mr. Bennett's future plans are to add an additional 20 cottages to the site.

Products and Services

At its website, www.sallyportview.com, the business touts ‘private waterfront experiences.’ The website is extremely well done. The location is a private 60-acre campus featuring a 12,000 square foot event center with a divisible main hall, professional kitchen, and a beautiful viewing tower with stunning panoramas. There is also a wrap-around patio, and 1,200 feet of private waterfront. The event center will also be set up for conferences with A/V.



Rendering from back facing toward water.

The Main Hall & Events Center

Sally Port View Hall will provide more than 4,000 square feet of climate-controlled usable space, with opportunities to utilize two HD projectors, a speaker system, and sound dampening material to provide a professional setting for presentations.

The Lobby Bar will be 16 feet long and equipped with two full-service stations. The Event Center kitchen will be built to accommodate the needs of a commercial kitchen. Sally Port View Hall and the Lobby Bar will be built with accessibility in mind, welcoming all to enjoy the space.

The second-level suites will provide ample time and comfort for wedding party members to get ready for their big day. The Bride's Suite will be furnished with three vanity stations and plenty of space for the bridal party to prepare. Both the Bride and Groom suites can also accommodate overnight guests, as they will be finished with a queen bed and full bathroom as well.



Rendering of Bride & Groom Suite

Also conveniently located on the second floor will be the modern corporate Conference Room – designed to accommodate in-person participants and remote guests – with large display screens, teleconferencing technology and full A/V needs to make sure your meeting is efficient and effective.



Rendering of Main Hall

Guest Cottages

Adjacent to the main building, along the shoreline, is the location for the 5 mini-cottages, 160 square feet each. Rental of the mini-cottages can be coordinated with the booking of a private event. Each cottage is designed to provide guests with ease and comfort, during all four seasons. The cottages are furnished with a kitchenette, one queen-sized bed, one queen-sized sleeper sofa, a 3/4 bathroom, heat, and air conditioning. In addition to the cottages, the main building also offers suites for overnight accommodations for members of the bridal party or other guests. These will not be available for nightly or weekly leases but as part of event packages only. As there is a limited number of cottages, Sally Port View will partner with other local hotels/motels for lodging including 1000 Islands Harbor Hotel in Clayton, and Hilton Garden Inn, Fairfield Inn & Suites, Hampton Inn and Holiday Inn Express & Suites in Watertown, as well as local AirBnBs.



Cabin Rendering

Support Building

A 2,400 square foot support facility that will house an office with bathroom, a small laundromat, and a heated vehicle bay. The laundromat will be available to employees to launder linens and towels to be utilized in the main building, cottages and suites. The vehicle bay will store all of the facility's equipment used for maintenance of the entire property.

Market

Mr. Bennett wishes to transform Three Mile Bay into a destination location like Sackets Harbor, Alexandria Bay and Clayton, to name a few. These communities have traditionally leveraged their waterfront setting to support local businesses and tourism. The Town of Lyme has not benefited from this however holds the most waterfront footage than any other northern New York town.

When designing the campus, Mr. Bennett is showcasing the access to infrastructure, water and wilderness.

When designing the main building he wanted it to be versatile to adapt to many different business needs. The size of an event can be small or large and the atmosphere will still be cozy and intimate.

The interior design is minimalist and mostly black and white so clients can highlight their décor and set the tone for their own event. When researching other event spaces in the area, Mr. Bennett noticed a theme of banquet-style, busy and clashing wallpaper and décor that was dated.

Mr. Bennett wants to highlight the region's seasons as well. Under Events on the website, the business is highlighting weddings, offsite events, private events and culinary experiences. The offsite events include planning experiences like corporate offsite events that could include a conference with other activities like paddle boarding, bonding around lake-front campfire, fishing, hiking the campus, sports and outdoor leisure games for team-building, or a private-cooking class. In regard to culinary experiences, Mr. Bennett plans to partner with professional chefs to provide culinary instruction and cook-and-serve sources to enable future chefs and amateur cooks to learn and use the 1,500 square foot full professional kitchen. Finally as part of their experiences they are promoting professionally guided fishing experiences.

Mr. Bennett is also going to target the military population. Fort Drum is home to 15,000 active duty soldiers as well as spouses and families. They will look to host military balls and formal events. The

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Commons on Fort Drum is not open. Therefore, there is opportunity to host more activities at this location. Also, Mr. Bennett is retired military and a veteran himself.

Mr. Bennett will use the website to drive traffic to the event center. In viewing the website, it is well-designed and professional. He will use social media marketing including Facebook/Instagram and targeted ads. He also has pro-bono assistance from a social media campaign adviser for both generating and posting content. He will target the Long Island, NYC, Syracuse, Buffalo, and Northern New Jersey markets.

In addition to social media, he will target magazines, especially bridal, and bridal shows. He will work with the 1000 Islands Tourism Council as well as join the local chambers and cross-advertise with other local businesses like the 1000 Islands Country Club.

While the business focuses on events like weddings, corporate events, private parties and large scale events, he will also market the center for off-season activities like sled races, ice fishing derbies, and pop-up restaurants.

Competition

Mr. Bennett provided the following regarding competition. The only other venues directly on Lake Ontario are:

- Oswego Area-Bay Shore-63 miles away from Sally Port View
- Rochester Area-Arbor Venues-141 miles away from Sally Port View
- Buffalo Area-None

Sally Port View is designed to position itself in the market as peers to two key venues:

- 1000 Islands Harbor Hotel-Pros-largest, nicest hotel on St. Lawrence River; charges minimum \$30k wedding; working with management as a lodging sister property. Cons-no privacy; no space; no nature, except waterview; cookie-cutter wedding template.
- Tailwater Lodge-Pros: Salmon River waterfront for serious anglers; multiple event rooms and venue spaces; spa and indoor pool; charges \$30k for weddings; popular because it is remote. Cons: multiple weddings held on same day, minimal privacy; cookie-cutter wedding template.

While there are other smaller facilities in the greater Watertown area, none have all of the amenities that Sally Port View will offer. In reviewing the application, this project is in-line with Tailwater Lodge in Altmar (Oswego County) with the exception that Sally Port View does not have on-site lodging with the exception of the 5 cabins and two suites. The cabins and suites can sleep 24. Mr. Bennett proposes more cabins in the future. There is no other facility like this in the three-county region and could be very successful due to its location on the Lake and the many amenities it could provide. Lodging is a concern. Mr. Bennett does note in his business plan that getting back and forth for those staying out of town may be a challenge. There is a shuttle service, Clarence Henry Coach, in Watertown that provides shuttle service.

Management

Mr. Kurtis (KC) Bennett graduated from the US Military Academy at West Point in 2003 and served in the US Army until 2008 having served in Iraq and Afghanistan. He graduated from the Yale School of Management in 2010 with a MBA. From 2010-2013 he worked for the CIA as an analyst. From 2013-2021 he worked for Palantir Technologies as a Business Development Specialist. In this role he implemented custom and enterprise software solutions for Fortune 500 companies to leverage their

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existing data to meet an existential business threat. He was directly responsible for \$100+ million in additional revenue for an international oil & gas firm. He also led teams during sales and operations within US government, foreign government, commercial and not-for-profit clients.

The core employees of SPV will be focused on marketing, bookings, and maintaining the property. Mr. Bennett has reached tentative agreement with 2 event management companies to facilitate the execution of large events upon starting operations. He is working with two event management firms: Lovebirds Wedding Co. and Lovely Day Event Services. For catering he is working with Litterio's Catering and Take Out and Embellished Catering. He has also been receiving assistance from the Watertown SBDC, Zachary Goutremout with ZRG Fishing, and Ann Marie Angus, General Manager of 1000 Islands Harbor Hotel.

Financial Review

	Year One	Year Two	Year Three
Sales	1,991,000	2,411,000	3,132,000
Gross Profit	1,991,000	2,411,000	3,132,000
Expenses	963,399	1,259,475	1,405,361
Other Income/(Exp)	(405,997)	(398,942)	(393,190)
EBTDA	621,604	752,583	1,333,449
Add Back:			
Depreciation	0	0	0
Interest	383,140	377,788	372,107
(Property Taxes)	(107,892)	(107,892)	(107,892)
Cash for Debt Service	896,852	1,022,479	1,597,664
Tourism Fund	13,797	13,797	13,797
NCEDF	26,180	26,180	26,180
NCA	8,909	8,909	8,909
JCIDA	8,909	8,909	8,909
Pursuit/WSB5	463,092	463,092	463,092
Total Debt	520,887	520,887	520,887
Debt Service Coverage	1.72	1.96	3.07

Sales Inc (Dec.)	---	21%	30%
Gross Profit	---	---	---
Expenses	.48	.52	.45
Profit Ratio	.31	.31	.43

Tourism Fund-\$1,149.74/month

NCEDF-\$2,182/month

NCA-\$742.45/month

JCIDA-\$742.45/month

Pursuit/WSB-\$38,591/month

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- Sales forecast for year one assumes 47 Weddings with an average net revenue of \$15,000 totaling \$705,000 for the year. Non-Wedding Private Events like corporate and reunions assume 127 rentals at an average net of \$8,000, or \$1,016,000 for the year. Nine Large Public Events (fair, arts & craft shows, carnival, parties, etc.) assumes 9 for the year averaging a net \$30,000 per event, or \$270,000 for the year. Monthly usage runs from 16% in January to 63% in November. The summer months average 61%. Although November is basically a winter month in the North Country, Mr. Bennett noted that it seems to be a highly popular month for wedding. He will consider higher pricing in November for weddings as it will be considered his peak month. The average usage for the year is 50%.
- The cabins do not show up on the revenue side as their own profit center as they are considered part of the event packages and are included in those revenues. Mr. Bennett will not be offering the cabins to the public for nightly stays.
- Revenues are net of direct costs. The amounts shown under revenue are what the applicant will make off of the events/activities after costs associated with the event. While this was not shown on the proforma he provided to me, he is tracking COGS for each event/activity. I say this so that the reader understands that Mr. Bennett understands the cost nature of the business.
- Each event will either require the rental of the facility or ticketed admission. In addition to the core revenue, there are the following additional revenue streams for each event:
 - Liquor sales-SPV will own the liquor license and will manage all alcohol sales on the property.
 - Kitchen rental-Only certified caterers and chefs with appropriate licenses will be able to rent the kitchen facilities with a beginning rate of \$350/hour.
 - Equipment rental-SPV will also rent out equipment such as tables/chairs, tableware, linens, and recreational equipment.
- Mr. Bennett currently has 1 week-long corporate off-site rental with a signed letter of intent for 2023 at the \$45,000 base weekly campus booking for 150 conference attendees. They have also had multiple wedding booking queries for both summer and winter months. Other opportunities for income include anniversaries, corporate holiday parties, military balls/unit dances, 1000 Islands Poker Run, Fishing Expeditions, dance recitals, and yoga classes.
- Sales forecast for year 2 increases by 21%. Weddings increase to 53 events, Non-Wedding Private Events increase to 172, and Large Public Events increase to 8. Total usage for the year is 63%.
- Sales forecast for year 3 increases by 30% over year two. Weddings increase to 54 events, Non-Wedding Private Events increase to 180, and Large Public Events increase to 12. Total usage for the year is 66%.
- Breakeven revenue to cover fixed debt including principal and interest in year one is \$1,614,835, for year 2 it is \$1,909,208, and for year 3 it is \$2,055,023.
- The major expense for the business is payroll. Mr. Bennett proposes to pay the owner, \$65/hour, or \$135,200 in year one. He proposes to have 5 full-time employees, at approximately \$40/hour, or \$416,000 annually. He proposes to have 4 part-time employees at about \$20/hour, or \$62,400 annually. He proposes 2 independent contractors at \$41,600 annually. Payroll taxes and benefits total \$151,893 in year one. Total payroll in year one is \$807,093. Payroll and Payroll Taxes/ Benefits increase to \$1,091,029 in year 2 and \$1,231,605 in year 3. Not including independent contractors, Year One reflects 5.5 FTE, by Year Three they hope to have a total of 11 FTE on staff. They also plan to have an additional 6 independent contractors as well.

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- Other major expenses include debt service, commissions and fees totaling \$39,820 in year one, advertising of \$18,000 in year one, travel, meals and entertainment of \$18,000 in year one, and insurance of \$15,036 in year one. Supplies seem low at \$6,000 for year one. Mr. Bennett increased all expenses by 3% in years two and three. This might be low given current inflation, however inflation should level off.
- Mr. Bennett is keeping his costs low as each vendor will carry the cost burden. For example, the caterer will pay a fee to SPV to use the facility but then the caterer will be responsible for all supplies associated with the event. Mr. Bennett is providing the facility/resource to hold the event but other vendors will provide the services, with the exception of the bar.
- Mr. Bennett will have staff to maintain the property keeping snow removal, landscaping and other grounds maintenance down.
- Staff didn't see where property taxes had been included in the budget. The all in tax for the Town of Lyme including the Lyme School District and special districts is \$18.60206. Assuming an appraisal of at least \$5.8 million, taxes would be around \$107,892 annually. For underwriting purposes, Staff adjusted the cash flow analysis above to reflect this amount being paid.

Cashflow

- Based upon the projections, there will be sufficient cash flow to repay the permanent debt. In addition to the permanent debt above, Mr. Bennett will also have a short term loan to bridge the ESD grant.
- In regard to working capital, Mr. Bennett has already spent \$1,487,000 toward this project. His equity contribution into the project is \$914,874 meaning that he will have around \$572,126 in personal cash to put toward working capital.

Balance Sheet

	At Closing
Assets	
Current	511,484
Fixed	7,903,390
Other	0
Total Assets	8,414,874
Liabilities	
Current	98,715
Long Term	5,676,285
Total Liabilities	5,775,000
Equity	2,639,874
Total Liabilities & Equity	8,414,874
Working Capital	413,288
Current Assets	5.2
Debt to Equity	2.19

- Cash at closing is to cover closing costs, interim interest and professional fees. .
- Current portion of long-term debt includes the current portion on the new loans.
- Equity includes cash equity, National Grid grant and REDC grant. REDC grant is ESD funds.

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- While there is no working capital identified in the uses of funds, Mr. Bennett has personal resources to contribute to the project. He will also be taking deposits as well.

Personal Credit:

Mr. Bennett lists assets of \$2,269,328 and liabilities of \$566,950. His primary assets are liquid assets of \$429,328 and real estate of \$1,700,000. This includes the Three Mile Bay property that he paid for in cash. Liabilities are a short term HELOC on his personal residence and other installment loans for education. Mr. Bennett has a TransUnion Credit Score of 740 with no derogatory comments. He shows open balances of \$461,001 of which most is for installment loans of \$426,033. He lists other income of \$46,062 from Veteran's Affairs.

Collateral: Co-proportional second mortgage on real estate located at 7828 NYS Route 12E, Three Mile Bay, NY 13693, and a co-proportional second lien on all assets of the business.

During Construction

	<u>Cost</u>	<u>Discount</u>
Land	\$625,000	\$625,000
Real Property (70%)	\$6,207,695	\$4,345,387
Equipment (50%)	<u>\$450,000</u>	<u>\$225,000</u>
Collateral Available	\$7,282,695	\$5,195,387
Pursuit/Watertown Savings Bank	\$5,000,000	\$5,000,000
Bridge Loan	\$1,425,000	\$1,425,000
Total Senior Debt	<u>\$6,425,000</u>	<u>\$6,425,000</u>
Collateral Available-DANC/public lenders	\$857,695	(\$1,229,613)
Tourism Fund/Other public lenders	\$775,000	\$775,000
Loan to Value	90%	(63)%

Post Construction

	<u>Cost</u>	<u>Discount</u>
Land	\$625,000	\$625,000
Real Property (70%)	\$6,207,695	\$4,345,387
Equipment (50%)	<u>\$450,000</u>	<u>\$225,000</u>
Collateral Available	\$7,282,695	\$5,195,387
Pursuit/Watertown Savings Bank	\$5,000,000	\$5,000,000
Total Senior Debt	<u>\$5,000,000</u>	<u>\$5,000,000</u>
Collateral Available-DANC/public lenders	\$2,282,695	\$195,387
Tourism Fund/Other public lenders	\$775,000	\$775,000
Loan to Value	34%	396%

Per the Jefferson County tax records, the market value for the land is \$282,979.

Sally Port View LLC

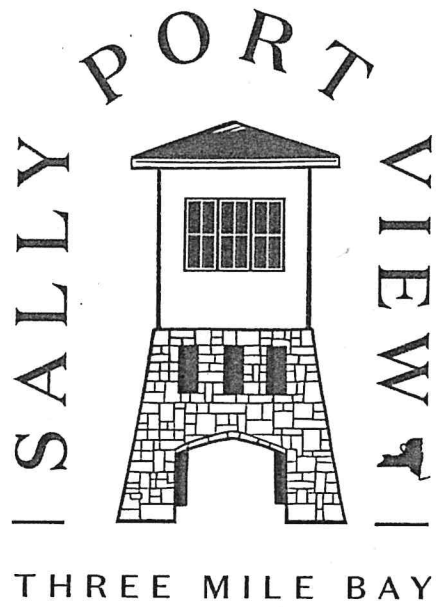
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DANC/public lenders will require an appraisal with a minimum LTV of \$5,775,000 to have at least a 1:1 LTV.

Contingencies:

- Cash equity of up to \$914,874 demonstrated at closing by the disbursement statement.
- Pursuit/Watertown Savings Bank 7a financing of \$5,000,000 plus bridge financing of to cover ESD grant
- JCIDA funding of \$112,500
- NCA funding of \$112,500
- NCEDF funding of \$300,000
- National Grid grant of \$300,000
- ESD funding of \$1,425,000
- As completed appraisal with minimum value of at least \$5,775,000 to have at least a 1:1 LTV
- Labor Peace does not apply as there is fewer than 15 FTE employees
- Personal guaranty of Kurtis Bennett
- Copies of invoices, and cancelled checks or bank statements



sallyportview.com



Summary

Sally Port View (SPV) is an event campus currently under construction on 1,200 feet of prime Lake Ontario waterfront and approximately 60 acres of cleared picturesque farmland just outside the village of Three Mile Bay.

The entire campus will be curated to provide a first-class experience which highlights a modern 12,000 square foot indoor event space with 2 suites, professional kitchen, bar, conference room, and more. The campus will also include 5 cottages and a network of maintained private trails along the shoreline and throughout the property.

An architecturally unique site theme of modern minimalization, accompanied by the local farmhouses & barns, would transform this property into a nationwide destination to:

- Host almost anything - weddings, anniversaries, concerts, graduations, military events, conferences, sporting events, family unions, weekend getaways, and more
- Lodge guests for accompanying and/or unrelated events
- Create opportunities for local catering, cleaning, part- and/or full-time employment, transportation, and other symbiotic business development
- Improve the infrastructure of the community and engage locals through discounted and charitable use of the space for select education and public functions
- Utilize the town's greatest asset - the lakeshore - for economic development, which is consistent with the Town of Lyme's Development Plan

Mission

Operate an industry agnostic event campus in Three Mile Bay, New York to provide a world-class waterfront setting for customers to experience the beauty of Lake Ontario while engaging in meaningful life, family, and corporate occasions.

Idea Born

This business idea was born during the pandemic. In the DC suburbs the owners witnessed a serious uptick in day-trip tourists from the metro area venturing 70 plus miles to sit in 'nature' and drink a beer. This translated into a housing shift where those that came on the weekend eventually ended up settling down in the area; sometimes a 2-hour commute from their work office.

The owners see very similar conditions in northern New York; a shift in population from urban centers to remote destinations. This is supported by anecdotal, economic, and polling evidence from the North Country. Key examples:

- Local distillery 250% year-over-year increase in sales. Combination of new and repeat customers from out-of-region
- Local civil engineer with 5 times the amount of annual development projects, including 3 new event centers currently under construction in other Counties

SPV will help transform Three Mile Bay into a destination location. Nearby towns, such as Sackets Harbor and Clayton, have traditionally leveraged their waterfront setting to support local businesses and tourism. The Town of Lyme has fallen behind their neighbors, but still holds the more waterfront footage than any other northern New York town.

We want to showcase the Town of Lyme waterfront at SPV with a full campus suited to access the facilities, water, and wilderness:

- When designing the main building we wanted to be versatile to adapt to many different business needs. The size of the event can be small or large and the atmosphere will still be cozy and intimate.
- The interior design is minimalist and mostly black and white so clients can highlight their décor and set the tone for their event.
- When researching and visiting other event spaces in the area we noticed a theme of banquet-style of busy clashing wallpaper and décor that appears dated.

Summer months provide a slew of options for campus events with the influx of tourists. However, as locals we know how long winter can seem and providing a large indoor space for SPV hosted gatherings will make us a hot spot:

- We can also utilize the iced-over lake and fields of snow to host events locals love but out-of-towners might make a destination to experience for the first time.
 - Ice fishing, snow shoeing, or even observing or partaking in snowmobile racing.

Location

7828 NYS Route 12E

Three Mile Bay, NY 13693

The Town of Lyme consists of two villages:

- Chaumont – larger, Post Office, gas station, 3 restaurants, country store, marina, boat ramp, Dollar General, yacht club
- Three Mile Bay – Post Office, antique store, boat ramp, small diner

There are no longer any remaining large tracts of land available for sale and able to be developed commercially in the Town of Lyme. The owners were fortunate enough to be able to purchase the last remaining large parcel and it is unique:

- Approximately 60 acres of cleared farmland with 1,200 feet of waterfront primarily on a shallow flat rock limestone beach.
 - Exposed fossils on the shore and numerous wildlife species inhabit the land and water
 - A small peninsula protrudes into the lake hundreds of feet producing a cove for sanctuary of many fish species
 - The waters off the shore boast some of the best fishing in the U.S. and even plays host to nationally televised professional fishing tournaments
- The land offers numerous building site options for a structure of any size as our business grows.
 - The water, electric, and septic infrastructure is designed for more buildings than is currently depicted on the site plan
- Most importantly, it's located in the owners' hometown, and they will always care deeply about the development of the business and the community

SPV is currently working with local environmental groups and landscapers to best layout the site's grounds to improve biodiversity while making it picturesque from every angle. Hundreds of trees have been planted already and earth berms have been placed on select portions of the property to begin framing the entire campus.

Site Infrastructure and Facilities

Infrastructure Development

- Public water - Installation of 3000 feet of an 8-inch water line from the public line to the main building is planned through the town. This line will go on to loop with another adjacent residential developing property. The town will own the maintenance via easement. The cost of this water line is about \$200,000 but it opens the door to a world of possibilities.
- Electric – The utility provider, National Grid, is requiring all 2700 feet of 3-phase installation to be buried in concrete at the cost of over \$400,000 for the infrastructure.
- Wi-Fi - Spectrum is the data provider and there is a contract with them for line installation and service.

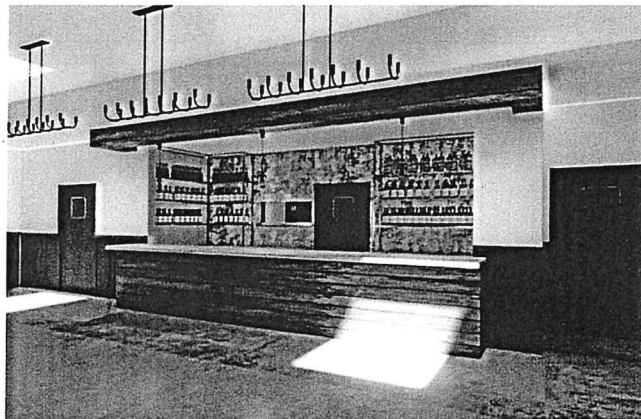
- Propane – Three 1,000-gallon propane tanks will be buried about 20 feet from the main building.

Main Building

- SPV Hall provides more than 4,125 square feet of climate-controlled usable space, with opportunities to utilize two HD projectors, speaker system, and sound dampening panels to provide a professional setting for presentations.



- The Lobby Bar is 16 feet long and equipped with two full-service stations.
- The Event Center full professional kitchen was designed to accommodate the needs of a full restaurant.
- SPV Hall and the Lobby Bar are built with accessibility in mind, welcoming all to enjoy the space.



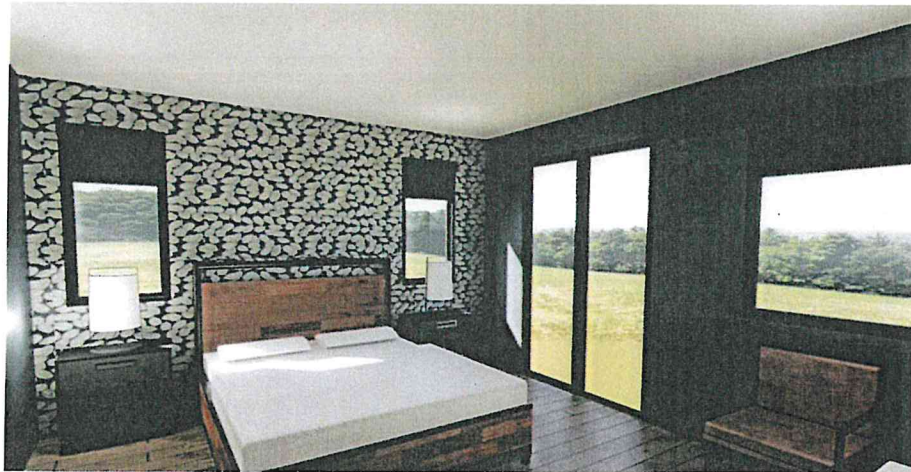
- Also conveniently located on the second floor is a modern corporate Conference Room, designed to accommodate in-person participants and remote guests. Large display screens, teleconferencing technology, and full A/V are provided for efficient and effective meetings.

Support Building

- A 2,400 square foot support facility will house an office with bathroom, a small laundromat, and a heated vehicle bay.
- The laundromat will be used by employees to launder linens and towels to be utilized in the main building, cottages, and suites.
- The vehicle bay will store all of the facility's equipment used for maintenance of the entire property

Cottages

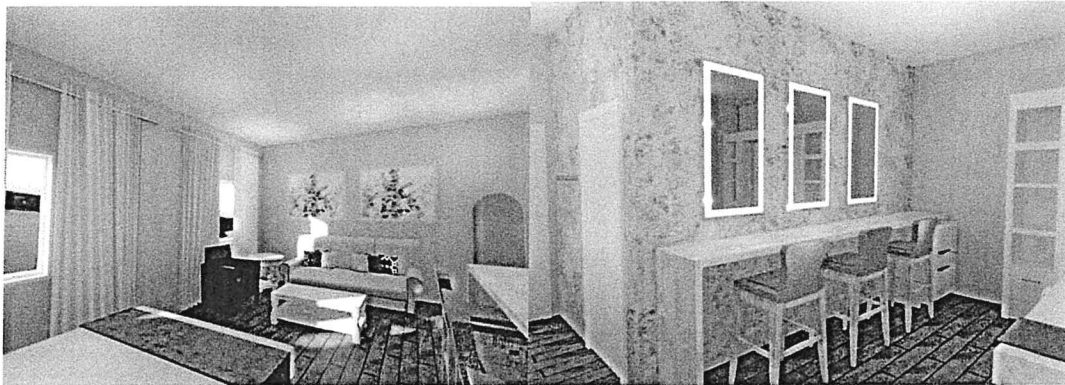
- Adjacent to the main building, along the shoreline, is the location of 5 cottages at 160 square feet each.
 - Each cottage can sleep 4 people on a queen bed and pull-out sofa
 - The cottages are designed as a minimalist waterfront hangout with core amenities to provide an elegant experience
 - The cottages are furnished with a kitchenette, one queen-sized bed, one queen-sized sleeper sofa, and a 3/4-bathroom.
- 5 cottages and the accompanying suites should host the bulk of a wedding party, which is especially important for out-of-town visitors, to increase the likelihood of booking guests from outside the region.
- Rental of the cottages can be coordinated with the booking of a private event. Each cottage is designed to provide guests with ease and comfort during all four seasons with heat and air conditioning.



Bride and Groom Suites

- The second-level suites provide ample time and comfort for wedding party members to get ready for their big day. The Bride's Suite is furnished with three vanity stations and plenty of space for the bridal party to prepare. Both the Bride and Groom suites can also

accommodate overnight guests, as they're finished with a queen bed and full bathroom as well.



Nearby Lodging and Transportation

We are working with nearby hotels to assist with overflow for any private event.

- 1000 Islands Harbor Hotel
 - 14.9 miles from Sally Port View
 - 105 total rooms
 - Located on St Lawrence River in a nice downtown area
 - Working with the General Manager there to assist in blocking rooms for future weddings and travelling together to trade shows as part of the 1000 Islands Tourism Council
 - 200 Riverside Drive, Clayton, New York

- Hilton Garden Inn Watertown
 - 16.6 miles from Sally Port View
 - 136 rooms available
 - Located on I-81, 5 minutes from Watertown Airport, 60 minutes from Syracuse Airport
 - 1290 Arsenal Street, Watertown, New York
- Fairfield Inn & Suites Watertown Thousand Islands
 - 16.2 miles from Sally Port View
 - 120 rooms available
 - Located on I-81, 5 minutes from Watertown Airport, 60 minutes from Syracuse Airport
 - 250 Commerce Park Drive, Watertown, New York
- Hampton Inn Watertown
 - 16.4 miles from Sally Port View
 - 90 rooms available
 - Located on I-81, 5 minutes from Watertown Airport, 60 minutes from Syracuse Airport
 - 155 Commerce Park Drive, Watertown, New York
- Holiday Inn Express & Suites Watertown-Thousand Islands
 - 16.5 miles from Sally Port View
 - 115 rooms available
 - Located on I-81, 5 minutes from Watertown Airport, 60 minutes from Syracuse Airport
 - 1290 Arsenal Street, Watertown, New York
- Tailwater Lodge
 - 52 miles from Sally Port View
 - 88 total rooms
 - Indoor pool and fancy Spa
 - Upscale restaurant and bar
 - Resort Atmosphere
 - Potentially partnering as a sister property for lodging and/or events. The owner has multiple lodging properties across NY.
 - 52 Pulaski St, Altmar, NY
- AirBnBs
 - Younger visitors from out of town are more apt to secure non-traditional lodging
 - There are currently 52 AirBnBs available for rental across Chaumont Bay. The vast majority of these are little waterfront cottages.

Shuttle Service

- For those from out-of-town or staying overnight, getting back and forth to Sally Port View will be the most challenging part for those visiting without their own transport. There is 1 prominent shuttle service in Watertown that can be rented easily as their fleet is vast.
 - Clarence Henry Coach – large fleet shuttle service in Watertown, NY

Business Environment

COVID-19

Economic factors and legal restrictions imposed during the height of the COVID-19 pandemic delayed countless life & corporate events. The timing of our facility being completed along with its aesthetic allure will allow us to capture these customers in need of a new venue and those newly engaged seeking a new more modern event venue.

Lake Ontario

Comparable event center venues such as this do not exist on Lake Ontario

- Only other venues directly on Lake Ontario are
 - Oswego Area- Bay Shore - 63 miles away from SPV
 - Rochester Area- Arbor Venues- 141 miles away from SPV
 - Buffalo Area- none

Competition - Peers

- SPV is designed to position itself in the market as peers to two key venues:
 - 1000 Islands Harbor Hotel
 - Pros
 - Largest, nicest hotel on the St. Lawrence River
 - Charges minimum \$30k wedding
 - Working with management as a lodging sister property
 - Cons
 - No privacy
 - No space
 - No nature, except water view
 - Cookie-cutter wedding template
 - Tailwater Lodge
 - Pros
 - Salmon River waterfront for serious anglers
 - Multiple event rooms and venue spaces
 - Spa and indoor pool
 - Charges \$30k wedding
 - Popular because it is remote
 - Cons
 - Multiple weddings held on the same day

- Minimal privacy
- Cookie-cutter wedding template

Competition - Local Event Venues

Local corporate and family events are traditionally held at public event centers like American Legions, churches, volunteer fire departments, and town halls, restaurants, or hotels.

There is a large, local interest in a waterfront facilities to capture these meaningful life events in a picturesque setting. Countless inquiries from locals interested in booking or passing on booking information to relatives planning on reunions post-COVID has been occurring.

Military

- US Army Military Installation at Fort Drum – Home of the 10th Mountain Division
 - 15,000 active duty soldiers
 - Each married soldier has approximately a 2.5 person family
 - Continually revolving audience as tours end and start
- Will work with the MWR (Morale, Welfare, and Recreation) group to advertise on base for weddings and large public events
 - SPV hopes to work with 10th Mountain Division Leadership for a nonprofit operation to identify, isolate, and assess soldiers recently returning from combat tours to provide them with the information and tools necessary to adapt and overcome challenges related to exposure to traumatic events
- Military balls and formal events can happen on Fort Drum at federally built event centers, but commanders there also have the option of booking outside venues and typically military installations seek to bolster economic development for neighboring communities by taking advantage of locally owned facilities.
- SPV owners are prior service and have connections in the military network to facilitate introductions and advertising

Marketing

We're leveraging the local waterfront as the greatest asset of SPV. We want this place to showcase what the North Country and 1000 Islands Region have to offer and why it's so special.

- Website: sallyportview.com
- Social Media Marketing
 - Facebook/Instagram- A tied account has been created with updates on construction progress and general business. Currently there are over 600 followers with minimal marketing.
 - Pro bono assistance from a social media campaign adviser for both generating and posting content.
 - Targeted ads: we intend to geographically target likely wedding audiences in areas known to have high rates with a population willing to travel via car:
 - Long Island, NY

- NYC, NY
 - Syracuse, NY
 - Buffalo, NY
 - Northern New Jersey
- Magazines
 - Currently in talks with Kristen Debadts who runs the Syracuse Wedding magazine
 - 5,000 couples circulated quarterly
 - 10K+ followers from Buffalo and Rochester
 - Thousands of followers Syracuse/Albany
- Bridal Shows
 - Plans are to attend one show a quarter and focus on Albany, Syracuse, Rochester, and Buffalo for the first year
- 1000 Islands Tourism Council
 - Plan to attend trade shows for showcasing entire region for weddings and corporate events
- Networking
 - Becoming members of local Chambers of Commerce
- Scorecard Advertising – 1000 Islands Country Club
 - Currently have a full side logo and info on scorecard that reaches over 41,000 rounds of golf played every year

Revenue

SPV pro forma statements buckets three revenue types:

- Weddings
 - Weddings will likely represent the most marketed event type until if/when the business demonstrates an ability to generate more income via different events.
 - There is seasonality to the wedding season, with our projections showing just 2 weddings per winter month at steady state operations.
 - Although November is basically a winter month in the North Country, it also seems to be a highly popular month to be married and we include higher prices for November as we consider it peak.
 - Even in the first year we project 6 weddings for November
 - For December-February, there is certainly seasonality here
 - For the first year we only showed 1 wedding for each month respectively
 - Even in years 2 and beyond we project no more than 2 weddings during those winter months
 - Standard daily and weekend package for full- or partial-site rental
 - Weekly occurrences
- Private Events
 - Privately booked events that are not weddings

- Standard hourly, daily, and weekend packages dependent on type of event
- Daily occurrences
- Large Public Events
 - Campus is open to general admission
 - Concerts, Sports Tournaments, Fairs
 - Monthly occurrences

Each event will either require the rental of the facility or ticketed admission. In addition to the core revenue, the following additional revenue streams for every booked event.

- Liquor Sales
 - SPV owns the liquor license and will manage all alcohol sales on the property.
- Kitchen rental
 - Only certified caterers and chefs with appropriate licenses may rent the kitchen facilities.
 - Beginning rate is \$350/hr
- Equipment rental
 - SPV will also rent out equipment:
 - Tables
 - Chairs
 - Tableware
 - Linens
 - Recreational equipment

Winter Months

Focusing on the popular North County winter events that get people out of their homes will help to fill the gap in lost wedding interest during the cold months:

- Sled Races
- Ice Fishing Derbys
- Pop-up restaurants
 - Less than 5 miles from SPV there is a small restaurant called Wise Guys that serves around 25 tables. This restaurant is never not at capacity and they're always getting in trouble for people parking all over due to overflow so they need is there
 - We will also capitalize on the days they are not open- currently they are closed Mondays and Tuesdays in the summer, and closed Monday, Tuesday, and Wednesday in the winter. They also take off most of January every year.
 - It is the only semi-good food for locals for 15 miles
 - For visiting folks, it's also the only semi-good food for 15 miles
 - We intend to rent the kitchen to select chefs/caterers to support marketed restaurant nights at SPV on nights when there isn't a booked event

Proximate Income Drivers

- Chaumont Bay
 - Those in fishing circles would consider this an attraction.

- Pro fisherman who launch in the St. Lawrence River for a tournament will leave the river, drive through Lake Ontario, and then down into Three Mile Bay to specifically fish right off our shores.
- 1000 Islands
 - St. Lawrence River
 - Clayton -> Alexandria Bay is a summertime locale for 'river people' from NYC getting away for the summer
 - Boldt Castle – really large castle on an island in the River
- Chaumont Barrens
 - This isn't a big tourist stop but it's a hidden gem. It's a small alvar forest (there's only a few in the world) where the limestone bedrock and lack of soil produce these exposed fossils and special species of plants that only grow in this environment. We intend to promote this as a stop for everyone visiting.

Letters of Intent and Booking Inquiries received

- Week-long corporate offsite rental – Mindful Compassion LLC., Psychology firm
 - Signed Letter of Intent - \$45k base weekly campus booking for 150 conference attendees
- Multiple wedding booking inquiries- both summer and winter
- Anniversary
- Corporate Holiday Party – local, large car dealership
- 1000 Islands Poker Run – huge North Country event
- Cornhole Tournament – recurring weekly series
- Corporate Conference – Syracuse-based firm
- Fishing Expeditions – Manhattan anglers club interested
- Outdoor Concert – local businesswoman and experienced concert organizer
- Dance Performance – local dance company
- Yoga classes – local yoga instructor

Industry Professionals

SPV is building a network of reliable professionals to assist in executing key events including fishing expeditions, pop-up restaurants, and weddings.

- Event Management firms:
 - Lovebirds Wedding Co.
 - Boutique event management firm for weddings with a crew of 4-5
 - Really organized and experienced with catered events in and around Syracuse
 - Owner is impressive (this is her passion/tons of follow through)
 - Lovely Day Event Services
 - Boutique event management firm with 1-2 crew
 - Day-of help for executing an event
- Catering

- Litterio's Catering and Take Out
- Embellished Catering
- Industry Professionals
 - Watertown SBDC
 - Zachary Goutremout, ZRG Fishing, Current professional angler on Bass Pro tour
 - Ann Marie Angus, General Manager of 1000 Islands Harbor Hotel

Funding

Project Costs & Budget

Breakdown of Costs – See attached schedule

Commercial Lending

SPV is entering into an agreement with Newtek and GSBDC for the construction and commercial SBA 504 loans.

Grant Applications

SPV submitted an application through the New York Empire State Development Agency Regional Economic Development Council for \$1.11m grant to complete the fully approved site plan including all 5 cottages, trails, shoreline remediation, support building with laundry mat, and parking areas.

- Inflation during the planning and construction period increased the budget 30% from the original projections
- SPV is highly competitive for an Empire State Development grant and has received letters of support from the Town of Lyme and State Senator Patty Richie

The National Grid Utility Company will reimburse \$300k of the electric 3-phase installation cost via their Economic Development Grant Program. SPV fully qualifies for this reimbursement which will be made as soon as the electric infrastructure construction is complete.

Future Plans

The site infrastructure is designed to allow for any type of building to be constructed in the future. The most limiting factor in SPV's ability to host large events is the amount of onsite lodging. The more lodging SPV offers the larger the events and services it can offer clients.

A multi-story boutique hotel at the top of the property near NYS Route 12-E would fill a crucial gap not only for SPV but the entire region.

Every additional cottage we construct onsite always adds to the ambience of the campus. There is enough acreage and infrastructure to build at least 20 more cottages before consideration of further infrastructure upgrades. This could accommodate a further 80 people a night on the campus, which puts our total number over 100 and places us in a category that is complementary to any other lodging facility regardless of scale or fanciness.

Kurtis (K.C.) Bennett
21277 Fox Ridge Road
Watertown, New York 13601

315.408.9509 (mobile)
kcolbyb@gmail.com

Professional Experience

- 2013-2021 **Palantir Technologies** Washington DC
Business Development Manager
- Implemented custom and enterprise software solutions for Fortune 500 companies to leverage their existing data to meet an existential business threat.
 - Directly responsible for \$100+ million in additional revenue for an international oil & gas firm.
 - Led teams during sales and operations within US government, foreign government, commercial, and not-for-profit clients
 - Led a Middle Eastern country operations team while abroad for a year.
- 2010-2013 **Central Intelligence Agency** Langley, Virginia
Analyst
- Conducted all-source analysis to author memorandums for the President of the United States.
 - Coordinated with other government agencies and departments to draft intelligence products for senior US policymakers and the White House.
 - Regularly briefed senior policymakers on international security events.
 - Created new proposals and initiatives for a covert action program.
 - Recognized with award multiples times for actions in the field.
- 2003-2008 **United States Army** New York - Iraq - Afghanistan
2007-2008 *Public Affairs Specialist*
- Wrote speeches and correspondence for the Commanding General of the 10th Mountain Division for use with policymakers, military command, and community leadership.
 - Worked with community leaders to facilitate efforts to develop social and economic cohesion between Fort Drum and the community.
- 2005-2007 *Rifle Company Executive Officer*
- Second-in-command of a 131-man US Army Infantry Company during train-up and 16-month combat tour in northeastern Afghanistan.
 - Built relationships with Afghan elders and businessmen to bolster development despite enemy attacks, intimidation, and propaganda campaigns.
 - Contracted with local businesses to maintain three forward operating bases serving 400 personnel and develop district infrastructure.
 - Proposed and drafted contracts to build schools, clinics, bridges, roads, micro-hydroelectric systems, and general infrastructure.

Education

Yale School of Management New Haven, Connecticut
Master of Business Administration, 2010.

United States Military Academy West Point, New York
Bachelor of Science (BS) in Russian/Arabic, 2003.

SCHEDULE "A"

Borrower (Legal Name): Sally Port View LLC EIN/TIN: _____

D/B/A if any: _____ State Unemployment Insurance No. _____

Address: 7828 NY RTE 12E City: Three Mile Bay State: NY Zip Code: 13601

Phone Number: 315.649.7678 Website: www.sallyportview.com

Type of Organization (i.e. sole proprietorship, partnership, corporation, etc.) LLC

North American Industrial Classification System Number (NAICS): 722511

Contact Name: Kurtis Bennett Phone Number: 315.408.9509

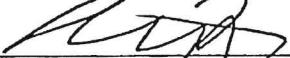
Contact Address: 21277 Fox ELDGE RD City: Watertown State: NY Zip Code: 13601

Certification:

The North Country Transformational Community Tourism Loan Program ("Program") is funded through New York State Empire State Development ("ESD") and administered by the Development Authority of the North Country ("DANC"). ESD requires that the Borrower of Program funds comply with the following:

- Exhibit G-1: Documentation of Project Costs - (includes description of item or service purchased with program funds, vendor name, invoice date, amount, check number, and number of items received.) *If construction is being documented with AIA Forms be sure all applicable sections are completed, signed and notarized.*
- Proof of Equity Contribution – includes confirmation
- Compliance with Minority and Woman-Owned Business Enterprise goals of 30% for either certified Minority Owned Business Enterprises or certified Woman-Owned Business Enterprises. This includes completion of the attached ESD Exhibit H-4: Utilization Plan and quarterly completion of the ESD Exhibit H-6: Contractor Compliance and Payment Report.
- Compliance with Equal Employment Opportunity which includes utilization of ESD Exhibit H-2: Staffing Plan in bids or proposals, and completion of ESD Exhibit H-3: Workforce Employment Utilization Report to be completed by Contractors and Subcontractors.
- Compliance with State Environmental Quality Review Act. If a coordinated environmental review by a lead agency, then the Development Authority of the North Country should be a "listed agency."
- Compliance with Labor Peace.

I have read the above and understand that by signing this application and requesting funds from ESD that should I be funded, I will be obligated to comply with these Program requirements.

Date: 08/01/22 Borrower:  Title: Owner

SCHEDULE "B"
PRINCIPALS AND OFFICERS

Indicate names and addresses including percentage of ownership of all principals and officers.
Please attach resumes for principals.

Owners/Principals

Name	% Ownership
Kurtis Bennett	100

Officers

Name	Title

SCHEDULE "E"
BANKRUPTCY, LITIGATION AND FELONY HISTORY

Describe any bankruptcy history, litigation history having a material effect on the business solvency, or convicted felony activity associated with the owners, management, or officers of the business.

1. Are any of the officers, owners, or management of the business presently under indictment, on parole, or probation? Yes _____ No X

If yes, describe:

2. Have any of the owners, officers, or management of the business ever been charged with or arrested for any criminal offense other than a minor traffic infraction?

Yes _____ No X

If yes, describe:


3. Have any of the owners, officers, or management of the business ever been convicted of any criminal offense, other than a minor traffic infraction?

Yes _____ No X

If yes, describe:

4. Has the business, its present owners, officers, or management ever been the subject of bankruptcy proceedings? Yes _____ No X

If yes, describe:

Signed,  Kurtis Bennett

SCHEDULE "F"
EMPLOYMENT PLAN

A Job Title	B Annual or Hourly Wages	C Current Number of Positions	D Jobs Created : Year One	E Jobs Created: Year Two	F Jobs Created : Year Three	G Total Jobs to be Created
President	\$135,000	0	1	0	0	1
Executive	\$135,000	0	0	1	0	1
Site Manager	\$50/hr	0	1	0	0	1
Site Assistant	\$30/hr	0	0	1	0	1
Operations Manager	\$50/hr	0	1	0	0	1
Operations Assistant	\$30/hr	0	0	1	0	1
Marketing Manager	\$50/hr	0	1	0	0	1
Marketing Assistant	\$30/hr	0	0	1	0	1
* Part-time Jobs	\$20/hr	0	5	1	0	6
* Independent Contractor	\$40/hr	0	5	1	0	6
						<u>20</u>
						↓
TOTALS:						14

Gross
↓
* FTE

Instructions:

- Column A:** Insert the job titles that exist within the company at the time of application, as well as any job titles that will be established as a result of the project.
- Column B:** Indicate the entry level wage for each listed job title either in terms of hourly pay or annual salary.
- Column C:** For each listed job title insert the number of positions that exist at the time of application.
- Column D:** Insert the number of jobs to be created during year one of the project for each listed job title.
- Column E:** Insert the number of jobs to be created during year two of the project for each listed job title.
- Column F:** Insert the number of jobs to be created during year three of the project for each listed job title.
- Column G:** Indicate the total number of jobs to be created for each listed title as a result of the project.
(Column D + Column E + Column F = Column G)
- Use as many copies of this form as necessary.

OUTSTANDING DEBT DETAILS

Describe outstanding debt for the business including installment loans, notes, mortgages payable and capitalized leases, showing to whom payable, balance, interest rate, maturity date, monthly payment, security and whether current or delinquent. **If business is a sole proprietorship, provide personal indebtedness information.** Fill out as many sections as necessary.

NO OUTSTANDING BUSINESS DEBT

1. Debt Type: _____
(installment loan, mortgage, lease, etc.)

Term: _____ months

Date _____

Maturity Date: _____

Original Amount: \$ _____

Collateral Supporting Debt: _____

Monthly Payment: \$ _____

Lender: _____
(bank, individual, etc.)

Interest Rate: _____ %

Current Balance: \$ _____

Current? Yes No

2. Debt Type: _____ Lender: _____
 (installment loan, mortgage, lease, etc.) (bank, individual, etc.)

Date _____

Term: _____ months Interest Rate: _____ %

Maturity Date: _____

Original Amount: \$ _____ Current Balance: \$ _____

Collateral Supporting Debt: _____

Monthly Payment: \$ _____ Current? Yes No

3. Debt Type: _____ Lender: _____
 (installment loan, mortgage, lease, etc.) (bank, individual, etc.)

Date _____

Term: _____ months

Maturity Date: _____

Interest Rate: _____ %

Original Amount: \$ _____

Current Balance: \$ _____

Collateral Supporting Debt: _____

Monthly Payment: \$ _____

Current? Yes No

Signed _____ Date _____

(USE ADDITIONAL COPIES OF THIS SHEET IF NECESSARY)

SCHEDULE "H"
SECURITY COLLATERAL

List any additional collateral (such as land, buildings, machinery, equipment) available for security. Indicate cost, net book value (cost less depreciation), an estimate of present market value and present loan balance. For each item of collateral listed, provide a description of all associated liens thereon.

Land or Real Estate

*recently appraised
with improvements*

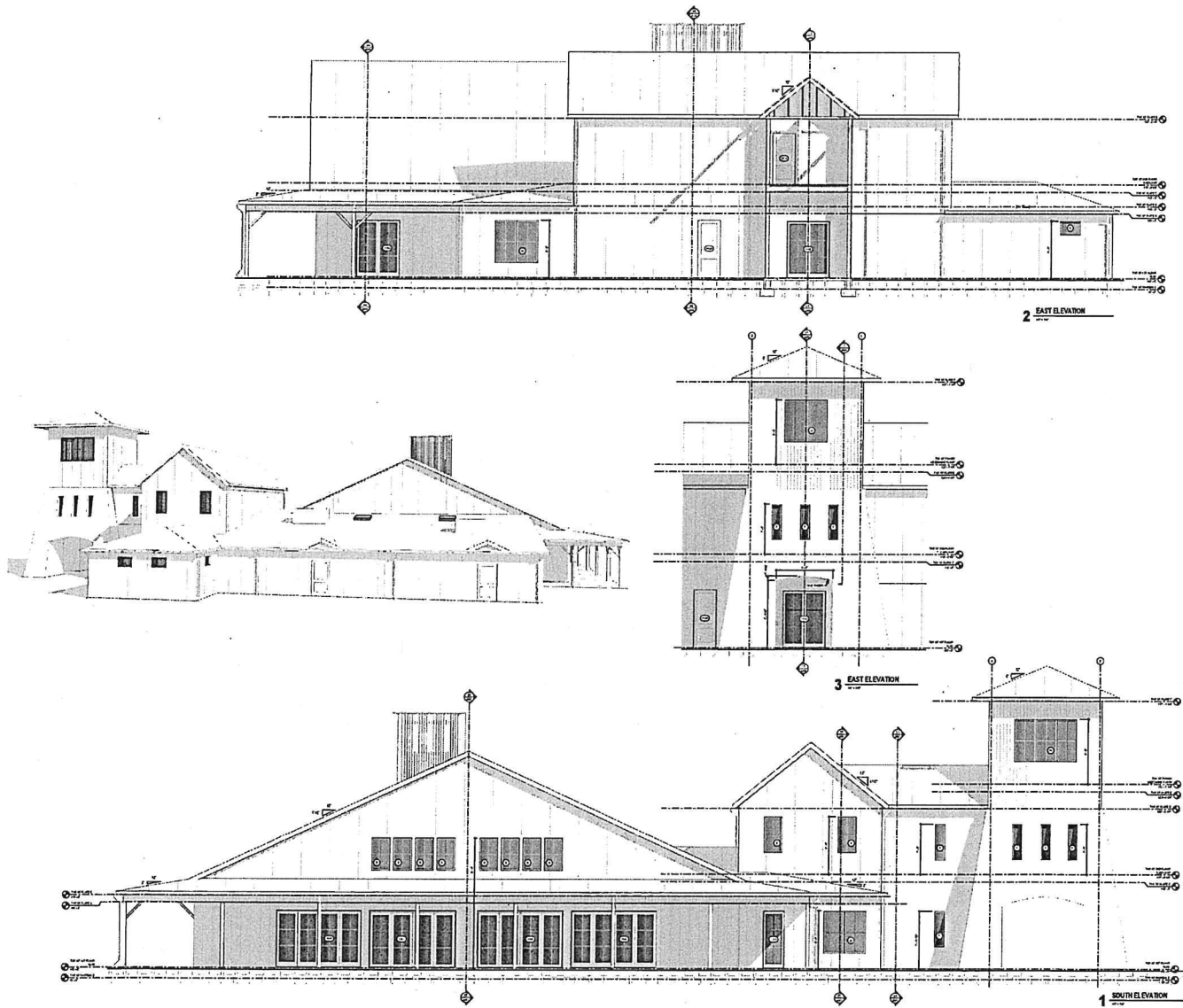
Description	Location	Cost	Est. Book Value	Est. Market Value	Present Loan Balance	Liens (Identify Lien Holder)
Business Property	7028 NYS FIE 12E Three Mile Bay NY	\$1625K	\$1625K	\$1.2M	0	

Machinery or Equipment

Description	Location	Cost	Est. Book Value	Est. Market Value	Present Loan Balance	Liens (Identify Lien Holder)

Other Tangible Assets

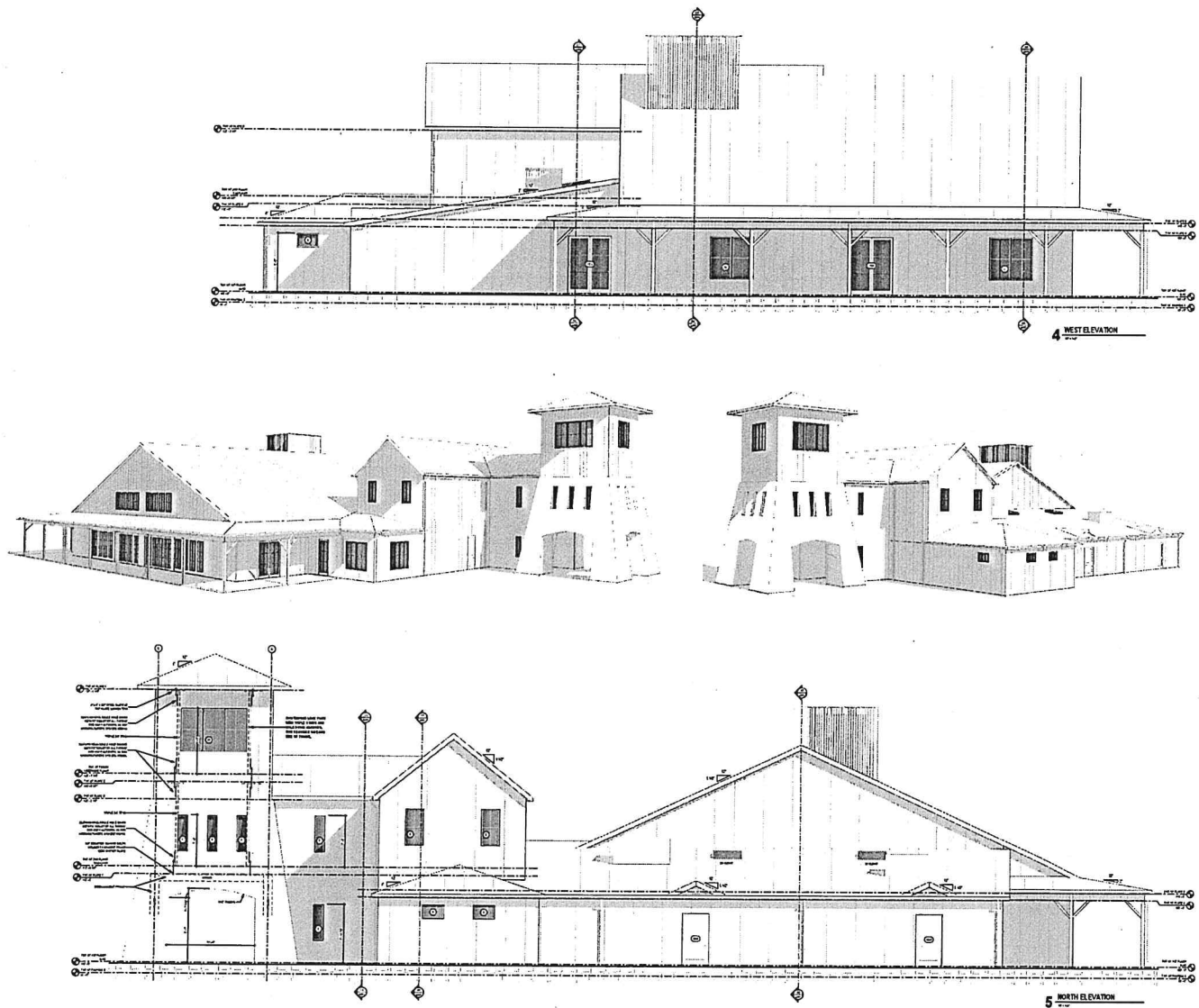
Description	Location	Cost	Est. Book Value	Est. Market Value	Present Loan Balance	Liens (Identify Lien Holder)



Michael J. Anderson
 Registered Architect
 1000 Corporate Blvd., Suite 100
 P.O. Box 1000
 P.O. Box 1000

SALLY PORT VIEW
 1000 Corporate Blvd., Suite 100
 P.O. Box 1000

A200



Architectural drawings of a building, including a West Elevation, two perspective views, and a North Elevation.

4 WEST ELEVATION

5 NORTH ELEVATION

SALLY PORT VIEW

A201





July 27, 2022

Mr. Justin Miller
Harris Beach PLLC
513 Broadway
Saratoga Springs, NY 12866

Jefferson County
Industrial Development Agency
195 Arsenal Street
Watertown, New York 13601

Re: Change of Control for OYA Ellisburg Solar LLC

Dear Mr. Justin Miller and Members of the Board of the Agency,

I am counsel with OYA Solar NY L.P. ("OYA Solar"). OYA Solar is the current indirect holder of 100% of the membership interests of OYA Ellisburg Solar LLC ("OES").

As you know on April 7, 2022, Jefferson County Industrial Development Agency ("JCIDA") voted to approve the resolution ("Resolution") attached hereto as Exhibit A authorizing that certain financial incentives, including but not limited to a PILOT, be granted to OES. That Resolution mandated that in the event of a transfer of a controlling interest in OES, notification to, and authorization of such transfer, would be required from the JCIDA. While we have not yet initiated closing of the PILOT, we plan to do so in the near future as we are expecting to commence construction this year. In anticipation of this, we are in the process of obtaining financing ("Financing Transaction") from Greenbacker Renewable Energy Corporation ("Greenbacker"). The Financing Transaction will require a transfer of the controlling interest in OES as outlined below and we require authorization of the JCIDA in order to close.

Please accept this correspondence as a formal request to authorize the transfer of the controlling interests in OES to OYA Solar Construction Holdings 2, LLC ("OSCH2 LLC") which LLC is to be formed upon your approval, as further described below and in the attached Structure Chart.

Background:

- A. At the time of the Resolution, 100% of the membership interests of OES were held by OYA Solar CDG LLC ("OYA"). Which, in turn, I wholly owned by OYA Solar.

OYA Solar Corp.
144 Front Street W, Suite 310
Toronto, Ontario
M5J 2L7 CANADA
T: 416.840.3358
F: 416.860.6666
www.oyasolar.com

Financing Transaction:

1. For the purposes of the Financing Transaction with Greenbacker, OYA Solar caused OSCH2 LLC to be formed and then transferred the membership interests it holds in OES (100%) to OSCH2 LLC.
2. As required by Greenbacker as a condition precedent to the Financing Transaction, OSCH2 LLC will be owned by a subsidiary OYA Solar B1 Intermediate Holdco LLC ("OYA B1 Intermediate") which subsidiary will be owned jointly by OYA Solar BI LLC (an OYA affiliate) and Rosewood Energy LLC (a Greenbacker affiliate).

Please let us know at your earliest convenience what additional information you may need to consider this request and what procedure you would like us to follow to complete the application for this change.

Thank you in advance for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Glenn Frank', written in a cursive style.

Glenn Frank

Copy: Bernadette Corpuz (OYA Solar, General Counsel); Taymaz Jahani (Chief Operating Officer, OYA Solar)

Jefferson County Industrial Development Agency

MRB Cost Benefit Calculator

Date August 17m 2022
Project Title RIC-WILNA PV, LLC
Project Location 4259 CR 41, NATURAL BRIDGE, NY 13665



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

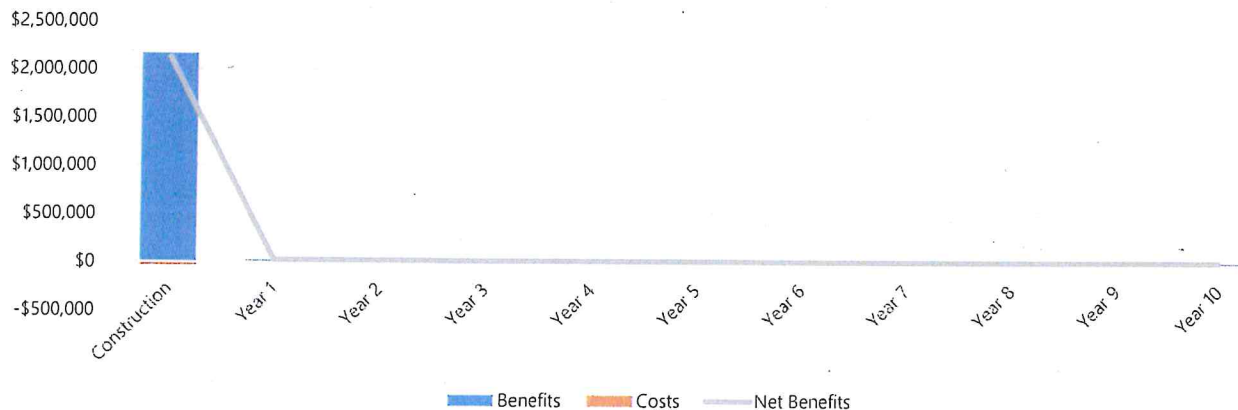
\$5,020,719

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	16	8	24
Earnings	\$1,661,002	\$379,430	\$2,040,432
Local Spend	\$4,016,575	\$1,362,543	\$5,379,118

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	0	0	0
Earnings	\$0	\$0	\$0

Figure 1

Net Benefits



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

Figure 2

Total Jobs

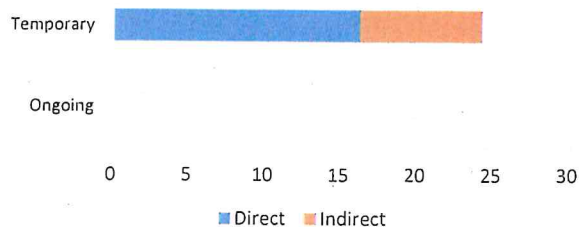
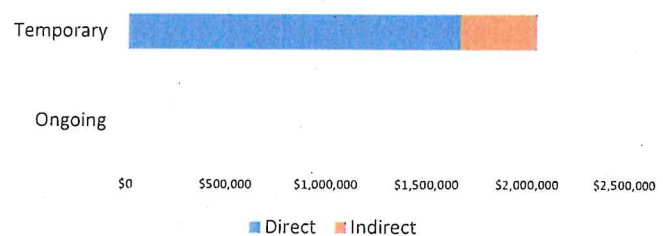


Figure 3

Total Earnings



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$11,540	\$6,986
Sales Tax Exemption	\$0	\$0
Local Sales Tax Exemption	\$0	\$0
State Sales Tax Exemption	\$0	\$0
Mortgage Recording Tax Exemption	\$33,886	\$33,886
Local Mortgage Recording Tax Exemption	\$11,295	\$11,295
State Mortgage Recording Tax Exemption	\$22,591	\$22,591
Total Costs	\$45,426	\$40,872

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$2,385,354	\$2,339,732
To Private Individuals	\$2,040,432	\$2,040,432
Temporary Payroll	\$2,040,432	\$2,040,432
Ongoing Payroll	\$0	\$0
Other Payments to Private Individuals	\$0	\$0
To the Public	\$344,922	\$299,301
Increase in Property Tax Revenue	\$330,639	\$285,018
Temporary Jobs - Sales Tax Revenue	\$14,283	\$14,283
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$106,102	\$106,102
To the Public	\$106,102	\$106,102
Temporary Income Tax Revenue	\$91,819	\$91,819
Ongoing Income Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$14,283	\$14,283
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Total Benefits to State & Region	\$2,491,456	\$2,445,835

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$2,339,732	\$18,281	128:1
State	\$106,102	\$22,591	5:1
Grand Total	\$2,445,835	\$40,872	60:1

*Discounted at 2%

Additional Comments from IDA

Town of Wilna's 14 year average tax rate increase was a negative 8% and the five year average is flat. I used a 1% estimate of future years increases. I used the States Appraisal Model and then added lands at \$10,000.00 per acre to calculate total estimated assessment for the project.

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

Jefferson County Industrial Development Agency

Project Summary

Date 8/17/2022

Project	RIC-WILNA PV, LLC	NAICS: 221114			School	Carthage
Location	42459 CR 41, Natural Bridge, NY 13665	Project Acres	Total Acres			
Tax Parce	68.00-1040.1	21.21	60.95			
RCI Development (Billing Address)					Town	Weilna
85 Broad St. Fl. 28, NY, NY 10004		% of Proj	NYS Tax	County Tax		
Total Project Costs		5,020,719			Jobs	
Land					Retained	0
Infrastructure	576,600				Added	0.33
Inter Connect	392,442				Total	0.33
Furniture & Fixtures	348,000				Next Five Years	0.33
Equipment - SOLAR	2,498,600				Construction Jobs	30
General Labor	600,000	0			Current Assessment	38,600 Land
Electrical Labor	440,000				Final Assessment	1,221,699 Project
Eng/Arch Fees					Agency Fee	\$75,311
Finance Charges					App Fee	2,500
Legal / Planning/Permits	45,000				Agency Fee is calculated based on the fee schedule on the Application. This project is under \$10 Million so the fee is .015% of Total Project Costs.	
Predevelopment Costs	106,077					
Other-Soft Costs	14,000					
Total	5,020,719					

Sales Tax Exemption-

Total Material	3,236,119
4% County Tax	129,445
4% NYS Tax	129,445
	258,890

Mortgage Recording Tax

Est Mortgage Amount	\$4,518,107
MRT Savings	33,886

Wilna Tax Rates

		% Distribution
County	7.447377	2021 0.41351762
Town	2.945699	2021 0.16356073
School	7.616742	2020 0.42292165
	18.009818	1

Total

Project Costs	5,020,719
Fed ITC Grant	1,249,473
NYSERDA	422,840
Total Grants	1,672,313
Net Project Costs	3,348,406

	Yearly Increase 1% W/O PILOT	
PILOT	3MW	Land Payment
Year 1	21,771	3,820
Year 2	21,345	3,820
Year 3	20,926	3,820
Year 4	20,516	3,820
Year 5	20,113	3,820
Year 6	19,719	3,820
Year 7	19,332	3,820
Year 8	18,953	3,820
Year 9	18,582	3,820
Year 10	18,217	3,820
Year 11	17,860	3,820
Year 12	17,510	3,820
Year 13	17,167	3,820
Year 14	16,830	3,820
Year 15	16,500	3,820
	285,341	57,298

97%

New Assessment	New Assessment	Project Per Acre New Land Assessment	Land Current Assess	Acres	Current Assess Per Acre	Project Acreage	Current Project Assessment
Improvements Only (Add Land)	1,009,599		38,600	60.95	10,000.00	21.21	212,100
Improvements & Land	\$1,221,699				New Project Land Assess.		212,100

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:

Wilna PV, LLC

Applicant Address:

c/o RIC Development, LLC

Phone:

917-463-0421

E-mail:

jrappe@ric.energy

Application Date: August 16, 2022

Internal Use Only

Staff Signature and Date of Submission: _____

Completed Application Date: _____ Staff Initial _____

Revised Date: _____, Revision #: _____

Document Date: July 28, 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: 7/28/2022

Section I: Applicant Information

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

A) Applicant Information-company receiving benefit:

Applicant Name: Wilna PV, LLC
 Applicant Address: c/o RIC Development, 85 Broad St FL 28, New York, NY 10004
 Phone: 917-463-0421 Fax: 917-463-0423
 Website: www.ric.energy E-mail: jrappe@ric.energy
 Federal ID#: 84-4404114 NAICS: 221114
 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: RIC New York, LLC
 Federal ID#: 84-3731692
 State and Year or Incorporation/Organization: New York, 2019
 List of stockholders, members, or partners of Real Estate Holding Company: Renewable Investment Corporation

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

B) Individual Completing Application:

Name: Jonathan Rappe
 Title: CEO
 Address: 85 Broad St FL 28, New York, NY 10004
 Phone: 917-463-0421 Fax: 917-463-0423
 E-Mail: jrappe@ric.energy

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

Name: _____
 Title: _____
 Address: _____
 Phone: _____ Fax: _____
 E-Mail: _____

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

D) Company Counsel:

Name of Attorney: Susan Katzoff
 Firm Name: Bousquet Holstein
 Address: 110 West Fayette Street | One Lincoln Center, Suite 1000 | Syracuse, New York 13202-1190
 Phone: 315.701.6303 Fax: 315.410.1557
 E-mail: skatzoff@bhlawpllc.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	<input type="checkbox"/>	Partnership	<input type="checkbox"/>
Public Corporation	<input type="checkbox"/>	Joint Venture	<input type="checkbox"/>
Sole Proprietorship	<input type="checkbox"/>	Limited Liability Company	<input checked="" type="checkbox"/>
Other (please specify) _____			
Year Established: <u>2020</u>			
State in which Organization is established: <u>Delaware</u>			

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

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

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.

<u>Name</u>	<u>% of ownership</u>
RIC Development, LLC	100%
Renewable Investment Corporation	100% parent of RIC Development, LLC

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: Applicant is a special purpose project company, established for the purposes of building, owning and operating a 3 MW solar PV power plant. Sponsor develops and builds similar projects nation-wide.

Estimated % of sales within Jefferson County: 0

Estimated % of sales outside Jefferson County, but within New York State: 100%

Estimated % of sales outside New York State but within the U.S.: 0%

Estimated % of sales outside the U.S. 0%

(*Percentage to equal 100%)

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.
Applicant doesn't currently have operations in Jefferson County. If approved, this project will contract local labor to construct and maintain the facility.

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

Section II: Project Description & Details

A) Project Location:

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

None

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

RIC Development has over 60 sites in various stages of development around NY state.

Provide the Property Address of the proposed Project:

42459 County Route 41, Natural Bridge, NY 13665

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: 68.00-1-40.1

What are the current real estate taxes on the proposed Project Site? \$465.99 County/Town, \$294.01 School

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: Wilna School District: Carthage Central

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: Wayne and Linda Schermerhorn

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): _____

RIC New York, LLC will purchase the underlying property from its current owner and lease a portion of it to the Applicant, Wilna PV, LLC.

Wilna PV, LLC will be constructing a 3 MW solar PV power plant on the property, interconnected to National Grid's power distribution network. The project will generate utility bill credits under National Grid's Community Distributed Generation program, which will be sold at a discount to local business and residential ratepayers. The plant will require minimal operations and maintenance and will quietly generate clean energy for 30-35 years.

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): See additional pages

Revised Date: _____, Revision #: _____

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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: The payment of statutory property tax could not be supported by the expected revenues from the plant and still provide an acceptable rate of return.

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: _____

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant? The project will not move forward without financial assistance

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

If Yes, please describe: Some specialized equipment will be leased for the construction of the plant.

D) Site Characteristics:

Describe the present use of the proposed Project site: The site is currently partially wooded and partially open, but isn't be used for anything.

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

If Yes, please provide local zoning reference that applies: AR - Agricultural and Rural Residential

For Renewable Energy Projects – provide acres ☒ leased or ☐ owned: 21.21

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

Describe the present zoning/land use: Zoned Agriculture and Rural Residential - site isn't currently in use

Describe required zoning/land use, if different: Not applicable

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: Not applicable

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: Negative Declaration and Special Use Permit were both issued by the town of Wilna.

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: _____

Revised Date: _____, Revision #: _____

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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	<input type="checkbox"/>	Back Office	<input type="checkbox"/>
Acquisition of Existing Facility	<input type="checkbox"/>	Retail	<input type="checkbox"/>
Housing	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Equipment Purchase	<input checked="" type="checkbox"/>	Facility for Aging	<input type="checkbox"/>
Multi-Tenant	<input type="checkbox"/>	Civic Facility (not for profit)	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	Other <u>Solar PV Plant</u>	<input checked="" type="checkbox"/>

** 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 11.

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 #: _____

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Renewable Energy Project: Project Costs

- | | |
|---|---------------------|
| 1. Project size | 3 MWac 3.84 MWdc |
| 2. Solar equipment costs
(panels, racking, all solar equipment to inverters) | \$ 2,498,600 |
| 3. Site equipment and FF&E costs
(on-production equipment from inverter to interconnection,
including site fencing, security and other equipment) | \$ 348,000 |
| 4. Site work and land preparation costs
(earthwork, roadways, landscaping, and site plan
improvements, highway cuts, wetland mitigation and
other onsite infrastructure costs) | \$ 576,600 |
| 5. All interconnection costs whether direct or indirect
expense through utility | \$ 392,442 |
| 6. All pre-development costs, including planning, engineering,
site plan and permitting | \$ 106,077 |
| 7. Battery storage costs | \$ 0 |
| 8. Battery storage capacity | 0 MWac 0 MWdc |
| 9. All other soft costs including legal, planning and permitting | \$ 45,000 |
| 10. Community benefit payments or impact fees | \$ 0 |
| 11. Community adder | \$ 0 |
| 12. Community or market transition credit | \$ 0 |
| 13. Total annual lease amount for project | \$ 14,000 |
| 14. Other (please identify): | \$ |
| General Labor - \$600,000 | |
| <u>Electrical - \$440,000</u> | |
| Total: | \$ 5,020,119 |

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

If Yes, describe particulars: All pre-development costs except for PILOT have been incurred and paid

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

Project refinancing; estimated amount

(for refinancing of existing debt only)

\$ N/A**Sources of Funds for Project Costs:**

Bank Financing:

\$ 4,518,107

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

\$ \$502,012

Tax Exempt Bond Issuance (if applicable)

\$ N/A

Taxable Bond Issuance (if applicable)

\$ N/A

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

\$ 1,672,313

Identify each state and federal grant/credit:

Federal ITC\$ 1,249,473NYSERDA MW Block\$ 422,840\$

Total Sources of Funds for Project Costs:

\$ 5,020,119Have any of the above costs been paid or incurred as of the date of this Application? ☒ Yes or ☐ NoIf Yes, describe particulars: All pre-development costs have been incurred and paid

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

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): \$ 4,518,107

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage Amount as indicated above multiplied by %): \$ 33,886

Construction Cost Breakdown:

Total Cost of Construction \$ 5,020,119 (sum of 2,3,4,5, and/or 7 in Question I, above)

Cost for materials: \$ 3,236,119

% sourced in Jefferson County: 0 %

% sourced in New York State \$200,000 % (including Jefferson County)

List major material suppliers if known _____

Cost for labor: \$ 1,784,000

Expected Full-Time Equivalent Jobs during construction 30

Expected Total Labor Hours during construction 7,200

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:

\$ 3,236,119

Estimated State and local Sales and Use Tax Benefit (product of 8 % multiplied by the figure, above):

\$ 258,890

*** 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: Not Applicable

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

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: January, 2023
2. Estimated completion date of project: August, 2023
3. Project occupancy – estimated starting date of operations: August, 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.*

Revised Date: _____, Revision #: _____

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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	0.33	0.33

** 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:

Category of Jobs to be Retained and Created	FTE	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management			
Professional			
Administrative			
Production			
Transportation/Logistics			
Warehousing			
Other	Maintenance	\$30,000	
TOTAL		\$30,000	

Revised Date: _____, Revision #: _____

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Employment at other locations in County/City/Town/Village: (provide address and number of employees at each location):

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: Sponsor of Applicant is investigating many different types of similar projects throughout the state. Assistance differs. One project's success is unrelated to another's.

P) What competitive factors led you to inquire about sites outside of Jefferson County or New York State? Sponsor is participating in a state-wide program managed by NYSEERDA so there are opportunities state-wide.

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: _____

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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 AND the answer to Question B is greater than 33.33%, 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: Not Applicable

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

Jonathan H. Rappe (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Authorized signatory (title) of Wilna PV, 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

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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

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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 \$_____ application and publication fee (the "Application Fee");

(ii) a \$_____ expense deposit for the Agency's Counsel Fee Deposit.

(iii) Unless otherwise agreed to by the Agency, an amount equal to _____ percent (_____%) of the total project costs.

(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

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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.

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- 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.

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

_____, being first duly sworn, deposes and says:

1. That I am the _____ (Corporate Office) of _____ (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.

Jonathan Rappe Digitally signed by Jonathan Rappe
Date: 2022.08.15 16:53:11 -04'00'

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this ____ day of _____, 20__.

(Notary Public)

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

Supplement to Wilna PV, LLC's PILOT Application for 3 MW Solar PV Plant

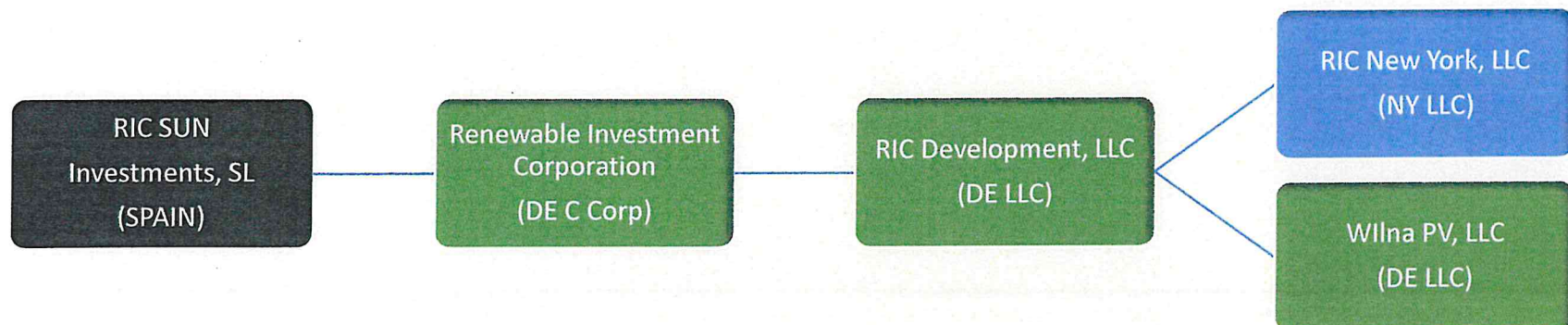
Response to Section II (B)

Agency Financial Assistance is required to 1) meet the investment return thresholds required for a project-based investment of this kind and 2) provide the certainty of operating cashflow required to raise financing for the projects. The mortgage recording tax abatement, sales and use tax abatement and PILOT will all contribute to #1. There is currently no accepted framework in New York State for assessing the value of solar projects for tax purposes. Given the fact that expected revenues are fairly flat, greater certainty around annual tax or PILOT payments is required in order to raise debt financing.

Statement on Section II (I)

The project is eligible for an investment tax credit and accelerated depreciation at the Federal level and NYSERDA incentives at the state level. None of these benefits are available to the project until it is operational, so both construction and permanent financing will be 100% through private sources of capital. Therefore, the value of the incentives isn't included in the Sources of Funds.

RIC ENERGY ENTITIES FOR WILNA SOLAR



PROJECT LOCATION MAP NTS

PARCEL BOUNDARY

LIMITS OF DISTURBANCE

TEMPORARY FENCE

TEMPORARY STOCKPILE AND LAYDOWN AREA

UNDERGROUND MV LINE

OVERHEAD LINE

30' WIDE TRUNK MATTING TEMPORARY ACCESS ROAD

30' WIDE GRAVEL OR STONE ROAD PERMANENT ACCESS ROAD

WHEATHER STATION TRANSFORMERS

EVERGREEN TREE PLANTINGS

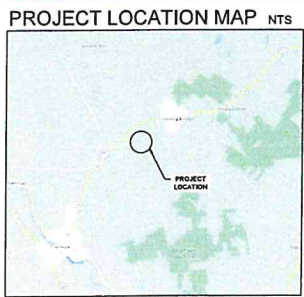
1: POI: 13.2 KV Feeder ID: Substation:

GATE ENTRY

41

Ridge Rd

LIG Engineering Consultants



A-1

DETAIL: POINT OF INTERCONNECTION

- ① POI
- ② UTILITY POLE (NO EQUIPMENT)
- ③ UTILITY POLE (NO EQUIPMENT)
- ④ UTILITY GOAB POLE
- ⑤ UTILITY RECLOSER POLE
- ⑥ CUSTOMER GOAB POLE
- ⑦ CUSTOMER RECLOSER POLE
- ⑧ CUSTOMER POLE WITH UTILITY METERING
- ⑨ CUSTOMER RISER POLE

50' 100' 50' 50' 50' 50' 45'

① ② ③ ④ ⑤ ⑥ ⑦ ⑧ ⑨

UNDERGROUND MV LINE

20' WIDE GRAVEL OR STONE ROAD
PERMANENT ACCESS ROAD

1: POI: 13.2 kV
Feeder ID:
Substation:

2: UTILITY POLE
(NO EQUIPMENT)

3: UTILITY POLE
(NO EQUIPMENT)

4: UTILITY GOAB POLE

5: UTILITY RECLOSER POLE

6: CUSTOMER GOAB POLE

7: CUSTOMER RECLOSER POLE

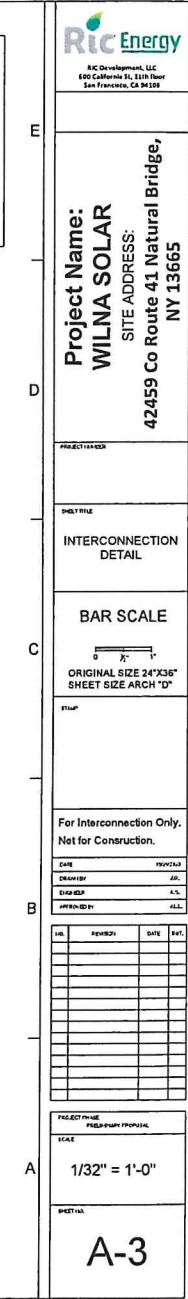
8: CUSTOMER POLE WITH UTILITY METERING

9: CUSTOMER RISER POLE

50' 100' 50' 50' 50' 50' 50' 50' 45'

GATE ENTRY

LIG Engineering Consultants



LEGEND



LIG Engineering Consultants



Ric Energy
RIC Development, LLC
600 California St., 11th floor
San Francisco, CA 94108

Project Name:
WILNA SOLAR

SITE ADDRESS:
42459 Co Route 41 Natural
NY 13665

RECEIVED

DATE: 11/11/01

GRADING PLAN

BAR SCALE



TIME

For Interconnection Only.
Not for Construction.

DATE	10/27/20
GRAND JURY	J.B.
USDA/USDP	A.S.
APPROVED BY	J.L.

[illegible]PROJECT NAME
POLYMER PROPOSAL
$$1/128'' = 1'-0''$$

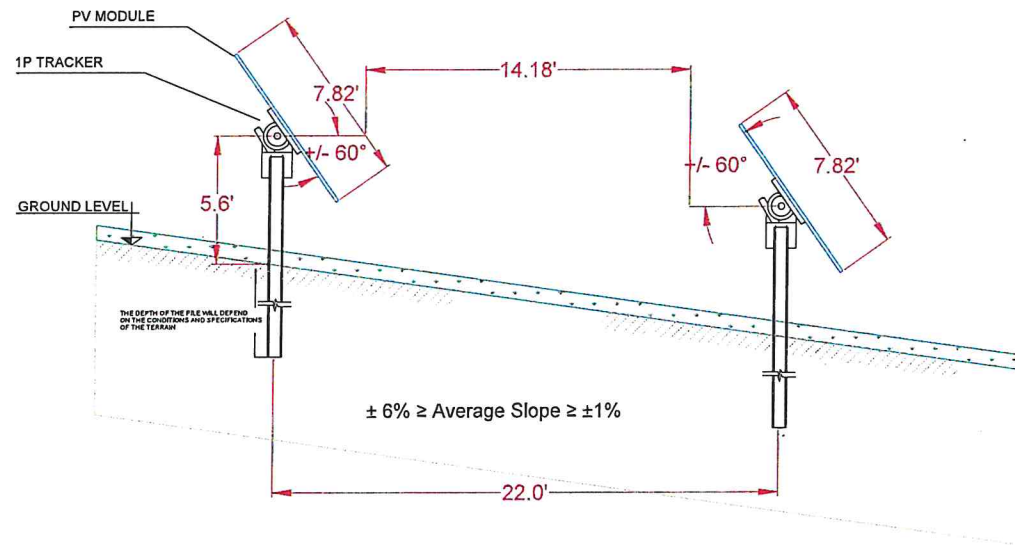
847

A-4

LEGEND	
LAT	44.051167
LONG	-75.524714
ILR	1.28
SYSTEM SIZE (DC) KW	3,844
SYSTEM SIZE (AC) KW	3,000
MODULE TYPE	CS7N-660MB-AQ (660W)
QUANTITY	5,824
MODULES PER STRING	28
INVERTER	Sungrow SG250HX
QUANTITY	15
SOLAR ARRAY TYPE	Tracker 1P
DIMENSIONS OF THE TRACKER	(3s) 365'-7" x 7'-10" x 5'-7"
(3 strings & 2 strings)(LxWxH)	(2s) 255'-3" x 7'-10" x 5'-7"
TILT ANGLE	±60°
PITCH	22°
AZIMUTH	0°
GCR	35.57%
FENCE LENGTH	4,096'
ACCESS ROAD LENGTH	1,367'
TOTAL MV LINE LENGTH	487'
ACRES/MV	5.27
TOTAL AREA OF DISTURBANCE	21.21 ac
ADDRESS	42459 Co Route 41 Natural Bridge, NY 13665



TRACKER DETAIL
MAXIMUM TILT (+/- 60°)



LIG Engineering Consultants



Project Name:
WILNA SOLAR
SITE ADDRESS:
42459 Co Route 41 Natural Bridge,
NY 13665

PROJECT NUMBER

SHEET TITLE
SITE PLAN -
Solar Array
Sample Design

BAR SCALE

5' 0" 10' 0"
ORIGINAL SIZE 24"X36"
SHEET SIZE ARCH "D"

For Site Plan Review and
Special Use Permit,
Not for Construction.

DATE	REVISION
05/15/22	01
05/15/22	02
05/15/22	03
05/15/22	04
05/15/22	05
05/15/22	06
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05/15/22	08
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05/15/22	91
05/15/22	92
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05/15/22	94
05/15/22	95
05/15/22	96
05/15/22	97
05/15/22	98
05/15/22	99
05/15/22	100

PROJECT TITLE

WILNA SOLAR

UNSCALED

PROJECT DATE

05/15/22

PROJECT NO.

001

PROJECT NAME

WILNA SOLAR

PROJECT ADDRESS

42459 Co Route 41 Natural Bridge, NY 13665

PROJECT OWNER

RIC Development, LLC

PROJECT MANAGER

JOHN J. LIGON

PROJECT ENGINEER

JOHN J. LIGON

PROJECT DATE

05/15/22

PROJECT NO.

001

PROJECT NAME

WILNA SOLAR

PROJECT ADDRESS

42459 Co Route 41 Natural Bridge, NY 13665

PROJECT OWNER

RIC Development, LLC

PROJECT MANAGER

JOHN J. LIGON

PROJECT ENGINEER

JOHN J. LIGON

PROJECT DATE

05/15/22

PROJECT NO.

001

PROJECT NAME

WILNA SOLAR

PROJECT ADDRESS

42459 Co Route 41 Natural Bridge, NY 13665

PROJECT OWNER

RIC Development, LLC

PROJECT MANAGER

JOHN J. LIGON

PROJECT ENGINEER

JOHN J. LIGON

PROJECT DATE

05/15/22

PROJECT NO.

001

PROJECT NAME

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42459 Co Route 41 Natural Bridge, NY 13665

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PROJECT MANAGER

JOHN J. LIGON

PROJECT ENGINEER

JOHN J. LIGON

PROJECT DATE

05/15/22

PROJECT NO.

001

PROJECT NAME

WILNA SOLAR

PROJECT ADDRESS

42459 Co Route 41 Natural Bridge, NY 13665

PROJECT OWNER

RIC Development, LLC

PROJECT MANAGER

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Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Wilna Solar Project		
Project Location (describe, and attach a general location map): 42459 County Road 41, Natural Bridge, NY 13665		
Brief Description of Proposed Action (include purpose or need): RIC Development, LLC is proposing the development of a new solar facility – Solar Photovoltaic generation plant. The proposed project will be located on 42459 County Route 41, Natural Bridge, NY 13665. The project, as conceptually designed, will have a nameplate capacity of 3,000 kW AC at the Point of Common Coupling with the existing 3-phase electrical distribution system, operated by National Grid – namely a 13.2 kV three phase circuit along County Route 41. The proposed project is a standalone ground-mounted system, mounted on a fixed-tilt steel structure. The system will consist of approximately 9,048 solar PV modules and 15 Sungrow SG250HX-US inverters which will be connected to two separate transformers. The total planned DC capacity of the plant is 4,750 kW. It is planned that the project will include a driveway off County Route 41 and an access road leading to the Southeast corner of the solar array. The parcel consists of a total of 60.95 acres of land. The solar development would occupy approximately 22.8 acres of the parcel.		
Name of Applicant/Sponsor: Wilna PV, LLC		Telephone: 917-463-0421 E-Mail: itomchev@ric.energy
Address: 85 Broad Street, 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Project Contact (if not same as sponsor; give name and title/role): Ivaylo Tomchev		Telephone: E-Mail:
Address: 85 Broad Street, 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Property Owner (if not same as sponsor): Wayne Schermerhorn		Telephone: 917-463-0421 E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Special Use Permit	
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS, General Municipal Law - GMU § 239-m. County Planning Board referral	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEC (SWPPP, SPDES, Section 401 Water Quality Certification), NYSEDA-NY-Sun Program Incent.	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE - WOUS Jurisdictional Determination USACE - Section 404 NW Permit 51	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? AR - Agriculture and Rural Residential	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located?	Carthage Central School District
b. What police or other public protection forces serve the project site?	Jefferson County Sheriff
c. Which fire protection and emergency medical services serve the project site?	Natural Bridge Volunteer Fire Co.
d. What parks serve the project site?	Various

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)? Distributed generation solar photo-voltaic power plant development	
b. a. Total acreage of the site of the proposed action?	60.95 acres
b. Total acreage to be physically disturbed?	22.8 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	60.95 acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If No, anticipated period of construction: _____ 4 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures <u>Solar panels</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>10-12</u> height; <u>6-8</u> width; and <u>3-5</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>Not applicable</u> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>The design will avoid wetlands and waterbodies to the extent practicable.</u>	

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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>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):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 20px;">_____ Square feet or <u>.0068</u> acres (impervious surface)</p> <p style="padding-left: 20px;">_____ Square feet or <u>60.95</u> acres (parcel size)</p> <p>ii. Describe types of new point sources. <u>None</u></p> <p>_____</p> <p>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)?</p> <p>Temporary runoff during construction will be discharged on-site and controlled by stormwater and sediment/erosion control best management practices. Sheet flow from solar panels will infiltrate ground surface as currently.</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <p>_____</p> <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p style="padding-left: 20px;"><u>Vehicles for maintenance, lawn cutting, etc. (occasional basis)</u></p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p style="padding-left: 20px;"><u>None</u></p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p style="padding-left: 20px;"><u>None</u></p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 AM - 7 PM • Saturday: _____ 7 AM - 7 PM • Sunday: _____ 7 AM - 7 PM • Holidays: _____ 7 AM - 7 PM </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ dawn to dusk • Saturday: _____ dawn to dusk • Sunday: _____ dawn to dusk • Holidays: _____ dawn to dusk </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 AM - 7 PM • Saturday: _____ 7 AM - 7 PM • Sunday: _____ 7 AM - 7 PM • Holidays: _____ 7 AM - 7 PM 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ dawn to dusk • Saturday: _____ dawn to dusk • Sunday: _____ dawn to dusk • Holidays: _____ dawn to dusk
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 AM - 7 PM • Saturday: _____ 7 AM - 7 PM • Sunday: _____ 7 AM - 7 PM • Holidays: _____ 7 AM - 7 PM 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ dawn to dusk • Saturday: _____ dawn to dusk • Sunday: _____ dawn to dusk • Holidays: _____ dawn to dusk 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: During construction: some minor construction noises from equipment during installation; Operations: some noise from inverters</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: <u>Removal of trees.</u></p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: <u>300</u> tons per <u>year (construction)</u> (unit of time) • Operation : <u>0</u> tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: <u>Waste generated during construction would be largely due to packaging. Much of it (approx. 70%) will be recyclable (cardboard, pallets).</u> • Operation: <u>N/A</u> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: <u>Recycling of reusable materials; disposal to land fill of other materials.</u> • Operation: <u>N/A</u> 	

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	0.0068	+0.0068
• Forested	6.3	6.3	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	9.65	9.65	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	45.06	44.84	-0.22
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Temporary and permanent access drives Note: includes areas under panels	0	0.74	+0.74

<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p>
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> <p>_____</p>

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																																					
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 																																					
E.2. Natural Resources On or Near Project Site																																					
a. What is the average depth to bedrock on the project site? _____ >6.5 feet																																					
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																																					
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Lamson fine sandy loam</td> <td style="width: 20%; text-align: right;">60 %</td> </tr> <tr> <td>Niagara silt loam</td> <td style="text-align: right;">12 %</td> </tr> <tr> <td>Minoa fine sandy loam</td> <td style="text-align: right;">10 %</td> </tr> </table>		Lamson fine sandy loam	60 %	Niagara silt loam	12 %	Minoa fine sandy loam	10 %																														
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Minoa fine sandy loam	10 %																																				
d. What is the average depth to the water table on the project site? Average: _____ 5 feet																																					
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 60%; text-align: right;">10 % of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">81 % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	10 % of site	<input type="checkbox"/> Moderately Well Drained:	_____ % of site	<input checked="" type="checkbox"/> Poorly Drained	81 % of site																														
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f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">93.2 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 10-15%:</td> <td style="text-align: right;">3.3 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">3.5 % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	93.2 % of site	<input checked="" type="checkbox"/> 10-15%:	3.3 % of site	<input checked="" type="checkbox"/> 15% or greater:	3.5 % of site																														
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<input checked="" type="checkbox"/> 15% or greater:	3.5 % of site																																				
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____																																					
h. Surface water features. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</td> <td style="width: 20%; text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td colspan="2">If Yes to either i or ii, continue. If No, skip to E.2.i.</td> </tr> <tr> <td>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td colspan="2">iv. For each identified regulated wetland and waterbody on the project site, provide the following information:</td> </tr> <tr> <td colspan="2"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 50%;">Name 910-1171</td> <td style="width: 40%;">Classification D</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name Federal Waters, Federal Waters, Federal Waters,...</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table> </td> </tr> <tr> <td colspan="2"> v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ </td> </tr> <tr> <td colspan="2"> i. 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<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ various small mammals, birds, reptiles, _____ amphibians, etc. _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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.

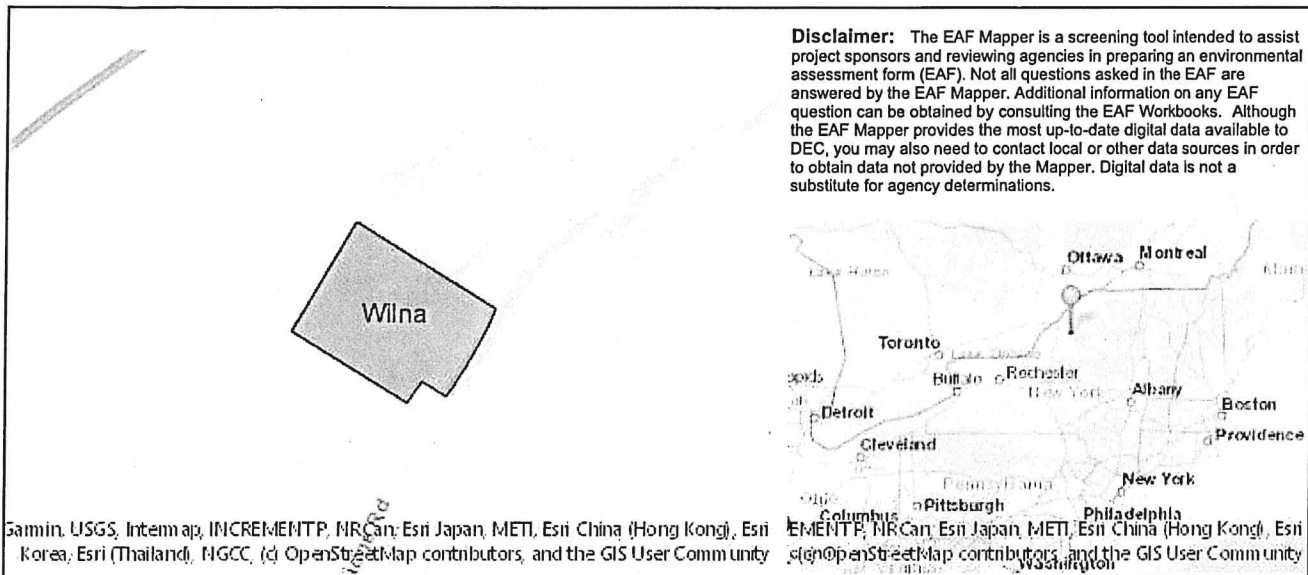
G. Verification

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

Applicant/Sponsor Name Jonathan Rappe Date 1/28/2021

Signature  Title Authorized signatory of Wilna PV, LLC's sole member

PRINT FORM



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]	910-1171
E.2.h.iv [Surface Water Features - Stream Classification]	D
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]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
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]	No
E.3.i. [Designated River Corridor]	No

TOWN OF WILNA PLANNING BOARD

Chairperson

Jon W Storms

414 State St

Carthage, New York 13619-1414

(315) 493-2771

Secretary

Lori Borland

Members

Robert Fetterly

Charles Florence

Kathleen Latremore

Participating Municipalities

TOWN OF WILNA

VILLAGE OF CARTHAGE

VILLAGE OF DEFERIET

Members

Bill Dutton

Robert Sligar

Yolanda Skvorak

04/07/2021

REGULAR IN PERSON MEETING

Purpose: Regular Meeting

Attendance: Jon Storms, Charles Florence, Kathleen Latremore, Bill Dutton, Robert Sligar, Lori Borland, John Reagan, Tom Storino (Storino Surveying), Rob Busler (LaFave, White & McGivern surveyors), Chris Loomis, Jeff Loomis, Kim Munn, Steve Gamble

Excused: Robert Fetterly, Yolanda Skvorak

Chairman Storms called the Regular Meeting to order at 5:00 p.m.

Minutes: Motion was made by Mr. Dutton, seconded by Mrs. Latremore to approve the minutes of the March 3, 2021 meeting. All voted Aye, carried.

Correspondence: None

Village of Carthage Business – Chris & Jeff Loomis were in attendance to get direction on what is needed to put an addition on their home for her mother. Zoning law currently calls for 15' setback from the property line. The addition will be closer than that to the neighbor's property. After discussion, it was noted that this needs to be a lot line adjustment to begin with the neighbor submitting the application. Loomises will follow up with the neighbor.

Village of Deferiet Business: Mr. Storms has signed the paperwork and map for the lot line adjustment for the parcel obtained from the Village of Deferiet to a private owner.

Town of Wilna Business:

- a.) Regarding the O'Connor subdivision on NYS Rt. 3, it was noted that there will be a modular home placed on the property. The Board having had no issues with the project, a public hearing was set for May 5, 2021 at 5:00 p.m.
- b.) Regarding the Buskey subdivision on Avery Road, the Board having had no issues with the project, a public hearing was set for May 5, 2021 at 5:00 p.m.
- c.) Regarding Wilna Solar project at 42459 County Rt. 41, Natural Bridge, NY John Reagan of RIC Energy was present to answer any questions. He noted that Fort Drum has no issues with this project. The SEQR application Parts 2 and 3 were reviewed, and upon motion by Mr. Florence, seconded by Mr. Dutton, it was voted that there is no negative issues with this project,

therefore, a Negative Declaration was approved. All voted Aye, carried. Motion was made by Mrs. Latremore, seconded by Mr. Dutton, to approve a Special Use Permit be issued to RIC Energy for this project. All voted Aye, carried.

The subject of the Decommissioning Bond was brought up, and the amount of the bond would be for \$200,295 based upon the cost estimate of decommissioning this project at the end of life cycle. This cost estimate would be reviewed every three years and the bond amount adjusted accordingly. The Town Board will need to approve the Bond amount at their next meeting on April 12, 2021.

- d.) Steve Gamble was present to propose a lot line adjustment with his neighbor on NYS Rt. 3. He provided a survey map drawn by Moncrief Land Surveying. The paperwork will be given to the Zoning Officer, Terry McKeever, and reviewed. This matter was tabled until the next meeting.

Other Business: Mr. Storms brought up a matter regarding a letter that the Jefferson County Agricultural Board sent to Scott Gray, Chairman of the County Board of Legislators. It regards placing solar projects on what is now prime agricultural soil sites. It encourages that future solar sites be placed on brownfield sites, former landfills, and such sites of that nature, discouraging the use of prime agricultural sites. The Board will ask the Town Board for a letter of support to the County regarding these issues.

Next Meeting: May 5, 2021 at 5:00 p.m. This will be IN PERSON at the Town Offices at 414 State Street, Carthage, NY, with two public hearings held just prior to the regular meeting.

There being no further business to come before the Board, a motion was made by Mr. Dutton, seconded by Mr. Storms, to adjourn. Meeting adjourned at 6:00 p.m.

Respectfully submitted:

Lori Borland, Secretary

CC:	Jon Storms	Paul Smith	Robert Fetterly	Charles Florence	Yolanda Skvorak	Robert Sligar
	Janet Zando	William Dutton	Terry McKeever	Kathleen Latremore	Reggie Huber	Lori Borland
	Kristy O'Shaughnessy					

Jefferson County Industrial Development Agency

Project Summary

8/18/2022

Project LAWMAN HQ. LOT 10 (L2,LLC)		NAICS-236220			
Location	LOT 10 CR 200,CORP PARK WATERTOWN , NY	Project Acres	Total Acres	School	General Brown
Tax Parcel	73.20-1-2.17	4.25		Project Type	30,000 Sq. Ft Office
Current Taxes	\$1,400.00			Village	
				Town	Watertown
Total Project Costs	4,895,000			Jobs	
Land	345,000			Retained	30
Infrastructure	150,000			Added	10 Three Years
Building - 30000 Sq. FT.,	3,000,000			Total	40
Furniture & Fixtures	200,000			Next Five Years	
Equipment	1,000,000			Construction Jobs	30
Equip. /NYS Production				Current Assessment	71,500 Land
Exemption				Final Assessment	900,000
Eng/Arch Fees				Jobs	
Finance Charges				Agency Fee	\$73,425
Legal Fees				App Fee Paid	
Soft Costs	200,000				
Contingency					
Total	4,895,000	0	0%		

Sales Tax Exemption-

Total Material 3,500,000

4% County Tax 140,000

4% NYS Tax 140,000

Total Sales Tax Savings 280,000

Mortgage Recording Tax

Est Mortgage Amount 3,000,000

MRT Savings 22,500

Town of	2022	
Watertown	Tax Rates	% Distribution
County	12.924846	2021 0.41117068
Town	0	2021 0
Genl Brown	18.509414	2020 0.58882932
	31.43426	1

3% Escalation

PILOT	Full Tax Building	Exemption	RILOT Payment	Tax Without Project(Land)	County	Town	School	Total
Year 1	28,291	75%	7,073	2,248	2,908	0	4,165	7,073
Year 2	29,140	75%	7,285	2,248	2,995	0	4,290	7,285
Year 3	30,014	75%	7,503	2,248	3,085	0	4,418	7,503
Year 4	30,914	75%	7,729	2,248	3,178	0	4,551	7,729
Year 5	31,842	75%	7,960	2,248	3,273	0	4,687	7,960
Year 6	32,797	50%	16,398	2,248	6,743	0	9,656	16,398
Year 7	33,781	50%	16,890	2,248	6,945	0	9,946	16,890
Year 8	34,794	50%	17,397	2,248	7,153	0	10,244	17,397
Year 9	35,838	50%	17,919	2,248	7,368	0	10,551	17,919
Year 10	36,913	50%	18,457	2,248	7,589	0	10,868	18,457
Year 11	38,021	25%	28,515	2,248	11,725	0	16,791	28,515
Year 12	39,161	25%	29,371	2,248	12,076	0	17,294	29,371
Year 13	40,336	25%	30,252	2,248	12,439	0	17,813	30,252
Year 14	41,546	25%	31,160	2,248	12,812	0	18,348	31,160
Year 15	42,792	25%	32,094	2,248	13,196	0	18,898	32,094
	526,179		276,003	33,713	113,485	0	162,519	276,003
			52%					

JCIDA Fee Calculation

Project- With PILOT	4,895,000
First 10 m@1.5%	73,425
Second 20Mil @ .005%	
Balance @ .0025%	
Total Fee	73,425

Jefferson County Industrial Development Agency

MRB Cost Benefit Calculator

Date August 22, 2022
Project Title L2, LLC (Lawman)
Project Location CR 200 Corp Park Watertown, NY 13601



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

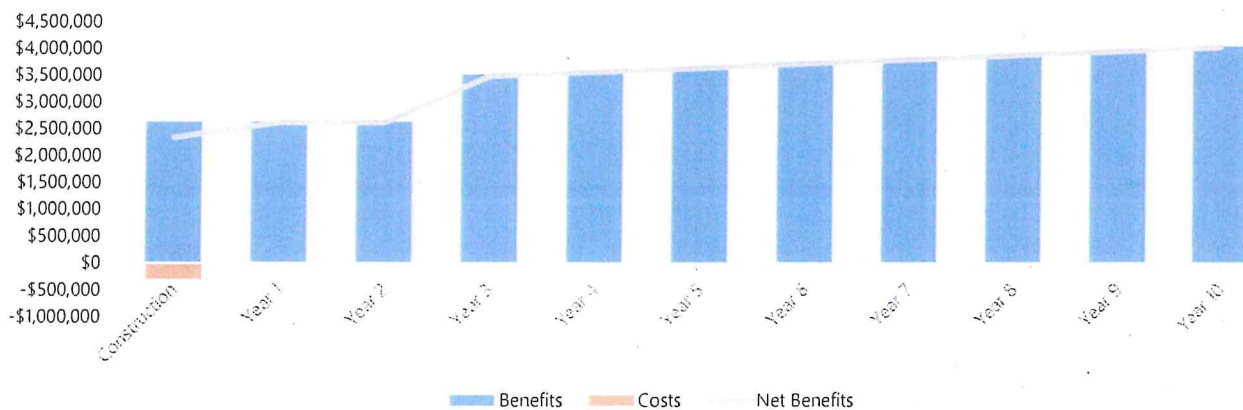
\$4,895,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	20	10	30
Earnings	\$2,024,263	\$462,412	\$2,486,674
Local Spend	\$4,895,000	\$1,660,531	\$6,555,531

	Ongoing (Operations)		
	Aggregate over life of the PILOT		
	Direct	Indirect	Total
Jobs	40	20	60
Earnings	\$43,751,616	\$9,893,292	\$53,644,909

Figure 1

Net Benefits

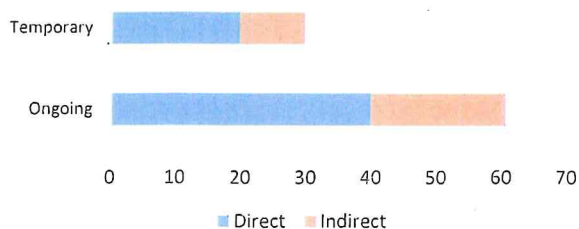


Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

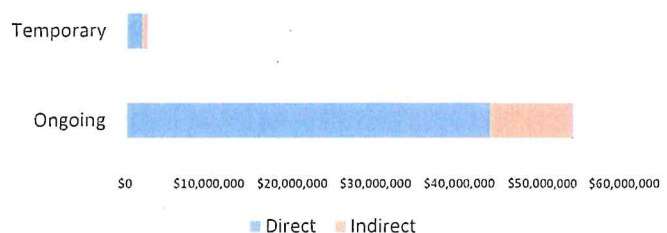
Figure 2

Figure 3

Total Jobs



Total Earnings



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$250,177	\$219,300
Sales Tax Exemption	\$280,000	\$280,000
Local Sales Tax Exemption	\$140,000	\$140,000
State Sales Tax Exemption	\$140,000	\$140,000
Mortgage Recording Tax Exemption	\$22,500	\$22,500
Local Mortgage Recording Tax Exemption	\$7,500	\$7,500
State Mortgage Recording Tax Exemption	\$15,000	\$15,000
Total Costs	\$552,677	\$521,800

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$56,766,787	\$48,462,448
To Private Individuals	\$56,131,583	\$47,929,284
Temporary Payroll	\$2,486,674	\$2,486,674
Ongoing Payroll	\$53,644,909	\$45,442,609
Other Payments to Private Individuals	\$0	\$0
To the Public	\$635,204	\$533,164
Increase in Property Tax Revenue	\$242,283	\$197,659
Temporary Jobs - Sales Tax Revenue	\$17,407	\$17,407
Ongoing Jobs - Sales Tax Revenue	\$375,514	\$318,098
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$2,918,842	\$2,492,323
To the Public	\$2,918,842	\$2,492,323
Temporary Income Tax Revenue	\$111,900	\$111,900
Ongoing Income Tax Revenue	\$2,414,021	\$2,044,917
Temporary Jobs - Sales Tax Revenue	\$17,407	\$17,407
Ongoing Jobs - Sales Tax Revenue	\$375,514	\$318,098
Total Benefits to State & Region	\$59,685,629	\$50,954,771

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$48,462,448	\$366,800	132:1
State	\$2,492,323	\$155,000	16:1
Grand Total	\$50,954,771	\$521,800	98:1

*Discounted at 2%

Additional Comments from IDA

Current Town of Watertown tax rates escalated by 3% for full taxation over the 15 year period.

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

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:

L2, LLC

Applicant Address:

206 Ambrose Street, P.O. Box 599, Sackets Harbor, New York 13685

Phone:

315-646-2919

E-mail:

CL.HQ@lawmanhc.com

Application Date: 08/16/2022

Internal Use Only

Staff Signature and Date of Submission: _____

Completed Application Date: _____ Staff Initial _____

Revised Date: _____, Revision #: _____

Document Date: July 28, 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: 7/28/2022

Section I: Applicant Information

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

A) Applicant Information-company receiving benefit:

Applicant Name: L2, LLC
 Applicant Address: 206 Ambrose Street, PO Box 599, Sackets Harbor, New York 13685
 Phone: 315-646-2919 Fax: 315-646-2920
 Website: www.lawmanhc.com E-mail: CL.HQ@lawmanhc.com
 Federal ID#: 16-1100145 NAICS: 236220
 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: L2, LLC
 Federal ID#: 87-1753612
 State and Year of Incorporation/Organization: 2021
 List of stockholders, members, or partners of Real Estate Holding Company: _____
Michael Lundy; Corry Lawler
 Renewable Energy Projects: Attach ownership chart and indicate companies that will eventually own and operate project Not Applicable

B) Individual Completing Application:

Name: Corry Lawler
 Title: Owner L2, LLC / CEO Lawman Heating & Cooling, Inc.
 Address: 206 Ambrose Street, PO Box 599, Sackets Harbor, New York 13685
 Phone: 315-646-2919 Fax: 315-646-2920
 E-Mail: CL.HQ@lawmanhc.com

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

Name: Michael Lundy
 Title: Owner L2, LLC / President Design Build Innovations, LLC
 Address: 206 Ambrose Street, PO Box 599, Sackets Harbor, New York 13685
 Phone: 315-646-2919 Fax: 315-646-2920
 E-Mail: mlundy@mlundygroup.com

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

D) Company Counsel:Name of Attorney: Gerald StackFirm Name: Barclay Damon, LLPAddress: 125 E. Jefferson Street, Syracuse, New York 13202Phone: 315-425-2700Fax: 315-703-7377E-mail: gstack@barclaydamon.com**E) Identify the assistance being requested of the Agency (select all that apply):**

- | | |
|-------------------------------------|--|
| 1. Exemption from Sales Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 2. Exemption from Mortgage Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 3. Exemption from Real Property Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 4. Tax Exempt Financing * | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No |

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

F) Applicant Business Information (check appropriate category):

- | | | | |
|---------------------|-------------------------------------|---------------------------|-------------------------------------|
| Corporation | <input checked="" type="checkbox"/> | Partnership | <input type="checkbox"/> |
| Public Corporation | <input type="checkbox"/> | Joint Venture | <input type="checkbox"/> |
| Sole Proprietorship | <input type="checkbox"/> | Limited Liability Company | <input checked="" type="checkbox"/> |

Other (please specify) _____

Year Established: L2, LLC - 2021; LHC - 1978; DBI - 2021State in which Organization is established: New York (all)**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

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

PAGE 4 - SECTION 1 - ITEM G

L2, LLC - OWNER

Michael Lundy	Owner	50%
Corry Lawler	Owner	50%

Lawman Heating & Cooling, Inc. - TENANT

Corry J. Lawler	President / Treasurer / CEO	55%
Patrick J. Lawler	Vice President	20%
Neil J. Lawler	Secretary	20%
Lawman Heating & Cooling, Inc.		5%

Design Build Innovations, LLC (DBI, LLC) - TENANT

Lawman Heating & Cooling, Inc. / Corry Lawler	Managing Member	
The Lundy Group / Michael Lundy	President	9.9%
Corry Lawler	Member	90.1%

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.

<u>Name</u>	<u>% of ownership</u>
See Attached	
_____	_____
_____	_____
_____	_____

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: Construction / Development

Estimated % of sales within Jefferson County: 50%

Estimated % of sales outside Jefferson County, but within New York State: 10%

Estimated % of sales outside New York State but within the U.S.: 40% (prior to 2022)

Estimated % of sales outside the U.S. 0%

(*Percentage to equal 100%)

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.

See attached

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

Section II: Project Description & Details

A) Project Location:

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

Sackets Harbor; Pamela; Leray

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

Sackets Harbor; Pamela; LeRay; Lakeville

Provide the Property Address of the proposed Project:

Lot 10 - Jefferson County Corporate Park

County Route 200, Watertown, New York 13601

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 Consolidation of all facilities

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 Sell all existing facilities

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: 7/28/2022

PAGE 6 - SECTION II - PROJECT LOCATION

Lawman Heating & Cooling, Inc.		# of Personnel
206 Ambrose Street Sackets Harbor, New York 13685	Corporate Office Will Sell Facility	14
23791 Lawler Drive Watertown, New York 13601	Offices /Sheet Metal Shop Will Sell Facility	8
29701 Martin Road North Evans Mills, New York 13637	Leased Office / Warehouse Will Terminate Lease	2

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: 73.20-1-2.17

What are the current real estate taxes on the proposed Project Site? \$1,418.67

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

Land: \$71,500.00

Buildings(s): \$0.00

**** 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: Town of Watertown School District: Watertown

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: _____

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): _____

Erect new 30,000 sf office and manufacturing facility for consolidation of all operations

Lawman will be the anchor tenant for the consolidation of 3 offices to one location. LHC will expand its sheet metal and roofing manufacturing capacity by investing in additional manufacturing equipment.

DBI will be a co-tenant it's fabrication processes. In conjunction with the structure, the exterior parking and site needs will be met with appropriate paved areas including storm water control for the entire site

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): Approvals and grants will provide financial justification to consolidate in Jefferson County

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

TOWN OF WATERTOWN: TOWN & COUNTY 2022 TAXES

FISCAL YEAR: 01/01/2022 to 12/31/2022	WARRANT DATE: 12/14/2021	STATE AID - COUNTY: \$29,717,521.00	TOWN: \$377,665.00
MAKE CHECK PAYABLE TO:		BANK	BILL NUMBER
			580016
			PAGE
			1 OF 1

PAMELA DESORMO
TAX COLLECTOR
 22867 CO. RTE. 67
 WATERTOWN, NY. 13601
 (315)782-8248

PROPERTY INFORMATION:

TAX MAP #: 225800 73.20-1-2.17

DIMENSION: 8.80 acres

RS: 1 CLASS: Vacant indus

ADDRESS: Co Rte 200

SCHOOL: General Brown

FULL MARKET VALUE: 124348.00

UNIFORM % OF VALUE: 57.50

ASSESSMENT: 71500

PROPERTY OWNER:

Lundy Construction LLC
 18841 US Rte 11
 Watertown, NY 13601

COPY

RECEIPT

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRIPTION	TAX LEVY	% Change From Prior YR Levy	RATE	TAXABLE VALUE	AMOUNT DUE
COUNTY TAXABLE	62556720	1.8000	12.92484600	71500.00	924.13
WATERTOWN ZONE1 FIRE	1037281	13.9000	3.02572900	71500.00	216.34
WATERTOWN SEWER 3	0	0.0000	0.00000000	0.00	212.09
WATERTOWN WATER 1	0	0.0000	0.00000000	0.00	66.11

PAYMENTS RECEIVED

Receipt#: 1755

Date Paid: 02/01/2022

1st Installment Payment

Tax: 472.89

Penalty: 0.00

Surcharge: 42.56

Notice Fee: 0.00

Ret. Check Fee: 0.00

Cash: 0.00

Check: 515.45

Check #: 1893

Received from Lundy Construction LLC - Via Mail: \$515.45

TOTAL TAXES PAID TO DATE:	\$472.89	REMAINING TAXES DUE EXCLUDING ANY INTEREST OR PENALTY:	\$945.78
---------------------------	----------	--	----------

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 financial assistance, operations may stay as they are or may consider consolidation to another community

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: _____

Consolidation allows for growth of the company; to increase efficiency; employment opportunities and additional profitability.

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant? _____

Without financial assistance will not move forward with consolidation plan and may consider alternate community

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

If Yes, please describe: _____

TBD

D) Site Characteristics:

Describe the present use of the proposed Project site: _____

Vacant site in Corporate Park

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

If Yes, please provide local zoning reference that applies: _____

Preliminary site plan submission to planning board has been approved

For Renewable Energy Projects – provide acres ☐ leased or ☐ owned: N/A

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

Describe the present zoning/land use: _____

Describe required zoning/land use, if different: _____

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: _____

N/A

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, Clean Phase 1 environmental assessment performed in 2014

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: _____

See Attached - previous negative declaration 2014

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: Previously completed deep hole testing and rock topography

Revised Date: _____, Revision #: _____

Document Date: 7/28/2022

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	<input checked="" type="checkbox"/>	Back Office	<input type="checkbox"/>
Acquisition of Existing Facility	<input type="checkbox"/>	Retail	<input type="checkbox"/>
Housing	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Equipment Purchase	<input checked="" type="checkbox"/>	Facility for Aging	<input type="checkbox"/>
Multi-Tenant	<input type="checkbox"/>	Civic Facility (not for profit)	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	Other <u>Corporate Office</u>	<input checked="" type="checkbox"/>

** 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 11.

1. Land and/or Building Acquisition:	\$ <u>345,000.00</u>
<u>4.25</u> acres _____ square feet	
2. New Building Construction: <u>30,000</u> square feet	\$ <u>3,000,000.00</u>
3. New Building Addition(s): _____ square feet	\$ <u>N/A</u>
4. Infrastructure Work	\$ <u>150,000.00</u>
5. Reconstruction/Renovation: _____ square feet	\$ <u>N/A</u>
6. Manufacturing Equipment:	\$ <u>1,000,000.00</u>
7. Non-Manufacturing Equipment (furniture, fixtures, etc.):	\$ <u>200,000.00</u>
8. Soft Costs: (professional services, etc.):	\$ <u>200,000.00</u>
9. Other, Specify: _____	\$ <u>N/A</u>

TOTAL Capital Costs: \$ 4,895,000.00

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Renewable Energy Project: Project Costs

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

Total: \$ _____

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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Project refinancing: estimated amount

(for refinancing of existing debt only)

\$ N/A**Sources of Funds for Project Costs:**

Bank Financing:

\$ 2,500,000.00

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

\$ 1,395,000.00

Tax Exempt Bond Issuance (if applicable)

\$ N/A

Taxable Bond Issuance (if applicable)

\$ N/A

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

\$ 1,000,000.00

Identify each state and federal grant/credit:

State Grants\$ 500,000.002nd Mortgage (ABC Organizations)\$ \$

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 ☐ NoIf Yes, describe particulars: _____

Revised Date: _____, Revision #: _____

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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): \$ _____

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage Amount as indicated above multiplied by __%): \$ _____

Construction Cost Breakdown:

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

Cost for materials: \$ _____

% sourced in Jefferson County: _____ %

% sourced in New York State _____ % (including Jefferson County)

List major material suppliers if known _____

Cost for labor: \$ _____

Expected Full-Time Equivalent Jobs during construction _____

Expected Total Labor Hours during construction _____

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:

\$ _____

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

\$ _____

*** 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: _____

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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	19,200	1,250,000.00	
Warehouse	4,800	500,000.00	
Research & Development	N/A		
Commercial	N/A		
Retail (see section K)	N/A		
Office	5,000	1,500,000.00	
Specify Other	1,000	250,000.00	

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

1. Start date: acquisition of equipment or construction of facilities: ASAP
2. Estimated completion date of project: 09/01/2023
3. Project occupancy – estimated starting date of operations: 09/01/2023
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)	30	30	10

** 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:

Category of Jobs to be Retained and Created	FTE	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	5	\$120,000.00	\$10,000.00
Professional	13	\$80,000.00	\$10,000.00
Administrative	5	\$50,000.00	\$10,000.00
Production	10	\$50,000.00	\$7,000.00
Transportation/Logistics	2	\$45,000.00	\$7,000.00
Warehousing			
Other	5	\$40,000.00	\$6,000.00
TOTAL	40		

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Employment at other locations in County/City/Town/Village: (provide address and number of employees at each location):

Location Address	5813 Stone Hill Road, Lakeville, NY	
Full time	10	
Part Time	0	
Total	10	

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: Have not yet explored other locations

P) What competitive factors led you to inquire about sites outside of Jefferson County or New York State? _____

Past occupancy and familiarity of other locations

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: Initiating conversation with ESD

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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 AND the answer to Question B is greater than 33.33%, 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: Consolidating to one facility will help preserve the competitive edge and efficiencies of the companies for each respective business while reducing costs associated with maintaining 4 separate locations, i.e., energy costs, building & property maintenance, taxes, etc.

Lawman had an office in Virginia for 10+ years, and without assistance would consider all options, including relocation to Virginia

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
\$3,500,000.00	\$4,000,000.00			

*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

CorryJ. Lawler (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Owner / CEO (title) of L2, LLC / LHC, Inc. / DBI, 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

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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

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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 \$_____ expense deposit for the Agency's Counsel Fee Deposit.
- (iii) Unless otherwise agreed to by the Agency, an amount equal to _____ percent (_____%) of the total project costs.

(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

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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.

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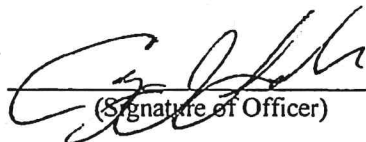
- Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's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

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

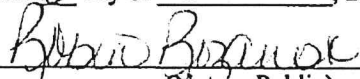
Corry J. Lawler

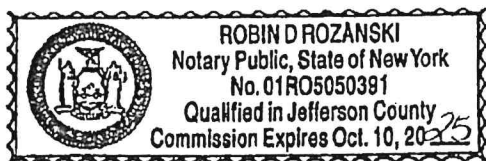
, being first duly sworn, deposes and says:

1. That I am the CEO / Owner (Corporate Office) of Lawman Heating & Cooling; DBI, LLC; L2, 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.


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 16 day of August, 2025.


(Notary Public)



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PROPOSED LAWMAN HEADQUARTERS

LOT-10 JEFFERSON COUNTY CORPORATE PARK

WATERTOWN, N.Y.

INDEX OF DRAWINGS:	
C-1	COVER SHEET
<u>SITE</u>	
L-100	OVERALL SITE PLAN
L-101	LOT 10 SITE PLAN
<u>ARCHITECTURAL</u>	
A-100	SCHEMATIC FLOOR PLAN LOT 10
A-300	SCHEMATIC EXTERIOR ELEVATIONS LOT 10

DEVELOPED BY:



DESIGNED & BUILT BY:

DESIGN
BUILD
INNOVATIONS

IN CONJUNCTION WITH:

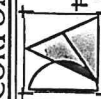


PROPOSED LAWMAN HEADQUARTERS

LOT-10 JEFFERSON COUNTY

CORPORATE PARK WATERTOWN, N.Y.

MOSHER
ARCHITECTS, P.C.
3033 7TH NORTH STREET SUITE 1A
LIVERPOOL, N.Y. 13088 (716) 438-8877



ARCHITECT'S SEAL/SIGNATURE

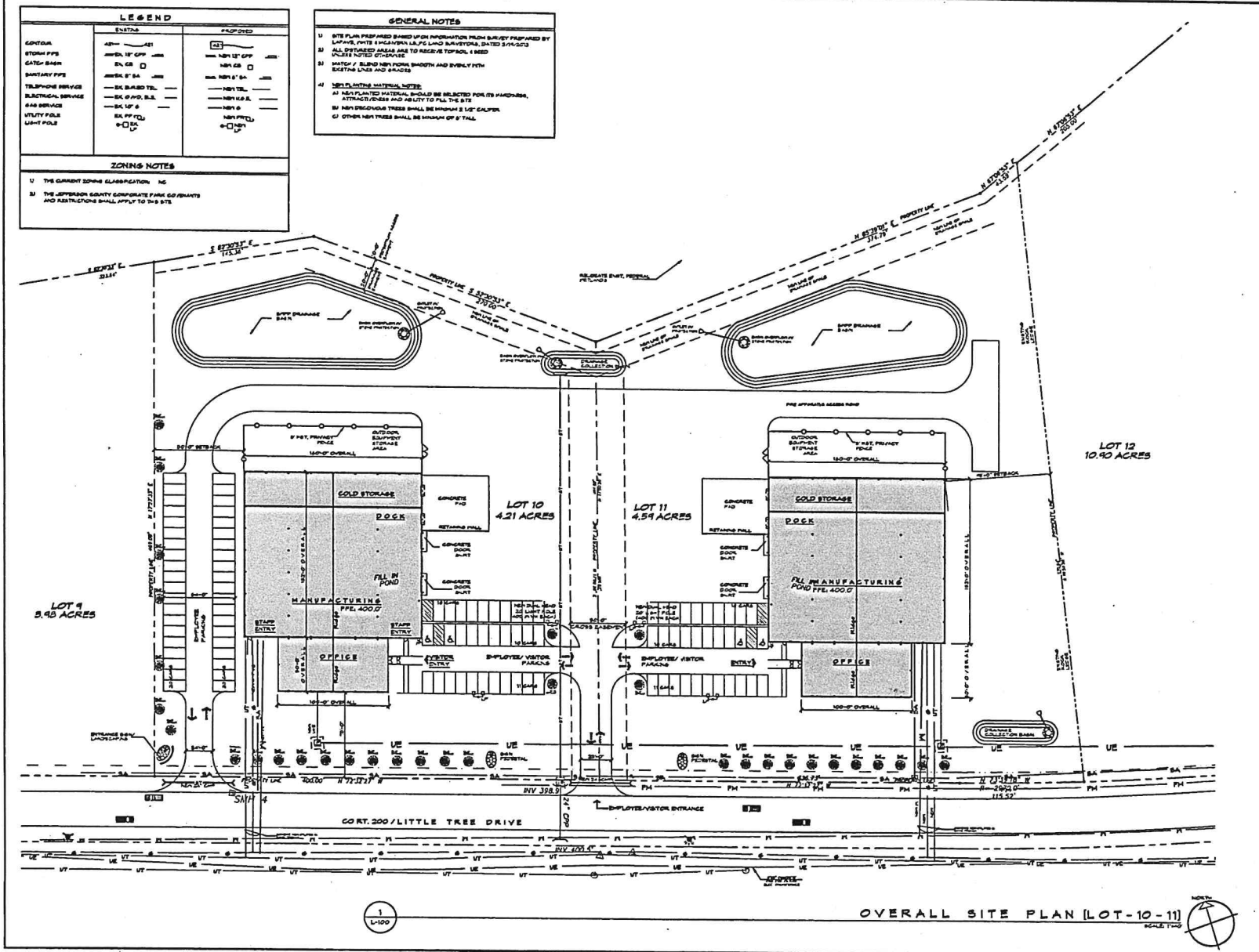


DESIGN
BUILD
INNOVATIONS

NO.	NOTES	DATE

<small>JOB NAME:</small> LOT 10 JEFFERSON CTY. CORP. PARK WATERTOWN <small>DATE: 08-20-2008</small> COVER SHEET	<small>BY:</small> <small>CHK:</small> <small>DATE:</small> <small>FILE NO.:</small> C-1
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34-ADP-1223



PROPOSED LAWMAN HEADQUARTERS

LOT-10 JEFFERSON COUNTY

CORPORATE PARK WATERTOWN, N.Y.

MOSHER
ARCHITECTS, P.C.
1000 7TH NORTH STREET SUITE 1A
LIVERPOOL, N.Y. 13088 (315) 430-4477

ARCHITECT'S SEAL/STAMP

THE LAWMAN GROUP
YOUR TOTAL CONSTRUCTION SOLUTION

**DESIGN
BUILD
INNOVATIONS**

NO.	NOTES	DATE

JOB NAME:
LOT 10 JEFFERSON CTY. CORP. PARK WATERTOWN

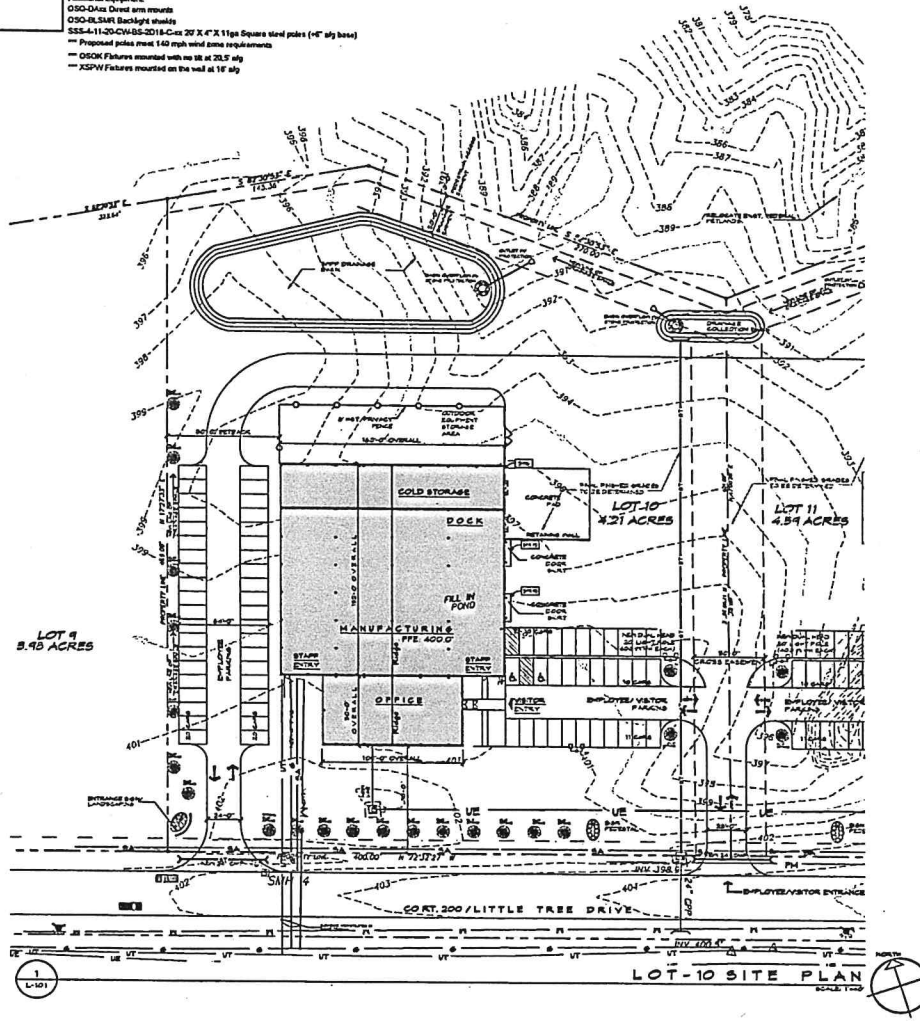
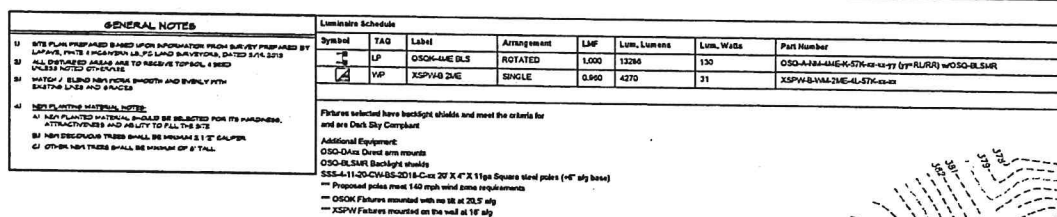
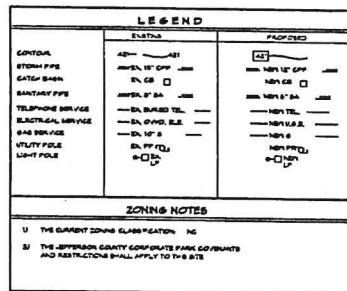
PROJECT NO.:
00000000

DATE:
08-10-2010

DESIGNER:
OVERALL SITE PLAN LOT 10-11

SCALE:
L-100

8/4 JUNE 2012



PROPOSED LAWMAN HEADQUARTERS
LOT-10 JEFFERSON COUNTY
CORPORATE PARK WATERTOWN, N.Y.



**MOSHER
ARCHITECTS, P.C.**
2036 7TH NORTH STREET SUITE 1A
LIVERPOOL, N.Y. 13086 (716) 430-8677

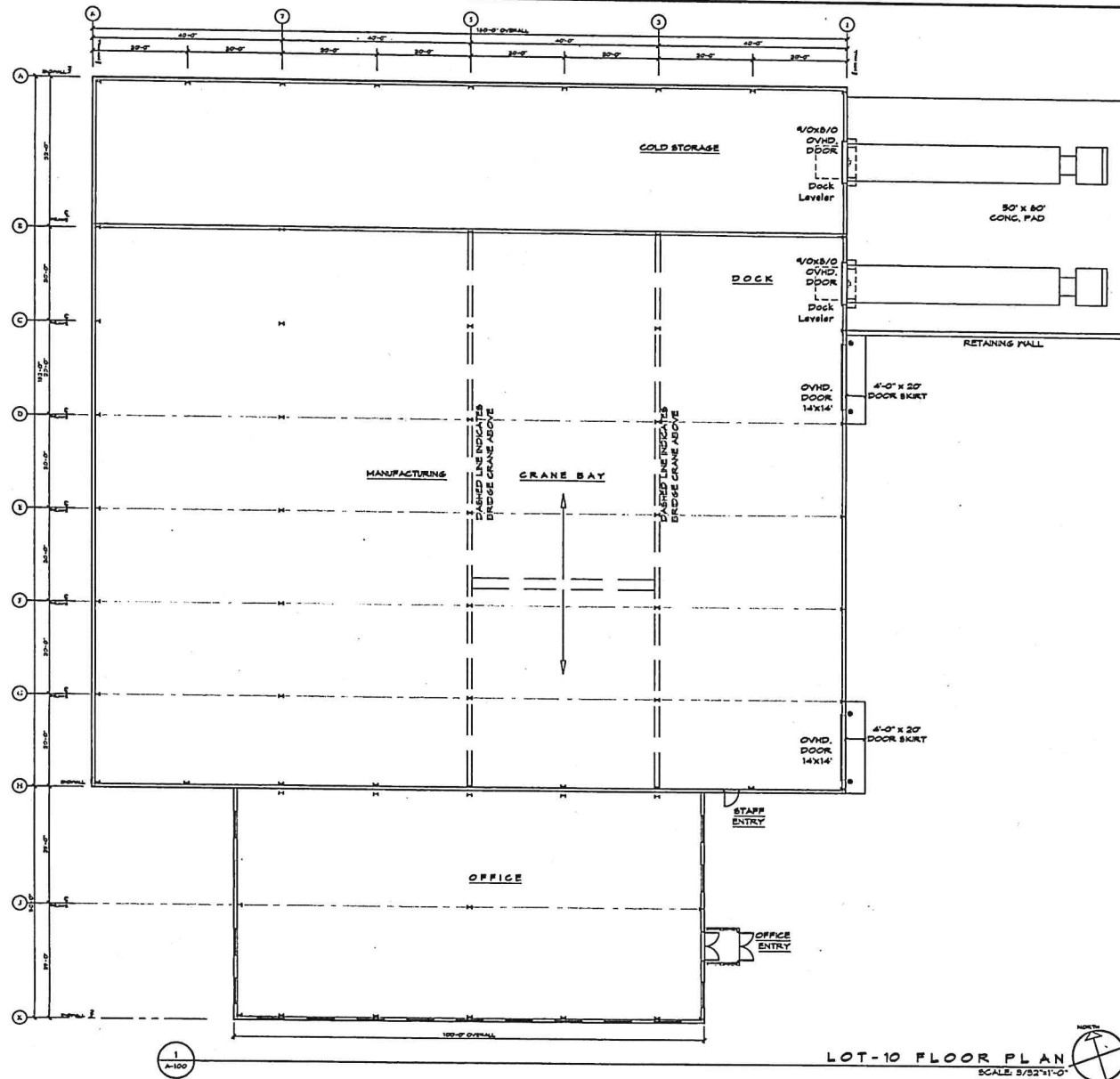


THE
LAWMAN
GROUP
YOUR TOTAL CONSTRUCTION SOLUTION

DESIGN
BUILD
INNOVATIONS

[illegible]

JOB NAME: LOT 10 JEFFERSON CTY. CORP. PARK WATERTOWN DRAWING TITLE: LOT 10 SITE PLAN	CO. CH. DRAWN DATE: 08-28-2008 PROJ. WILEY NO.: L-101
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LOT-10 FLOOR PLAN
SCALE: 3/32"=1'-0"

PROPOSED LAWMAN HEADQUARTERS
LOT-10 JEFFERSON COUNTY
CORPORATE PARK WATERTOWN, N.Y.

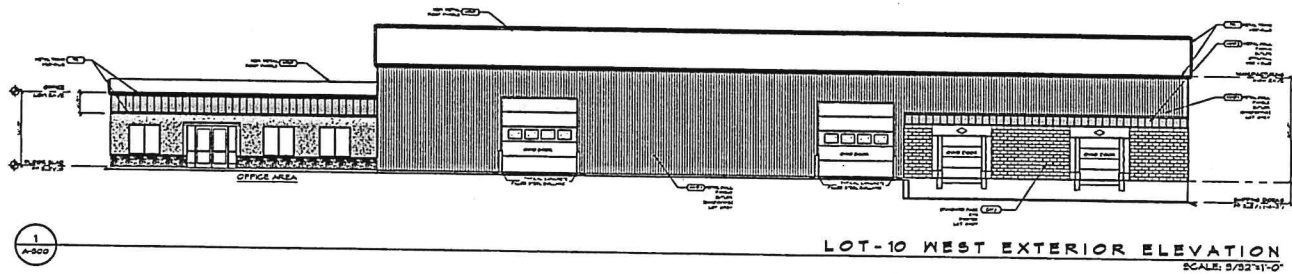


DESIGN
BUILD
INNOVATIONS

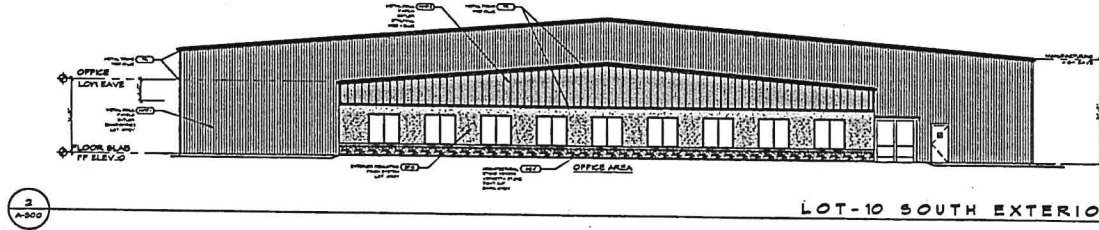
NO.	NOTES	DATE

FOR OWNER:	BY:
LOT 10 JEFFERSON CTY. CORP. PARK WATERTOWN	DATE: 10-10-2008
DESIGNED BY:	DATE: 10-10-2008
LOT 10 FLOOR PLAN	DATE: 10-10-2008
	A-100

NO. 1000-1000



LOT-10 WEST EXTERIOR ELEVATION
SCALE: 3/32"=1'-0"



LOT-10 SOUTH EXTERIOR ELEVATION
SCALE: 3/32"=1'-0"

PROPOSED LAWMAN HEADQUARTERS
LOT-10 JEFFERSON COUNTY
CORPORATE PARK WATERTOWN, N.Y.



DESIGN
BUILD
INNOVATIONS

NO.	NOTES	DATE

JOB NAME: LOT 10 JEFFERSON CTY. CORP. PARK WATERTOWN DRAWING TITLE: LOT 10 EXTERIOR ELEVATIONS	DR. BY DATE: 08-10-2008 IN CHARGE:	A-300
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MA 2004-1222