

PUBLIC HEARING
Town of Pomfret Town Hall
9 Day Street
Fredonia, NY 14063
May 17, 2022
10:00 a.m.

Pomfret II PV, LLC

Attendees:

Jeanette Lo Bello, CCIDA Staff

Gregory Peterson, CCIDA Counsel

MR. PETERSON: Good morning. My name is Greg Peterson. I am General Counsel for the County of Chautauqua Industrial Development Agency (the "Agency") and I have been authorized to hold a public hearing pursuant to Section 859-a of the New York General Municipal Law, as amended (the "Act").

Today is May 17, 2022 and the time is now 10:00 a.m. We are at Town of Pomfret Town Hall, 9 Day Street, Town of Pomfret, County of Chautauqua, New York, which also is in Fredonia, New York.

The Agency has received an application for financial assistance in connection with the following matter:

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 (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 or entities).

The Applicant (or such other designated entity(ies)) 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”).

Notice of this public hearing was published in *The Observer* on May 5, 2022 and provided to the Chief Executive Officer of each affected tax jurisdiction within which the Project Facility is or will be located by letter dated May 4, 2022.

The purpose of this public hearing is to provide an opportunity for all interested parties to present their views, both orally and in writing, with respect to the granting of the Financial Assistance contemplated by the Agency or the location or nature of the Project. As set forth in the notice of this public hearing, comments may also be submitted to the Agency in writing or electronically at the following email address: morabitk@chqgov.com.

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.

This public hearing is being streamed on the Agency’s website in real-time and a video recording of this public hearing is being made and will be posted on the Agency’s website, all in accordance with Section 857 of the New York General Municipal Law, as amended. In addition, a report or summary of this hearing will be made and such report or summary of all comments received by the Agency shall be provided to the Agency’s members and posted on the Agency’s website. Comments received in writing will be also be included in the report and any summary of this public hearing.

Is there anyone wishing to be heard with respect to the Project or the Financial Assistance?

MR. PETERSON: There is no one in the room, and therefore no response. It is now 10:07 a.m. Let the record show that, other than comments submitted in writing, no members of the public have indicated a desire to comment with respect to the Project or the Financial Assistance. I therefore call this hearing to a close.

Respectfully submitted by: Kristine Morabito, CCIDA Project Manager