
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County of Chautauqua Industrial Development Agency (the “Agency”) will hold a public hearing June 24, 2024, at 11:30 a.m., local time, at the Town of Pomfret Town Hall, 9 Day Street, Fredonia, Town of Pomfret, County of Chautauqua, New York, pursuant to Section 859-a of the General Municipal Law, as amended (the “Act”). The purpose of the public hearing is to provide an opportunity for all interested parties to present their views with respect to the “Project” and the “Financial Assistance” (as such terms are defined below).

POMFRET II PV, LLC, a limited liability company duly organized and existing under the laws of the State of Delaware and qualified to do business in the State of New York as a foreign limited liability company (the “Applicant”), presented an application for financial assistance (as amended, the “Application”) to the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) consisting of the following: (A)(1) the acquisition of an interest in an approximately 28.91 acre portion of a parcel of land located at 10026 Farel Road, Fredonia, Town of Pomfret, Chautauqua County, New York (collectively, the “Land”), (2) the acquisition, construction, installation, and equipping on the Land of: (i) solar photovoltaic modules mounted on a 1-axis tracking steel structure, (ii) twenty-one (21) inverters, (iii) two (2) transformers, (iv) underground and overhead electrical lines, (v) fencing, and (vi) a system of access roads, parking, landscaping and related improvements to the Land (collectively, the “Improvements”), and (3) the acquisition and installation of certain furniture, fixtures, machinery and equipment necessary for the completion thereof (the “Equipment” and together with the Land and the Improvements, collectively, the “Project Facility”), all of the foregoing for use by the Applicant and/or its affiliates as an approximately 4.699 megawatt A/C solar-powered electrical generation facility; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing; and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity(ies) as may be designated by the Applicant and agreed upon by the Agency.

The Project Facility would be initially owned, operated and/or managed by the Applicant (or such other designated entity(ies)).

The Applicant (or such other designated entity or entities) would receive financial assistance from the Agency in the form of potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the “Financial Assistance”). This public hearing is being held because the Applicant has requested an increase in the amount of sales and use tax exemptions with respect to the Project from \$255,189.00 to \$418,555.26.

A representative of the Agency will at the above-stated time and place hear and accept comments from all persons with views with respect to the Project or the Financial Assistance. Interested

parties may present their views both orally and in writing with respect to the Project or the Financial Assistance. Comments may also be submitted to the Agency in writing or electronically to: morabtk@chqgov.com.

A representative of the Agency will provide a report or reasonable summary of all such comments to the Agency's members.

Subject to applicable law, copies of the Application, including an analysis of the costs and benefits of the Project, are available for review by the public online at www.ccida.com.

The public hearing will be streamed on the Agency's website in real-time and a recording of the public hearing will be posted on the Agency's website, all in accordance with Section 857 of the New York General Municipal Law, as amended.

Dated: June 14, 2024

COUNTY OF CHAUTAUQUA INDUSTRIAL
DEVELOPMENT AGENCY

By: Richard E. Dixon
Chief Financial Officer