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: CWT Farms International Inc.

Applicant Address: : 1180 Airport Parkway, Gainesville GA 30501

Phone: 770 532-3181

E-mail: cwtfarmsinternational.com

Application Date: 8/6/2021

Internal Use Only

Staff Signature and Date of Submission: D. Lenhardt 12/22/21

Revised Date: _____, Revision #: _____

Completed Application Date: 12/22/21 Staff Initial _____

Document Date: February 2, 2021

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 - 2% of the principal amount of the bond series.
$10 million - $20 million - 1% of the bond se ries.
Any amount over $20 million - 0.5% of the bond se lies. 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 - 2%
Second $10-$20 million - 0.5%
Any amount over $20 million - 0.25%

No PILOT - 25% of the abatement value

Point of Contact: David Zembiec - CEO JCIDA +1 (315)782 -5865

Revised Date:_____ Revision#:_____

Document Date: 2/2/2021

ection I: Applicant Information

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

A) Applicant Information-company receiving benefit:

Applicant Name : CWT Farms International Inc.
ApplicantAddress: 1180 Airport Parkway, Gainesville GA 30501
Phone: 770 532-3181 Fax:770 531 0555
Website: cwtfarmsinternational.com Federal E-mail: [redacted] NAICS:
ID#: [redacted] 11231

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

What is the name of the Real Estate Holding Company: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

FederalID#:.....

State and Year or Incorporation/Organization: Georgia 1959

Lis t of stockholders, members, or partners of Real Estate Holding Company: _ _ _ _ _ _ _ _ _ _

B) Individual Completing Application:

Name : Jeff L Pierce
Title: Vice President Marketing

Address: 1180 Airport Parkway, Gainesville GA 30501 Phone:501 767 4949 Fax: 770 5310555

E-Maill [redacted]

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

Name : . . . .
Title: _____

Address: . . . .
Phone: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ Fax:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _

E-Ma il: . . . . . .

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _ _ , Revision #:_ _ _ _ _ _ _ _ _ _ _ _ _ _

D) Company Counsel:

Name of Attorney: Hall B Bryant

Firm Name: Bradley Law Firm

Address: 200 Clinton Avenue W, Suite 900 Huntsville AL 35801

Phone: 2565175187 Fax: 256 517-5200

E-mail: [redacted]

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

1. Exemption from Sales Tax — Yes
2. Exemption from Mortgage Tax — Yes
3. Exemption from Real Property Tax — Yes
4. Tax Exempt Financing * — No

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

F) Applicant Business Information (check appropriate category):

Corporation X

Partnership Joint Venture

Corporation Public Sole

Proprietorship

Limited Liability Company

Other (please specify) _____

Year Established !959

State in which Organization is established: Georgia

G) List all Applicant stockholders, members, or partners with % of ownership greater than 20%:

	% of ownership
Aviagen Group Inc	100%

H) Applicant Business Description:

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

CWT Farms International Inc is a poultry company that provides

day old chicks and hatching eggs to domestic and international Food companies

Estimated % of sales within Jefferson County: 0%

Revised Date:_____, Rev ision #:_ _____

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

Estimated% of sales outside New York State but within the U.S.: __20% Estimated% of sales outside the U.S. 70%

(*Percentage to equal 100%)

I) What percentage of your to 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 suppo1ting documentation including estimated percentage of local purchases.

5-7% local services vendors tbd

ection D: Project Description & Details

A) Project Location:

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

NIA

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

NIA

List the Proposed Project location(s) : _ Tl AGPark_ - - - --- - - - - - - -

Provide the Property Address of the proposed Project:

20835 Alexander Drive, Watertown, NY 13601

Willthecompletionofthe Projectresultiiitheremoval, or reduction ofan industrial ormanufacturingplant ofthe Applicant from: one area ofNew York State to Jefferson County; or within Jefferson County?

No [x]

If Yes, please provide details _

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _ _ , Revis ion #:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Willthecompletionoftheprojectresultintheabandonmentofoneormoreplantsorfacilitiesofthe Applicant located within New York State'?

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?

No

IfYes,pleaseprovidedetails_____

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

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 Slate or Jefferson County?

No Ix]

If yes, please provide details _____

SBL Number for Property upon which proposed Project will be located: **82 00-2-1.5**

· what are the current real estate taxes on the proposed Project Site? **See attached taxbill**

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

Land: $_ _ _ _ Buildings(s): $_____

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

Are Real Property Taxes current? Yes.

If no, please explain _____

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

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

If No, indicate name of present owner of the Project Site: **T.I. AgPark**

Does Applicant or related entity have an option/contract to purchase the Project site'? [x] Yes

Revised Date:_____ , Revision#:_____

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:

Construction of a 49.000 s.f. hatchery facility including hatching area, shipping and receiving area, warehouse, office and mechanical areas.

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):

Without the agency's benefits, the project is not financially feasible to meet the requirements for export to Canada. Canada is required by treaty USMCA to provide market access at specific levels which include, specific sanitary, phytosanitary and animal welfare standards that make this segment difficult for US companies to engage in this particular trade channel profitably and can impact market access across the entire supply managed agricultural and food industry. Without financial assistance placing a new state of the art facility to meet these standards will continue to require attempting to meet these standards with facilities not designed to meet the requirements. Without assistance the costs exceed a reasonable return on investment and closes opportunities within our industry to capitalize on the good paying stable jobs for our farmers and communities. Once established the economic lifetime of the average hatchery exceeds 35 years.

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

If Yes, please provide details: The Company holds a lease on an existing facility in another state that would be financially advantageous. And an option f purchase on a third facility in another (PA and Ohio)

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

N/A

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

The applicant will move the project out of New York State into one of the other two options

C) Will Project include leasingany equipment No

If Yes, please describe:

Revised Date:_____, Revision #:_____

D) Site Characteristics:

Describe the present use of the proposed Project site: This is a shovel-ready parcel in the TI AgPark ready for development

Will the Project meet zoning/land use requirements at the proposed location? Yes

If Yes, please provide local zoning reference that applies-: - Town of Watertown

Describe the present zoning/land use: NC - Neighborhood Commercial

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 prope1iy? If yes, please explain: - - - - - - - - - -

No

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

Yes

** 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 plam1ing department. Please provide the Agency with the status with respect to any required planning department approval:

See attached

This was submitted to the Planning Board on 8/3/21 and goes before the County at the end of August, and then back to the Town Planning Board at the beginning of September.

Has the Project received site plan approval from the planning department'? Yes

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

Revised Date: - - - - - - - - - - - - - - - , Revision#: - - - - - - - - - - - - - - - - - -

E) Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed project site?
Yes

F) If yes, please provide a copy.
A long form EAF was done on the site prior to construction on Lo t 5 and Lo t 7 .

G) 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?
No.
If yes, please provide copies of the study

H) Provide any additional infom l ation or details: Lot 8 was part of the original shovel-ready development of the TI AgPark

I) 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	Ix]	Back Office	
Acquisition of Existing Facility	Housing	Retail Mixed Use	
Equipment Purchase	Ix]	Facility for Aging	
Multi-Tenant Commercial		Civic Facility (not for profit)	Other_____

** 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 Ill of the Application.

Retail Sales: No Services: 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 1 I0l(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

J) Project Information:

Estimated costs in connection with Projec t:

1. Land and/or Building Acquisition: $315,000
   __ 6.00 __ acres
2. New Building Construction: 49,000 square feet $12,550,200
3. New Building Addition(s): square feet
4. Infrastructure Work
5. Reconstruction/Renovation: square feet
6. Manufacturing Equipment: $ 3,740,767
7. Non-Manufacturing Equipment (furniture, fixtures, etc.): $190,000
8. Soft Costs: (professional services, etc.): $ 0
9. Other, Specify: _____

TOTAL Capital Costs: $ 16,761,667 __ .

Project refinancing; estimated amount
(for refinancing of existing debt only) $_____

Sources of Funds for Project Costs:

Cash — Cash 100% after incentives $

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

Bond Issuance (if applicable) $

Taxable Bond Issuance (if applicable) $

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

Identify each state and federal grant/credit:

$ _____ _____

Total Sources of Funds for Project Costs: $ - - - -

Revised Date:_ _ _ _ _ _ _ _ _ _ _ Revision #:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

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

particulars:_____

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

Mortgage Amount (include sum total of construction/permanent /bridgefinancing): $ _____

Mortgage Recording Tax Exemption Benefit (product of mortgage

Amount as indicated above multiplied by_%): $

Construction Cost Breakdown:

Total Cost of Construction $16,571,667---------- (sum of 2,3,4,5, and/or 7 in Question I, above)

Cost for materials: 10,571,667
%sourced in Jefferson County:_____50%
%sourced in New York State 50% (including Jefferson
County)List major material suppliers if known _ _ _ _ _ _ _ _ _ _ _

Cost for labor $6,000,000

Expected Full-Time Equivalent Jobs during construction_ 50 - - - -
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: _____

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 11(1) 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 11(1) of the Application.

K) 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	30,120		70
Warehouse	7000		10
Research & Development			
Commercial			
Retail (see section K)			
Office	4800		20
Specify Other Truck Bay	1760		

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

1. Start date: acquisition of equipment or construction of facilities: __March 2022_____
2. Estimated completion date of project: _____ October 2022 _____
3. Project occupancy - estimated starting date of operations: ___October 2022 _____
4. Have construction contracts been signed? No
5. Has Financing been finalize d? No

** *J_/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.*) Is the proposed Project necessary to expand Applicant employment: yes

Is the proposed Project necessary to retain existing employment? 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 I-1\SSISTANCE IS GRANTED - project he number of FTE obs to be RETAINED	IF FINANCIAL !ASSISTANCE IS GRANTED - project the number of FTE obs to be CREATED upon THREE Years after Project completion
**Full time (FTE)	0	15	20

** 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 Rang of Fringe Benefits
Management	2	70,000	25,000
Professional			
Administrative	1	40,000	10,000
Production	15	35,000	10,000
Transportation/Logistics	2	60,000	15,000
!Warehousing			
Other			
TOTAL			

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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? 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.*

0) Is the proposed Project reasonably necessary to prevent the Applicant from moving out of New York State? N/A

If yes, please explain and identify the other locations being investigated, type of assistance offered and provide supporting documentation if available:_ _

P) What competitive factors led you to inquire about sites outside of Jefferson County or New York State? Existing leased Facility in Ohio that can be renovated and a lease to purchase opportunity in PA

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

Have you applied, or intend to apply for additional Grant Funding, or tax incentives? Yes

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: Empire State Development

Revised Date:_ _ _ _ _ _ _ _ _ _ _ Revision#:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

ection 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 prope l ty that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

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?
D 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 service s which would not, but for the Project , be reasonably lo 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?

D Yes or No
If yes, please provide a third party market analysis or other documentation supporting yourresponse.

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _, Revision #:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

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?

D Yes or No.

If yes, explain _

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

ection 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 respectiveindustry.

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 - - -

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

E) Are you applying for either State/Federal His t01ical Tax Credit Programs? Yes or No. If yes, provide estimated value of tax credits - - -

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 Millage)/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**

Revised Date:_____ ____, Revision #:_____

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)/TotalProject Costs:----------%

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

Section VII Representations, Certificationsand Indemnification

**** This Section of the Application can only be completed upon the Applicant receiving, and must be completed after the Applicant receives, JCIDA Staff confirmation that Section I through Section V of the Application are complete.**

Rickey M Smith affirms that he is the President of ***CWT Farms International Inc*** in the attached Application 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 under stands 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") m 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

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _ , Revision #:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

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

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

E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Ce1tification 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 El 527-05, 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 l assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.

G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency' s bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend, and hold the Agency ham1 less 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 2500 application and publication fee (the "Application Fee" a $ _ _
expense deposit for the Agency's Counsel Fee Deposit.

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

(iii) All fees, costs and expenses incurred by the Agency for (l) 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.

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _ _ _ , Revision #:_ _

J. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonably le proper or requested action, or withdraws, abandons , cancels, or neglects the Application, or if the Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then , upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.

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

L. The cost incused 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 "Tem1ination and Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Te1n1inatio n 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 fmi her 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.

0. 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.

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _ _ _, Revision #:_ _ _ _ _ _ _ _ _ _ _ _ _ _

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

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

R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all pro visions 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 representation and covenants made in this Application when acting hereon and hereby rep resent s 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.:

Richey M. Smith , being first duly s worn, deposes and says:

1. That I am the President of Cwt Farms International Inc. (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 con tents of this Application are true, accurate and complete.

[redacted]
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 21st day of Dec., 2021

[redacted]
(Notary Public)

VICTORIA GARCIA BAILEY NOTARY PUBLIC HALL COUNTY GA EXPIRES GEORGIA February 28, 2025

Revised Date:_ _ _ _ _ _ _ _ _ _ _ _ Revision#:_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

LUNCO
Design. Build.

LUNDY CONSTRUCTION, LLC
A Lundy Group Company
18841 US Route 11
Watertown, NY 13601
PH: 315-493-2493
Fax: 315-493-2004

Project Outline
Lot 8 TIAg Park
Chicken Hatchery for CWT Watertown

Construction of an approximately 29,000 s.f. chicken hatchery to include hatching area, warehousing, shipping, and office areas.

This project is similar in scope and nature to the current hatchery located in the Jefferson County Corporate Park.

Lot 8 is currently shovel ready with water and electric in place.

The Town of Watertown is responsible for extending gas and sewer through the Park this fall, which will be available for connection to the building in 2022.

We anticipate the project will break ground in the fall of 2021 and be slated for completion and occupancy in July 2022.

CWT will employ approximately 20 people who will work one shift, however, the building will be manned with at least one employee 24/7.

One to two truckloads of eggs will be delivered twice a week.

Chicks will be hatched four times a week with one truckload of chicks being shipped out on the day they are hatched.

Waste materials will be accumulated in the waste storage room and trucked out twice a week.

Liquid waste will go through the sewer system, but will have a solids separator as per the Town's recommendation prior to connection to the sewer line.

Layout of the facility and truck maneuvering areas as per the revised site plan.

A new Storm Water Pollution Prevention Plan shall be prepared for Lot 8 upon approvals of the project.

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Lundy Construction, LLC

Name of Action or Project:
CWT Farms International Chicken Hatchery

Project Location (describe, and attach a location map):
Lot 8, TI Agpark

Brief Description of Proposed Action:

Construction of a 48,480 s.f. chicken hatchery

Name of Applicant or Sponsor:	Telephone: 315-493-2493
Michael E. Lundy	E-Mail: [redacted]

Address:
18841 US Route 11

City/PO:	State:	Zip Code:
Watertown	New York	13601

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYS Building Permit	☐	☑

3. a. Total acreage of the site of the proposed action? 6.0 acres
   b. Total acreage to be physically disturbed? 4.9 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 150+ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   ☐ Urban ☐ Rural (non-agriculture) ☑ Industrial ☑ Commercial ☐ Residential (suburban)
   ☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____ _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____ Use of temporary leach field syustem until permanent sewer is availble	☐	☑

	NO	YES
12. a. 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?	☑	☐
b. 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?	☑	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☐	☑
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☐	☑
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: New Storm Water System		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☑	☐
If Yes, explain the purpose and size of the impoundment:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	☑	☐
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	☑	☐
If Yes, describe:		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Michael E. Lundy Date: 12-14-21

Signature: [redacted] Title: CEO

PRINT FORM

Agency Use Only [If applicable]

Project: CWT Farms

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Modification of existing application for the proposal lots of Thousand Island Agricultural Park, Arsenal Street, Watertown, NY.
the application meets all criteria set forth in the town of Watertown Zoning regulations

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Watertown Planning Board — January 3, 2022
Name of Lead Agency — Date

[redacted]
Print or Type Name of Responsible Officer in Lead Agency

SEQR Coordinator
Title of Responsible Officer

[redacted]
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM