

**CHAUTAUQUA CSG 1 LLC -
Deviation Approval Resolution**

A regular meeting of the County of Chautauqua Industrial Development Agency (the “Agency”) was convened in public session on August 26, 2025, at 10:30 A.M., local time, at the offices of the Agency located at 201 West 3rd Street, Jamestown, County of Chautauqua, New York (the “IDA Office”).

The meeting was called to order by the _____ and, upon roll being called, the following members of the Agency were:

PRESENT:

Gary Henry	Chairman
Daniel Heitzenrater	Vice Chair
Sagan Sheffield-Smith	Treasurer
Amy Harding	Secretary
Daniel DeMarte	Member
Tom Harmon	Member
John Healy	Member
Kevin Muldowney	Member
Ted Wightman	Member

NOT PRESENT:

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Mark Geise	Administrative Director/CEO
Shelby Bilskie	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Gregory L. Peterson, Esq.	Counsel

The attached resolution no. 08-26-25-01 was offered by _____, seconded by _____:

Resolution No. 08-26-25-01

RESOLUTION AUTHORIZING A DEVIATION FROM THE UNIFORM
TAX EXEMPTION POLICY OF THE COUNTY OF CHAUTAUQUA
INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT
TO A PROJECT FOR CHAUTAUQUA CSG 1 LLC
AND/OR ITS AFFILIATES

WHEREAS, the County of Chautauqua Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the Laws of 1969 of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 71 of the 1972 Laws of New York, as amended, constituting Section 895-h of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, CHAUTAUQUA CSG 1 LLC, a limited liability company duly organized and existing under the laws of the State of New York (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 15.58 acre portion of two parcels of land totaling approximately 30.4 acres located at 1437 West NY-394 and West NY-394 Rear, Town of Poland, County of Chautauqua, New York (Tax Map Parcel ID Nos. 355.00-2-38.1 and 355.00-2-38.2) (the “Land”), (2) the acquisition, construction, installation, and equipping on the Land of: (i) solar photovoltaic modules mounted on tracking steel structure, (ii) inverters and transformers, (iii) underground and overhead electrical lines, (iv) fencing, and (v) 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 2.25 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 in the form of potential exemptions or partial exemptions from real property taxes and sales and use taxes (collectively, the “Financial Assistance”); 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; and

WHEREAS, the Application states that the Applicant is seeking an exemption from real property taxes with respect to the Improvements that, if granted, would constitute a deviation from the Agency’s established Uniform Tax Exemption Policy and Guidelines (the “Tax Exemption Policy”) that is published on the Agency’s website; and

WHEREAS, in accordance with Section 874(4) of the Act, (A) the Administrative Director/CEO of the Agency caused letters dated July 24, 2025 (the “Pilot Deviation Notice Letters”) to be mailed to the chief executive officer of each affected tax jurisdiction and to all other persons required by applicable law, informing said individuals that the Agency would, at its meeting on August 26, 2025 (the “IDA Meeting”), consider a proposed deviation from the Tax Exemption Policy with respect to the payment in lieu of taxes agreement to be entered into by the Agency with respect to the Improvements; and (B) the members of the Agency conducted the IDA Meeting on the date hereof and reviewed any comments and correspondence received with respect to the proposed deviation from the Tax Exemption Policy; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 874(4) of the Act with respect to the proposed deviation from the Tax Exemption Policy;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby determines that the Agency has fully complied with the requirements of Section 874(4) of the Act relating to the proposed deviation from the Tax Exemption Policy.

Section 2. Prior to making the determinations set forth in this Resolution, the members of the Agency have considered and weighed all of the factors set forth in the Tax Exemption Policy.

Section 3. Having reviewed all written comments and correspondence received at or prior to the IDA Meeting, the Agency hereby approves the proposed deviation from the Tax Exemption Policy as described in the Pilot Deviation Notice Letters (copies of which are attached hereto as Exhibit A) because the Property Tax Exemption (as defined in the Pilot

Deviation Notice Letters) is necessary to induce the Applicant to undertake the Project in Chautauqua County. Deviating from the Policy in this instance will advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and Chautauqua County.

Section 4. The Chairman, Vice Chairman, Administrative Director/CEO and Chief Financial Officer of the Agency are each hereby authorized and directed, acting individually or jointly, to distribute copies of this Resolution to the Applicant and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution. If the Agency hereafter adopts appropriate final approving resolutions with respect to the proposed straight-lease transaction with the Applicant (the "Transaction"), the Chairman, Vice Chairman, Administrative Director/CEO and Chief Financial Officer of the Agency are each hereby authorized and directed, acting individually or jointly, to cause the Agency to (A) enter into a Payment in Lieu of Taxes Agreement providing for, among other things, the making of payments in lieu of property taxes consistent with the Pilot Deviation Notice Letters, and (B) file an application for real property tax exemption with the appropriate assessor(s) with respect to the Improvements.

Section 5. This Resolution shall take effect immediately, but is subject to and conditioned upon the closing of the Transaction.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Gary Henry	VOTING
Bradley Walters	VOTING
Sagan Sheffield-Smith	VOTING
Dan Heitzenrater	VOTING
Kevin Muldowney	VOTING
Amy Harding	VOTING
Daniel DeMarte	VOTING
Tom Harmon	VOTING
Ted Wightman	VOTING

The foregoing resolution was thereupon declared duly _____.

STATE OF NEW YORK)
) SS.:
COUNTY OF CHAUTAUQUA)

WE, the undersigned officers of the County of Chautauqua Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on August 26, 2025 with the original thereof on file in our offices, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public at both locations at which members of the Agency were present, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; (D) there was a quorum of the members of the Agency present throughout said meeting; and (E) the meeting was recorded and the recording has been or will be posted on the public website of the Agency pursuant to the Open Meetings Law.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our hand this 26th day of August, 2025.

[Assistant] Secretary

[Vice] Chairman

EXHIBIT A

Pilot Deviation Notice Letters

See Attached



County of Chautauqua Industrial Development Agency



ChooseCHQ.com

July 24, 2025

Board of Directors

Gary Henry

Chairman
Owner
Fancher Chair Co., Inc.

Tom Harmon

Member
PED Chair

Dan Heitzenrater

Vice Chairman
President & CEO
Chautauqua County
Chamber of Commerce

Sagan Sheffield-Smith

Treasurer
Chief Financial Officer
Double A Vineyards

Amy Harding

Secretary
Vice President
Lake Shore Savings Bank

John Healy

Member
Executive Director
Builders Exchange of the
Southern Tier

Daniel DeMarte

Member
President
Jamestown Community
College

Kevin Muldowney

Member
President
Muldowney
Development

**CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL**

Kelly Snow, Town Supervisor Town of Poland PO Box 4 Kennedy, NY 14747	Sara Kennison, District Clerk Falconer CSD 2 East Ave Falconer, NY 14733
Bonnita Wallace, Town Clerk Town of Poland PO Box 4 Kennedy, NY 14747	Chautauqua County County Executive, Paul Wendel 3 N. Erie St. Mayville, NY 14757
Stephen Penhollow, Superintendent Falconer CSD 2 East Ave Falconer, NY 14733	Post Journal, Legal Notices PO Box 3386 Jamestown, NY 14702-3386
Tracy Schrader, School Board President Falconer CSD 2 East Ave Falconer, NY 14733	

**NOTICE OF PUBLIC HEARING REGARDING
A PROPOSED PROJECT AND FINANCIAL ASSISTANCE**

Ladies and Gentlemen:

Notice is hereby given that at a meeting of the County of Chautauqua Industrial Development Agency (the "Agency") to be held on August 26, 2025, at 10:30 a.m., local time, from the offices of the Agency, 201 West Third Street, Jamestown, County of Chautauqua, New York, the Agency will consider whether to approve the application of CHAUTAUQUA CSG 1 LLC, a limited liability company duly organized and existing under the laws of the State of New York (the "Company"), for certain "financial assistance" which, if granted, would deviate from the Agency's Uniform Tax Exemption Policy and Guidelines (the "Policy") with respect to the payment of real property taxes.

The Company submitted 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 15.58 acre portion of two parcels of land totaling approximately 30.4 acres located at 1437 West NY-394 and West NY-394 Rear, Town of Poland, County of Chautauqua, New York (Tax Map Parcel ID Nos. 355.00-2-38.1 and 355.00-2-38.2) (the “Land”), (2) the acquisition, construction, installation, and equipping on the Land of: (i) solar photovoltaic modules mounted on tracking steel structure, (ii) inverters and transformers, (iii) underground and overhead electrical lines, (iv) fencing, and (v) 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 2.25 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 in the form of potential exemptions or partial exemptions from real property taxes and sales and use taxes (collectively, the “Financial Assistance”); 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 Company (or such other entity(ies) as may be designated by the Company and agreed upon by the Agency).

The Application states that the Company is seeking an abatement of real property taxes with respect to the Project Facility. Based upon negotiations between representatives of the Company and the Agency, the parties contemplate that the Agency may agree to grant a real property tax exemption with respect to the Project Facility (the “Property Tax Exemption”) that would result in a payment in lieu of taxes (“PILOT”) agreement between the Agency and the Company and/or its affiliate or designee having a term of twenty-five (25) fiscal tax years (the “PILOT Term”), with annual PILOT payments with respect to the Project Facility as follows:

<u>PILOT Year</u>	<u>Annual PILOT Payment</u>
1	\$9,563
2	\$9,754
3	\$9,949
4	\$10,148
5	\$10,351
6	\$10,558
7	\$10,769
8	\$10,984
9	\$11,204
10	\$11,428
11	\$11,657
12	\$11,890
13	\$12,128
14	\$12,370
15	\$12,618

16	\$12,870
17	\$13,127
18	\$13,390
19	\$13,658
20	\$13,931
21	\$14,209
22	\$14,494
23	\$14,783
24	\$15,079
25	\$15,381

Thereafter, and through the end of the term of the lease or installment sale agreement with respect to the Project Facility, the payments would be equal to the real property taxes and assessments that would be payable as if the Project Facility was returned to the tax rolls as taxable property and subject to taxation at its then current, full assessed value, as the same may be reassessed from time to time, and subject to tax rate increases imposed by the affected tax jurisdictions.

The Property Tax Exemption, if approved by the Agency, would represent a deviation from the Policy.

The reason for the proposed deviation is that the Property Tax Exemption, if approved by the Agency, is necessary to induce the Applicant to undertake the Project in Chautauqua County. Deviating from the Policy in this instance will advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and Chautauqua County.

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

Copies of the Application, including the request for a deviation from the Policy, are available for review by the public online at www.ccida.com. For additional assistance, contact the Agency at (716) 661-8900.

COUNTY OF CHAUTAUQUA
INDUSTRIAL DEVELOPMENT AGENCY



By: _____
Shelby Bilskie
Chief Financial Officer

CHAUTAUQUA CSG 1 LLC - Approving Resolution

A regular meeting of the County of Chautauqua Industrial Development Agency (the “Agency”) was convened in public session on August 26, 2025, at 10:30 A.M., local time, at the offices of the Agency located at 201 West 3rd Street, Jamestown, County of Chautauqua, New York (the “IDA Office”).

The meeting was called to order by the _____ and, upon roll being called, the following members of the Agency were:

PRESENT:

Gary Henry	Chairman
Daniel Heitzenrater	Vice Chair
Sagan Sheffield-Smith	Treasurer
Amy Harding	Secretary
Daniel DeMarte	Member
Tom Harmon	Member
John Healy	Member
Kevin Muldowney	Member
Ted Wightman	Member

NOT PRESENT:

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Mark Geise	Administrative Director/CEO
Shelby Bilskie	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel
Gregory L. Peterson, Esq.	Counsel

The attached resolution no. 08-26-25-02 was offered by _____, seconded by _____:

Resolution No. 08-26-25-02

RESOLUTION TAKING OFFICIAL ACTION TOWARD AND APPROVING THE
STRAIGHT LEASE DOCUMENTS FOR A CERTAIN PROJECT FOR CHAUTAUQUA CSG
1 LLC AND/OR ITS AFFILIATES

WHEREAS, the County of Chautauqua Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), and Chapter 71 of the 1972 Laws of New York, as amended, constituting Section 895-h of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, CHAUTAUQUA CSG 1 LLC, a limited liability company duly organized and existing under the laws of the State of New York (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 15.58 acre portion of two parcels of land totaling approximately 30.4 acres located at 1437 West NY-394 and West NY-394 Rear, Town of Poland, County of Chautauqua, New York (Tax Map Parcel ID Nos. 355.00-2-38.1 and 355.00-2-38.2) (the “Land”), (2) the acquisition, construction, installation, and equipping on the Land of: (i) solar photovoltaic modules mounted on tracking steel structure, (ii) inverters and transformers, (iii) underground and overhead electrical lines, (iv) fencing, and (v) 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 2.25 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 in the form of potential exemptions or partial exemptions from real property taxes and sales and use taxes (collectively, the “Financial Assistance”); 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; and

WHEREAS, in accordance with Section 859-a of the Act, any approval of the Project is contingent upon, inter alia, a determination by the members of the Agency to proceed with the Project following a determination by the Agency that (A) the public hearing and notice requirements and other procedural requirements contained in the Act relating to the Project have been satisfied; and (B) the undertaking of the Project by the Agency and the granting of the Financial Assistance are and will be in compliance with all other applicable requirements of the Act, SEQRA (as hereinafter defined), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project and/or the Project Facility (collectively, the “Applicable Laws”); and

WHEREAS, the Administrative Director/CEO of the Agency (A) caused notice of a public hearing of the Agency pursuant to Section 859-a of the Act (the “Public Hearing”) to hear all persons interested in the Project and the Financial Assistance contemplated by the Agency with respect to the Project, to be mailed on July 26, 2025 to the chief executive officer of the County of Chautauqua (the “County”) and of each other affected tax jurisdiction within which the Project Facility is or is to be located, and posted a copy of the Application on the Agency’s website; (B) caused notice of the Public Hearing to be published on July 27, 2025 in *The Post Journal*, a newspaper of general circulation available to residents of the County; (C) caused the Public Hearing to be conducted on August 5, 2025, at 10:00 a.m., local time, at Town of Poland, Town Hall, 3593 Church Street, Kennedy, County of Chautauqua, New York; (D) caused the Public Hearing to be streamed on the Agency’s website in real-time and a recording of the Public Hearing to be posted on the Agency’s website, all in accordance with Section 857 of the Act, as amended; and (E) caused a written report of the Public Hearing to be prepared which fairly summarizes the views presented at the Public Hearing and collected written comments from the public (collectively, the “Report”) and distributed the Report to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (“NYSDEC”), being 6 N.Y.C.R.R. Part 617, et. seq., as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, by letter dated July 2, 2024, the Town of Poland Planning Board (“Planning Board”) provided notice to the Agency of the Planning Board’s intention to conduct a coordinated review of the Project pursuant to SEQRA and no Interested or Involved agencies objected to the Planning Board serving as Lead Agency; and

WHEREAS, by resolution dated December 17, 2024, the Planning Board issued a negative declaration, and such SEQRA determination is binding upon the Agency; and

WHEREAS, in accordance with Section 874(4) of the Act, (A) the Administrative Director/CEO of the Agency caused letters dated July 24, 2025 (the “Pilot Deviation Notice Letters”) to be mailed to the chief executive officer of each affected tax jurisdiction and to all

other persons required by applicable law, informing said individuals that the Agency would, at its meeting on August 26, 2025 (the “IDA Meeting”), consider a proposed deviation from the Tax Exemption Policy with respect to the payment in lieu of taxes agreement to be entered into by the Agency with respect to the Improvements; and (B) the members of the Agency conducted the IDA Meeting on the date hereof and reviewed any comments and correspondence received with respect to the proposed deviation from the Tax Exemption Policy; and

WHEREAS, the Agency now desires to make its determination to proceed with the Project and to grant the Financial Assistance, subject to the terms hereof; and

WHEREAS, the Applicant and/or one (1) or more of its affiliates will (A) execute and deliver a certain Company Lease Agreement (the “Company Lease”), pursuant to which the Applicant and/or such affiliate(s) will grant to the Agency a leasehold interest in the Project Facility; (B) execute and deliver a certain Agency Lease Agreement (Uniform Project Agreement) (the “Agency Lease”), pursuant to which the Agency will grant to the Applicant and/or such affiliate(s) a subleasehold interest in the Project Facility; (C) execute and deliver a certain Payment in Lieu of Taxes Agreement (the “PILOT Agreement”) pursuant to which the Agency would grant an exemption from real property taxes with respect to the Improvements only; and (D) execute and deliver certain other certificates, documents, instruments and agreements related to the Project (together with the Company Lease, the Agency Lease and the PILOT Agreement, collectively, the “Transaction Documents”);

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. In accordance with Section 859-a of the Act, the Agency has prepared a written cost-benefit analysis with respect to the Project and the granting of the Financial Assistance (the “Analysis”). The Agency has reviewed the Application, the Report and the Analysis, and, based upon the representations made by the Applicant to the Agency and information obtained by the Agency, the Agency has reviewed and assessed all material information necessary to afford a reasonable basis for the Agency to make a determination to approve the Financial Assistance. In addition, the Agency hereby makes the following findings and determinations with respect to the Project:

(a) based on the proposed use of the Project Facility as set forth in the Application, the economic effects of the Project on the area in which it is situated, and the employment reasonably expected to be created and/or maintained by the Project, and an analysis of how the Project contributes to the realization of the public purposes of promoting employment opportunities in the County and the prevention of economic deterioration in the County, the Project will constitute a commercial facility with a significant impact on the area in which it is situated, and will advance the Agency’s purposes by promoting employment opportunities and preventing economic deterioration in the County. Therefore, the Project constitutes a “project” within the meaning of the Act;

(b) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Applicant to undertake the Project in the County;

(c) there is a likelihood that the Project would not be undertaken but for the granting of the Financial Assistance by the Agency to the Applicant;

(d) the completion of the Project Facility, the sublease thereof by the Agency to the Applicant and the operation thereof by the Applicant will not result in the removal of a facility or plant of the Applicant or any other occupant or user of the Project Facility from one area of the State of New York (the "State") to another area of the State or in the abandonment of one or more plants or facilities of the Applicant or any other occupant or user located within the State (but outside of the County). Therefore, the provisions of subdivision (1) of Section 862 of the Act are not and will not be violated as a result of the granting of the Financial Assistance by the Agency to the Applicant;

(e) the Project will serve the public purposes of the Act by preserving permanent, private sector jobs, and increasing the overall number of permanent, private sector jobs in the State;

(f) no funds of the Agency shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant, nor shall any funds of the Agency be given in connection with the Project to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State, nor shall any funds of the Agency be used for advertising or promotional materials which depict elected or appointed government officials in either print or electronic media;

(g) the Project Facility does not and will not constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project. For purposes of this finding, retail sales shall mean: (i) sales by a registered vendor under Article 28 of the New York Tax Law primarily engaged in the retail sale of tangible personal property, as defined in subparagraph (i) of paragraph four of subdivision (b) of section 1101 of the New York Tax Law; or (ii) sales of a service to such customers;

(h) the granting of the Financial Assistance by the Agency with respect to the Project will encourage and assist the Applicant in undertaking the Project in the County, will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of the County and the State and improve their standard of living, and thereby serve the public purposes of the Act; and

(i) the Project will not result in the removal or abandonment of a plant or facility of the Applicant or any other occupant or user of the Project Facility, currently located within the County.

Section 2. The Agency hereby ratifies, confirms and approves all actions heretofore taken by the Administrative Director/CEO, Chief Financial Officer and the staff of the Agency with respect to the Application, the Analysis and the Public Hearing, including, without limitation, (a) those actions required to ensure full compliance with the requirements of the Act, SEQRA and all other Applicable Laws that relate to the Project, and (b) the appointment of the law firm of Phillips Lytle LLP as Counsel to the Agency with respect to all matters in connection with the Project.

Section 3. The Applicant submitted a Notice of Intent (“NOI”) to the New York State Department of Agriculture and Markets (“NYSDAM”) on December 19, 2024, and NYSDAM determined on February 6, 2025 that the Project will not have an unreasonably adverse effect on the continuing viability of farm enterprises within the agricultural district or State environmental plans, policy and objectives. The Applicant will adhere to NYSDAM’s “Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands” during and after construction to minimize any potential adverse impacts to agricultural lands. Moreover, the Project will not result in significantly decreased agricultural land in the County. Accordingly, the Agency has also determined, pursuant to Agriculture and Markets Law Section 305(4), that to the maximum extent practicable, adverse agricultural impacts have been minimized or avoided for the Project.

Section 4. The Agency hereby determines that the Agency has fully complied with the requirements of the Act, SEQRA and all other Applicable Laws that relate to the Project.

Section 5. Having considered fully all comments received at or in connection with the Public Hearing and the IDA Meeting, including correspondence received subsequent to the Public Hearing, the Agency hereby further determines to proceed with the Project and the granting of the Financial Assistance, subject to the terms hereof. The Agency hereby approves the granting of (a) an exemption from real property taxes having an estimated value of \$-23,904, (b) an exemption from sales and use taxes in the maximum amount of \$148,453, and (c) an exemption from mortgage recording taxes having an estimated value of \$0.

Section 6. The Agency recognizes that due to the complexities of the proposed transaction it may become necessary that certain of the terms approved hereby may require modifications from time to time which will not affect the intent and substance of the authorizations and approvals by the Agency herein. The Agency hereby authorizes the Chairman, Vice Chairman, Administrative Director/CEO and Chief Financial Officer of the Agency, acting individually or jointly, to approve modifications to the terms approved hereby which do not affect the intent and substance of this Resolution, but may include adjustments to the Financial Assistance granted hereunder. The approval of such modifications shall be evidenced by the certificate of determination of an Agency officer or the execution and delivery by some or all such Agency officers of relevant documents containing such modified terms.

Section 7. The Agency is hereby authorized to (a) acquire an interest in the Project Facility pursuant to the Company Lease and the other Transaction Documents, (b) grant a subleasehold interest in the Project Facility pursuant to the Agency Lease and the other

Transaction Documents, (c) grant the Financial Assistance, and (d) do all things necessary, convenient or appropriate for the accomplishment thereof. All acts heretofore taken by the Agency with respect to the foregoing are hereby approved, ratified and confirmed.

Section 8. The form and substance of the Transaction Documents, in the forms presented to the members of the Agency, together with such changes as the Chairman, the Vice Chairman, the Administrative Director/CEO or the Chief Financial Officer may hereafter deem necessary or appropriate, are hereby approved. The Chairman, the Vice Chairman, the Administrative Director/CEO and the Chief Financial Officer are hereby authorized, on behalf of the Agency, acting together or individually, to execute and deliver the Transaction Documents to which the Agency is a party and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same. The execution and delivery of each such agreement, approval and consent by such person(s) shall be conclusive evidence of such approval.

Section 9. The Chairman, the Vice Chairman, the Administrative Director/CEO and the Chief Financial Officer of the Agency are hereby further authorized, on behalf of the Agency, acting together or individually, to designate any additional Authorized Representatives (as defined in the Agency Lease) of the Agency.

Section 10. The officers, employees and agents of the Agency are hereby authorized and directed, acting individually or jointly, for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Transaction Documents, to execute and deliver all such additional certificates, instruments, agreements and documents, to pay all such fees, charges and expenses, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, convenient or appropriate to effect the purposes of this Resolution and to cause compliance with all of the terms, covenants and provisions of the Transaction Documents to which the Agency is a party or which are binding on the Agency.

Section 11. The members of the Agency acknowledge the terms and conditions of Section 875(3) of the Act and the duties and obligations of the Agency thereunder with respect to granting of State Sales and Use Taxes (as such term is defined in Section 875 of the Act) with respect to the Project. The members hereby direct the officers of the Agency to comply with such terms and conditions with respect to the Project and hereby direct Counsel to the Agency to include such terms and conditions in all relevant Transaction Documents.

Section 12. The Chairman, the Vice Chairman, the Administrative Director/CEO and the Chief Financial Officer of the Agency are hereby authorized and directed to distribute copies of this Resolution to the Applicant and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 13. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Gary Henry	VOTING
Dan Heitzenrater	VOTING
Sagan Sheffield-Smith	VOTING
Amy Harding	VOTING
Daniel DeMarte	VOTING
Tom Harmon	VOTING
John Healy	VOTING
Kevin Muldowney	VOTING
Ted Wightman	VOTING

The foregoing resolution was thereupon declared duly ____.

STATE OF NEW YORK)
) SS.:
COUNTY OF CHAUTAUQUA)

WE, the undersigned officers of the County of Chautauqua Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on August 26, 2025 with the original thereof on file in our offices, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public at both locations at which members of the Agency were present, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; (D) there was a quorum of the members of the Agency present throughout said meeting; and (E) the meeting was recorded and the recording has been or will be posted on the public website of the Agency pursuant to the Open Meetings Law.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our hand this 26th day of August, 2025.

[Assistant] Secretary

[Vice] Chairman

Chautauqua CSG 1 LLC

Project Description:

- 2.25 MW AC Solar Farm on approximately 14 acres, located in the Town of Poland, at 1437 West NY-394 and West-394 Rear, Falconer, NY. Parcel #s 355.00-2-38.1 and 355.00-2-38.2.
- Power Generated goes back to the grid and it is sold to customers who request that a portion of their electricity purchase be from renewable energy.
- Total Project Cost - \$3,677,724.

Company Information:

Chautauqua CSG 1 LLC
2533 Riva Road
Suite 200
Annapolis, MD 21401
(443)267-5010

Project Benefits:

- Creation of temporary jobs, with payroll.
- Local and State Sales Tax revenue.
- Local Real Property Tax revenue.
- Host Community Benefit Agreement with Town of Poland.
- Lease payments, over the life of the project, to property owners.
- Aligns with the State's aggressive goals regarding renewable energy generation.

CCIDA Incentives:

- A 25-year payment in lieu of taxes (PILOT) on the increased assessment and Sales tax abatement were received for this project. The PILOT will produce payments to the affected taxing jurisdiction, over the life of the project, in the amount of \$306,290, with property tax abatement totaling (\$23,904) and Sales Tax Exemption totaling \$148,453.

Jobs:

- Temporary
 - 50 FTEs during construction.

Cost Benefit Analysis (CBA):

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$2,953,290	\$76,648	39:1
State	\$139,334	\$74,226	2:1
Grand Total	\$3,092,623	\$150,874	20:1
*Discounted at 2% the public sector discount rate of:			

Timeline:

- Construction estimated to take 6-12 months, weather dependent. With operations expected to begin in the Fall of 2026.

SEQRA/Lead Agency:

- SEQRA done by the Town of Poland, which concluded with a Negative Deceleration.

Project Milestones:

- 6/12/2025 – Completed Application Received.
- 7/22/2025 – Due Diligence Agreement and Resolution expected to go before the Board, for approval
- 8/5/2025 – Public Hearing – Questions were answered post Public Hearing.
- 8/26/2025 – Final Approving Resolutions expected to go before the Board, for approval



County of Chautauqua Industrial Development Agency



APPLICATION FOR FINANCIAL ASSISTANCE

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate: filling in blanks; checking the applicable term(s); attaching additional text (with appropriate notations, such as "see Schedule 2(A), etc."); or writing "N.A.", signifying "not applicable".

The following amounts are payable to the County of Chautauqua Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); and (ii) a \$1,000 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit to defray the cost of Transaction/Bond Counsel fees and expenses with respect to the Project. In the event that the subject transaction closes, the Counsel Fee Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

Any approval of financial assistance will be effective for one year. If the subject transaction has not closed within that time, reapproval may be required, which may be conditioned upon payment of some, most or all of the Agency's expected administrative fee and attorneys' fees accrued on that date.

Note: Please contact the CCIDA Main Office @ (716) 661-8900 with any questions relative to the application content and/or process.

PART I: APPLICANT

Name: Chautauqua CSG 1 LLC
Address: 2533 Riva Road, Suite 200 Annapolis, MD 21401
Phone: 443-267-5010
NY State Dept. of Labor Reg #: _____
Federal Employer ID #: 86-3748868
NAICS Code #: _____
NAICS Sector: _____
NAICS Industry: _____
Website: _____
Nature of business (goods to be sold, manufactured, assembled or processed, services rendered):
 Solar energy generation and land development

Contact Name: Lindsey Gillis
Title: Chief Administrative Officer
Phone Number: 443-267-5010
E-Mail: DEVELOPMENT@NEWENERGYEQUITY.COM

Business Type:

- ☐ Sole Proprietorship
☐ General Partnership
☐ Limited Partnership
☒ Limited Liability Company
☐ Privately Held Corporation
☐ Publicly Held Corporation
☐ Not-for-Profit Corporation

State/Year of Incorporation/Organization: NY/2022
Qualified to do Business in New York (Yes or No):

Owners of 20% or more of Applicant:

Name	%
NEW ENERGY EQUITY LLC	100%

PART II: PROJECT

Address of proposed project facility:
 1437 West NY-394 and West NY-394 Rear. Falconer, NY
Tax Map Parcel Number(s): 355.00-2-38.1 and 355.00-2-38.2
City/Town/Village(s): Town of Poland
School District(s): Falconer CSD
Current Legal Owner: _____
Contract to purchase (Yes or No): No
Date of purchase: Lease
Purchase price: \$ _____

Present use of the Project site:

Residential land

What are current real estate taxes on the Project site?

County/Town:	\$ 997.41	+ \$245.08
City/Village:	\$	
School:	\$ 1,158.39	+ \$284.63

Are tax cert. proceedings currently pending with respect to the Project real property?

YES ☐ NO ☒

Proposed User(s)/Tenant(s) of the Facility

(Complete for each User/Tenant for additional User/Tenants of the Company, use space at the end of this section)

Company Name: Chautauqua CSG 1 LLC

Address: 2533 Riva Road, Suite 200

City/State/Zip: Annapolis, MD 21401

Tax ID No.: _____

Contact Name: Lindsey Gillis

Title: Chief Administrative Officer

Phone Number: 443-267-5010

E-Mail: DEVELOPMENT@NEWENERGYEQUITY.COM

% of facility to be occupied by User/Tenant:

Appx. 63% of total acreage

Relationship to the Applicant:

Same

OFFICERS OF APPLICANT

Name:	Title:
JOSH KUNKEL	VICE PRESIDENT
DEAN EASTLAKE	MANAGER
_____	_____
_____	_____

Owners of 20% or more of User/Tenant:

Name	%	Corporate Title
_____	_____	_____
_____	_____	_____
_____	_____	_____

APPLICANT'S LEGAL COUNSEL:

Firm name: Hodgson Russ LLP
 Address: 140 Pearl Street, Suite 100 | Buffalo, NY 14202
 Contact: Henry A. Zomerfeld
 Phone: Tel: 716.848.1370
 Fax: Fax: 716.819.4667
 E-Mail: HZomerfe@hodgsonruss.com

Type of Proposed Project (check all that apply):

- ☒ New Construction of a Facility
 Square footage: _____ 678,664 s.f. / 15.58 ACRES +/-
 (PROJECT FACILITY AREA)
- ☐ Addition to Existing Facility
 Square footage of existing facility: _____
 Square footage of addition: _____
- ☐ Renovation of Existing Facility
 Square footage of area renovated: _____
 Square footage of existing facility: _____
- ☐ Acquisition of Land/Building
 Acreage/square footage of land: _____
 Square footage of building: _____
- ☐ Acquisition of Furniture/Machinery/Equipment
 List principal items or categories:

- ☐ Other (specify): _____

Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

Approximately 2.25 MWac solar project will generate cleaner energy for the surrounding community using distributed generation awhile supporting the State Energy Plan / Clean Energy Standard and mandate of 2019.

The approval of this application will help the community be part of the climate solution while supporting good-paying jobs and realizing key economic and social benefits.

Without the agency's financing assistance, the project wouldn't be undertaken.

Please list Affiliates/Parents/Subsidiary Entities to Applicant (attach organization chart if necessary)

SEE ATTACHED. Chautauqua CSG 1 LLC, is the project company and guarantor. In the event the project is sold, we want the PILOT liability to go with it.

Will the Project provide on-site child daycare facilities? If so, please explain: No.

PART III. CAPITAL COSTS OF THE PROJECT

A. Provide an estimate of Project Costs of all items listed below:

<u>Item</u>	<u>Cost</u>
1. Land and/or Building Acquisition:	\$ 269,777 (Land Lease)
2. Building Demolition:	\$ _____
3. Construction/Reconstruction/Renovation:	\$ _____
4. Site Work:	\$ 1,855,660
5. Infrastructure Work:	\$ 1,285,437 (Interconnection)
6. Furniture, Equipment & Machinery Acquisition (not included in 3. above):	\$ _____
7. Architectural/Engineering Fees:	\$ 78,073
8. Applicant's Legal Fees:	\$ 98,987
9. Financial Fees:	\$ _____
10. Other Professional Fees:	\$ 89,790
11. Other Soft Costs (describe): _____	\$ _____
12. Other (describe): _____	\$ _____
Total Project Costs:	\$ 3,677,724

B. Estimated Sources of Funds for Project Costs:

	<u>Source</u>
1. Tax-Exempt IDA Bonds:	\$ _____
2. Taxable IDA Bonds:	\$ _____
3. Conventional Mortgage Loans:	\$ _____
4. SBA or other Governmental Financing:	\$ _____
Identify: _____	
5. Other Public Sources (e.g., grants, tax credits):	\$ 523,740
Identify: NY SUN / NYSERDA	
6. Other Public Agency Loans:	\$ _____
7. Other Private Loans:	\$ _____
8. Equity Investment:	\$ 3,153,984
(Excluding equity attributable to grants/tax credits)	
Total Funding:	\$ 3,677,724

What percentage of the total project costs are funded/financed from public sector sources: 0 %

C. Requested Financial Assistance

Tax-Exempt Bonds: \$ _____
Taxable Bonds: \$ _____
Estimated Value of Sales Tax Benefit: \$ 148,452.80
(i.e., gross amount of cost of goods and services that are subject to state and local sales and use taxes multiplied by [8.0%])

Estimated Value of Mortgage Tax Benefit: \$ 0
(i.e., principal amount of mortgage loans multiplied by [1.25%])

Estimated CCIDA PILOT Property Tax Benefit:

Type: Solar PILOT

Term: 25 years

Schedule Requested: Standard

Deviation? Yes ☒ No ☐

*PILOT value of \$4,000/MWvac is based upon a 25-year term. Applicant is negotiating a host community benefit agreement with the Town of Poland.

Requesting Deviations from the CCIDA:

1. Sales and Use Tax Exemptions Tax – Purchases of construction materials and equipment rentals and purchases of project related equipment, furnishings and services.

2. Increase PILOT Length from 15 years to 25 years.

Will the proposed Project utilize a property tax exemption benefit other than from the Agency: NO
(if so, please describe requested type, term and schedule)

Existing Total Annual Property Taxes on Land and Building: \$ 2,685.51 both parcels

Estimated Additional Property Taxes on completed Project over the requested PILOT term (without Agency financial assistance): \$ 898,083

Other (specify): _____

NOTE: Upon acceptance of this Application by the Agency, the Agency's staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit/Cost utilizing anticipated tax rates and assessed valuation, make an estimate of the allocation of PILOT payments among the affected tax jurisdictions, and attach such information as Exhibit A hereto.

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

D. Status of Expenses

Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

YES ☐

NO ☒

E. Existing Operations

Does the Applicant or any User(s)/Tenant(s) currently operate in the County? If YES, describe such operations, including whether the proposed Project will result in the relocation or abandonment of such other operation(s).

No operations in Chautauqua County.

PART IV: COST-BENEFIT ANALYSIS

Provide the current annual payroll in Chautauqua County. Then, estimate projected payroll in years 1, 2, 3, after completion of Project.

	<u>Present</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Full Time:	\$ _____	\$ _____	\$ _____	\$ _____
Part Time ¹ :	\$ _____	\$ _____	\$ _____	\$ _____

If the Applicant presently operates in Chautauqua County, provide the current number of employees in the following occupations. Then, estimate the projected Full Time Equivalent ("FTE") employees as indicated following completion of the Project:

Current and Planned Occupations	Present Jobs <u>Per Occupation</u>	Est. FTEs Post-Completion:			Est. # of County Residents. by yr. 3
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>	
Management	_____	_____	_____	_____	_____
Professional	_____	_____	_____	_____	_____
Administrative	_____	_____	_____	_____	_____
Production	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____
Laborer	_____	0.5	0.5	0.5	TBD
Independent Contractor ²	_____	_____	_____	_____	_____
Other (describe)	_____	_____	_____	_____	_____

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Chautauqua County because of the proposed Project:

Category of Jobs to be Retained/Created:	Average Salary or Range of Salary:	Average Fringe Benefits or Range of Fringe Benefits:
Management		
Professional		
Administrative		
Production		
Supervisor		
Laborer	\$50,000 +/-	
Independent Contractor ²		
Other		

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction, and/or renovation of the Project: 50

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

¹ NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

² As used in this chart, this category includes employees of independent contractors.

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Western New York)?

0 %

Describe any municipal revenues that will result from the Project (excluding any PILOT payments):

What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project, and what portion will be sourced from businesses located in Chautauqua County and the State:

	<u>Amount</u>	<u>% Sourced in Chautauqua County</u>	<u>% Sourced in State</u>
Year 1	\$ n/a		
Year 2	\$ n/a		
Year 3	\$ n/a		

Describe, if applicable, other benefits to the Chautauqua County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

Project will generate cleaner energy for the surrounding community while supporting the State Energy Plan / Clean Energy Standard and mandate of 2019

The project is enrolled into a program called S-SFA. This program provides direct benefit to low income National Grid customers, but providing a annual bill discount of atleast 10%

of the energy supply rate for the residential electric service.

Project development, construction and operation supports good-paying jobs and realizing key economic and social benefits.

If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

1.	(a) Site clearance	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(b) Environmental Remediation	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(c) Foundation	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(d) Footings	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(e) Steel	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(f) Masonry	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(g) Interior	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(h) Other (describe below):	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete

If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project? Estimated Fall 2025

Provide an estimated time schedule to complete the Project and when first use of the Project is expected to occur:

Construction is expected to take 6 - 12 months weather dependent and will start generating upon utility permission to operate, scheduled for August 2026.

PART V: QUESTIONS

Please answer the following questions. If an answer is "YES" to any question, please provide details in the space provided at the end of the section.

1. Would the completion of the Project 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 such plants?

YES ☐ NO ☒

**** If the answer is "No" please continue to question 3.**

2. If the answer is "Yes" please answer the two (2) following questions.

- a. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed user, occupant or tenant of the Project, in its industry?

YES ☐ NO ☐

- b. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES ☐ NO ☐

3. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project).

YES ☒ NO ☐

4. The Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

YES ☒ NO ☐

5. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)? If "yes" please complete and attach to the Application.

YES ☐ NO ☒

**** Applicants should consult *Exhibit B* in order to determine which version of the New York State Environmental Assessment Form must be submitted with this Application.**

6. Will customers personally visit the Project site for "retail sales" of Goods and/or Services? "Retail Sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State primarily engaged in the retail sale of tangible personal property, as defined in section 1101(b)(4)(i) of the Tax Law of the State, or (ii) sales of a service to such customers.

Sales of Goods: YES ☐ NO ☒
Sales of Services: YES ☐ NO ☒

**** If the answer to both is "No" please continue to the next page; if the answer to either is "Yes" please answer the four (4) remaining questions.**

- a. What percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?

_____ %

- b. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Western New York) in which the Project is or will be located?

YES ☐ NO ☐

- c. 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 city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

YES ☐ NO ☐

- d. Will the Project be located in one of the following: (a) an area designated as an empire zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES ☐ NO ☐

Details: CCIDA incentives are necessary to make this project financially viable.

**CERTIFICATIONS AND ACKNOWLEDGMENTS
OF THE APPLICANT**

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the County of Chautauqua Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction, reconstruction, renovation, installation and/or equipping of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

FIFTH:

The Applicant hereby certifies, under penalty of perjury, that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

SIXTH:

The Applicant hereby acknowledges that the submission to the Agency of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the recapture from the Applicant of an amount equal to all or any part of any tax exemption claimed by reason of the Agency's involvement in the Project.

SEVENTH:

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

EIGHTH:

Upon successful closing of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:

- (A) All Initial Transactions - One-Hundred basis points (1.00%) of Total Project Costs
 - a. This fee applies to all Initial Transactions except for certain small solar or wind energy systems or farm waste energy systems under RPTL §487, for which the Agency collects no fee (other than Counsel fees).
- (B) Refundings/Assumptions/Modifications: Agency fee shall be determined on a case-by-case basis.

The Agency's bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.


The Agency's bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Regardless of the success of this Application or whether the hoped-for Financial Assistance is realized, Applicant agrees to pay all costs in connection with any efforts by the Agency on behalf of the Applicant including any fees and expenses of the Agency's general counsel, bond counsel, and all applicable recording, filing or other related fees, taxes and charges upon receipt and review of the Application, securing necessary approvals, closing the necessary transaction, and/or terminating any transaction entered into by the Applicant and the Agency.

NINTH:

The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.


Name: DEAN EASTLAKE
Title: AUTHORIZED REPRESENTATIVE

Subscribed and affirmed to me this 21
day of April, 2025

 exp 8/7/28
Notary Public



The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any financial assistance with respect to the proposed Project, or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

April 21 2025

DATE

State Environmental Quality Review Act Compliance Checklist

The County of Chautauqua Industrial Development Agency ("CCIDA"), pursuant to the State Environmental Quality Review Act ("SEQRA"), must evaluate the environmental impacts of a project before deciding whether to undertake the project. The below checklist is intended to aid Applicants in determining which version of NYSDEC's Environmental Assessment Form ("EAF"), available on NYSDEC's website, to submit as a part of a complete application package to the CCIDA.

If one or more of the below items applies to the project, then a Full EAF must be prepared for submission. If none of the below items apply, then a Short EAF may be submitted. Please note that the below list is not exhaustive, and Applicants who have completed a short EAF may be required to fill out a Full EAF upon review of the project information by the CCIDA. Applicants should consult with their engineers and consultants to aid them in preparing the EAF.

Does the project involve:

- ☐ activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 10 acres?
 - ☐ a project or action that would use ground or surface water in excess of 2,000,000 gallons per day?
 - ☐ parking for 500 vehicles?
 - ☐ a facility with more than 100,000 square feet of gross floor area?
- ☐ the expansion of existing nonresidential facilities that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 5 acres?
 - ☐ a project or action that would use ground or surface water in excess of 1,000,000 gallons per day?
 - ☐ parking for 250 vehicles?
 - ☐ a facility with more than 50,000 square feet of gross floor area?

☐ activities which meet at least one of the criteria in **both** Columns A **and** B below:

☐ Column A:

- ☐ occurring wholly or partially within an agricultural district certified by Agriculture and Markets?
- ☐ occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the State or National Register of Historic Places, or has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing?
- ☐ occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks?

☐ Column B:

- ☐ activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 2.5 acres?
 - ☐ a project or action that would use ground or surface water in excess of 500,000 gallons per day?
 - ☐ parking for 125 vehicles?
 - ☐ a facility with more than 25,000 square feet of gross floor area?
- ☐ the expansion of existing nonresidential facilities that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 1.25 acres?
 - ☐ a project or action that would use ground or surface water in excess of 250,000 gallons per day?
 - ☐ parking for 63 vehicles?
 - ☐ a facility with more than 12,500 square feet of gross floor area?

	No, or small impact may occur	Moderate to large impact may occur
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?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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.

<input type="checkbox"/> 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.	
<input type="checkbox"/> 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.	
<hr/> Name of Lead Agency	<hr/> Date
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

CONFIRMATION OF LOCAL LAND USE APPROVAL
Planning and Zoning Form



NY-Sun

Applicant Information			
Company Name:	Chautauqua CSG 1, LLC		
Contact Name:	Torrey Clark	Title:	Permitting Associate
Email Address:	tlclark@newenergyequity.com	Telephone Number:	607-768-2716

Project Information	
Project Name:	Chautauqua CSG 1, LLC
Project Address:	1455 NY-394, Falconer, NY 14733
Solar Project Size (AC/DC):	2.25 MW AC
Energy Storage Size AC: (if applicable)	N/A

Municipality Information			
Municipality Name:	Town of Poland		
Contact Name:	Kelly Snow	Title:	Town Supervisor
Email Address:		Telephone Number:	716-267-2912

Required Solar Land Use Approvals			
Land Use Approval and Date Approved (check all that apply):			
<input checked="" type="checkbox"/>	Special Use Permit	Date Approved:	12/17/24
<input checked="" type="checkbox"/>	Site Plan Review	Date Approved:	12/17/24
<input checked="" type="checkbox"/>	SEQR Negative Declaration (if municipality is lead agency)	Date Approved:	12/17/24
<input type="checkbox"/>	Other (list type):	Date Approved:	
<input type="checkbox"/>	No Land Use or Zoning Approval is required for this project		
Required Energy Storage Land Use Approval(s) (if applicable)			
List type of approval required:		Date Approved:	

NYSERDA respectfully requests that the municipality sign a copy of this form acknowledging and confirming the above is accurate and correct, and that this project has received all required local land use approvals for the solar PV project. If Energy Storage is part of the project, the Contractor is responsible for providing to NYSERDA, a copy of the meeting minutes confirming the Energy Storage system was presented to or approved by the municipality. NYSERDA may contact the municipality to confirm approvals if needed.

ACKNOWLEDGED & CONFIRMED BY MUNICIPALITY

Handwritten signature of Kelly Snow in black ink.

Signature

Handwritten print name "Kelly Snow" in black ink.

Print Name

Handwritten date "2/20/25" in black ink.

Date

Handwritten signature of the Town of Poland Supervisor in black ink.

Title

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: Chautauqua CSG 1, LLC		
Project Location (describe, and attach a general location map): 42.13092, -79.1533 1455 NY-394 Falconer, New York 14733 Tax Parcel No's: 355.00-38.1, 355.00-38.2		
Brief Description of Proposed Action (include purpose or need): The proposed project is a 2.25 MW-AC solar array located on private land leased to the Applicant in the Town of Poland, Chautauqua County on tax parcel numbers: 355.00-38.1, 355.00-38.2. The siting and approval of this community distributed generation renewable energy project will help the community be part of the climate solution while supporting good-paying jobs and realizing key economic and social benefits as the project will render solar energy to the community and meet the State Energy Plan and Clean Energy Standard and mandate of 2019. The site access will be via a proposed porous gravel access drive south of NY-394 extending south within the northwestern edge and central portion of the proposed array footprint. Electrical connection will be made to the existing National Grid overhead lines on the south side of NY-394. The array has been sited to satisfy or exceed the Town of Poland Site Plan Review Law, and SEQR for Solar guidelines. The total facility as identified by NYSA&M including area inside the fence, buffers, access road and utility poles will occupy up to ~14 acres. Inside the fenceline will occupy +/- 12 acres upon completion.		
Name of Applicant/Sponsor: CHAUTAUQUA CSG 1 LLC	Telephone: 443-267-5012	
	E-Mail: Development@NewEnergyEquity.com	
Address: 2530 Riva Road, Suite 200		
City/PO: Annapolis	State: MD	Zip Code: 21401
Project Contact (if not same as sponsor; give name and title/role): New Energy Equity - Attn Torrey Clark	Telephone: 607-768-2716	
	E-Mail: TLClark@NewEnergyEquity.com	
Address: 203 Colonial Drive, Suite 104		
City/PO: Horseheads	State: NY	Zip Code: 14845
Property Owner (if not same as sponsor): Austin Echard and Orville Echard	Telephone: 716-499-7299, 716-450-3978	
	E-Mail: echardnatula@yahoo.com	
Address: 1455 NY-394		
City/PO: Falconer	State: NY	Zip Code: 14733

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 Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Special use Permit. Zoning Code, Solar ordinance, Town of Poland Planning Board	January 2024
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Referral - County Planning (239-M)	January 2024
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SWPPP - NYSDEC Check Zone Concurrence - NYSDEC	TBD
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
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 checked="" type="checkbox"/> Yes <input 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): _____ _____ _____	
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): _____ _____ _____	

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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Conservation Residential	
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,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? Poland CSD	
b. What police or other public protection forces serve the project site? NYS State Troopers and Chautauqua County Sheriffs	
c. Which fire protection and emergency medical services serve the project site? Falconer Fire Department, Alstar Ambulance, Wellnow Urgent Care, UPMC Chautauqua Emergency Department	
d. What parks serve the project site? N/A	

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)? To provide distributed electric generation solar energy to the community and local electric grid provider	
b. a. Total acreage of the site of the proposed action?	30.2 +/- acres
b. b. Total acreage to be physically disturbed?	14 +/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	30.2 +/- 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 checked="" 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: 6-8 months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? <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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: Water infiltration basin proposed in the SW portion of Project to collect stormwater from Site.	
ii. If a water impoundment, the principal source of the water: <input checked="" 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 checked="" 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 checked="" 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 type="checkbox"/> Yes <input checked="" 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): _____	

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? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
<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? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size)	
ii. Describe types of new point sources. The project does not include the construction of any traditional impervious areas. New point sources of stormwater from access road apron and equipment pads. Stormwater runoff will remain unchanged.	
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)? _____ Stormwater will directed to established conveyance systems. The proposed plan will utilize pervious materials or collect and reuse stormwater.	
• If to surface waters, identify receiving water bodies or wetlands: _____ _____	
• Will stormwater runoff flow to adjacent properties? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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	
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
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	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. In addition to emissions as calculated in the application, the project will generate:	
<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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ daylight hours anticipated • Saturday: _____ daylight hours anticipated • Sunday: _____ not anticipated • Holidays: _____ not anticipated </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ daylight hours anticipated • Saturday: _____ daylight hours anticipated • Sunday: _____ not anticipated • Holidays: _____ not anticipated 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ daylight hours anticipated • Saturday: _____ daylight hours anticipated • Sunday: _____ not anticipated • Holidays: _____ not anticipated 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</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>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</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>	
<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>_____</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>_____</p> <p>_____</p> <p>_____</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: _____ 2 tons per _____ 30 days (unit of time) • Operation : _____ None tons per _____ N/A (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: Wood pallets and wire spools will be shipped to their respective manufacturers for reuse. Cardboard, plastic, and metal strappings, extra wire and cable will be shipped to a recycling facility. • Operation: N/A <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: See Above • Operation: N/A 	

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.			
<input type="checkbox"/> Urban	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Rural (non-farm)
<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> 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	0.06	0.02	- 0.04
• Forested	7.4	6.69	- 0.71
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	2.9	19.2	+ 16.3
• Agricultural (includes active orchards, field, greenhouse etc.)	15.6	1.2	- 14.4
• Surface water features (lakes, ponds, streams, rivers, etc.)	TBD	Same as Current	No Change
• Wetlands (freshwater or tidal)	TBD	Same as Current	No Change
• Non-vegetated (bare rock, earth or fill)	TBD	TBD	TBD
• Other Describe: Pervious, porous gravel surface (Gravel access for project)	0.00	0.6	+ 0.6

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☒ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☒ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ <5 feet

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

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

Elnora fine sandy loam	33.9 %
Valois gravelly silt loam	20 %
Hinesburg fine sandy loam	18.5 %

d. What is the average depth to the water table on the project site? Average: _____ <3 feet

e. Drainage status of project site soils: ☒ Well Drained: _____ 74 % of site
☒ Moderately Well Drained: _____ 11 % of site
☒ Poorly Drained: _____ 15 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No
* Final footprint will avoid all regulated wetlands and water-bodies. No cut or fill will occur with this proposal. Wetland Delineation and USACE concurrences will occur after land use approval.

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

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

- Streams: Name Trib to Cassadaga Creek, State/Federally regulated stream Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name NYS DEC FWW GE-6, Approximate Size _____
- Wetland No. (if regulated by DEC) GE-6

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:
i. Name of aquifer: Principal Aquifer, Primary Aquifer

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 33%;">whitetail deer, wild turkey, eastern</td> <td style="border-bottom: 1px solid black; width: 33%;">common in region, not known to have</td> <td style="border-bottom: 1px solid black; width: 33%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">cottontail, squirrel, red-tailed hawk</td> <td style="border-bottom: 1px solid black;">active habitat that would be impacted.</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	whitetail deer, wild turkey, eastern	common in region, not known to have		cottontail, squirrel, red-tailed hawk	active habitat that would be impacted.		
whitetail deer, wild turkey, eastern	common in region, not known to have						
cottontail, squirrel, red-tailed hawk	active habitat that would be impacted.						
<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>_____</p>							
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: <u>CHAU008</u></p>							
<p>b. Are agricultural lands consisting of highly productive soils present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? <u>0.2</u></p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): <u>Web Soil Survey</u></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>							

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]	
Project:	Echard CSG - Route 394 solar
Date:	10/29/2024

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☐ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: The proposed action may introduce contaminants such as PFAS to groundwater or an aquifer. _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

6. Impacts on Air The proposed action may include a state regulated air emission source. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: <u>Tree clearing may affect species on site.</u> _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☐ NO☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: Construction related impacts- temporary in nature. _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Glare</u>		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☐ NO☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☐ NO☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached Part 3 expanded analysis.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Attached to the part 3 analysis.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Poland Planning Board as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

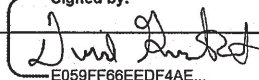
☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Echard Solar

Name of Lead Agency: Town of Poland Planning Board

Name of Responsible Officer in Lead Agency: David Gustafson

Title of Responsible Officer: Poland Planning Board Chair

Signed by:

E059FF66EEDF4AE...

Signature of Responsible Officer in Lead Agency:

Date: 1/13/2025

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Andrew Reilly

Address: 375 Essjay Rd Suite 200, Buffalo NY 14221

Telephone Number: (716) 688-0766

E-mail: areilly@wendelcompanies.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

An official website of New York State.
Here's how you know ▼



<https://ny.gov>

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ENB PUBLISH DATE: 12/31/2024

Town of Poland - Echard Solar Project

Negative Declaration

Chautauqua County - The Town of Poland Planning Board, as lead agency, has determined that the proposed Echard Solar Project will not have a significant adverse environmental impact. The action involves a ground-mounted 2.25 MW-AC solar array located on private land leased to the Applicant. The project will include a new gravel access road, solar panel arrays, and their related infrastructure. The project is located at 1455 NYS Route 394, tax parcels 355.00-2-28.2, 355.00-35.2, 355.00-38.1, 355.00-38.2, in the Town of Poland, New York.

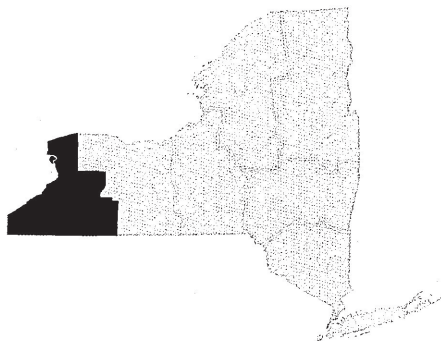
Primary Contact

Andrew Reilly
Wendel
375 Essjay Road, Suite 200
Buffalo, NY 14221

Phone: (716) 688- 0766 extension 1168
areilly@wendelcompanies.com

This Page Covers

Region 9 Western New York



Department of Environmental Conservation </>

MEMO

To: New Energy Equity LLC
CC: Town of Poland
From: Andrew Reilly and Corinne Brath – Wendel
Date: 2/26/25
RE: Echard Solar

To whom it may concern,

This memo serves to acknowledge an administrative/clerical error found within the NYS DEC ENB filing for the Chautauqua CSG 1, LLC project, located at 1455 NY-394, Falconer, NY 14733 in the Town of Poland.

The error pertains to incorrect tax parcel numbers shown on the ENB filing that were addressed and corrected during the permitting process.

The initial SEQR FEAF Part 1 submission provided to the Town of Poland, Lead Agency, identified the project location as Tax Parcel No's: 355.00-2-28.2, 355.00-35.2, 355.00-38.1, 355.00-38.2. During the initial review of completeness by the Town of Poland / Wendel Engineering, this error was identified.

As a result, this error was fixed by the Applicant; The SEQR FEAF Part 1 was revised to reflect the actual Tax Parcel No's 355.00-38.1 and 355.00-38.2 and sent back to Wendel Engineering to review and replace the original submission on October 18, 2024.

Wendel Engineering, on behalf of the Town of Poland, submitted the ENB filing, which was subsequently posted on the website on December 31st, 2024. The project tax parcels identified on the ENB filing were the incorrect parcels that were listed on the initial SEQR EAF Part 1. Wendel and the Town acknowledge that this was a clerical error.

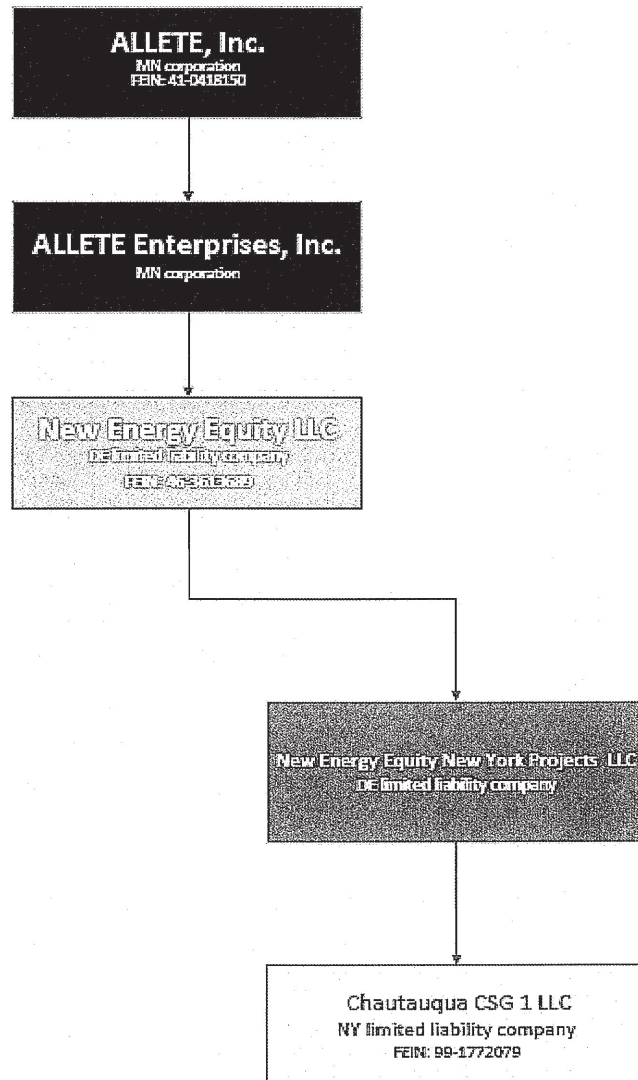
We apologize for this inconvenience.

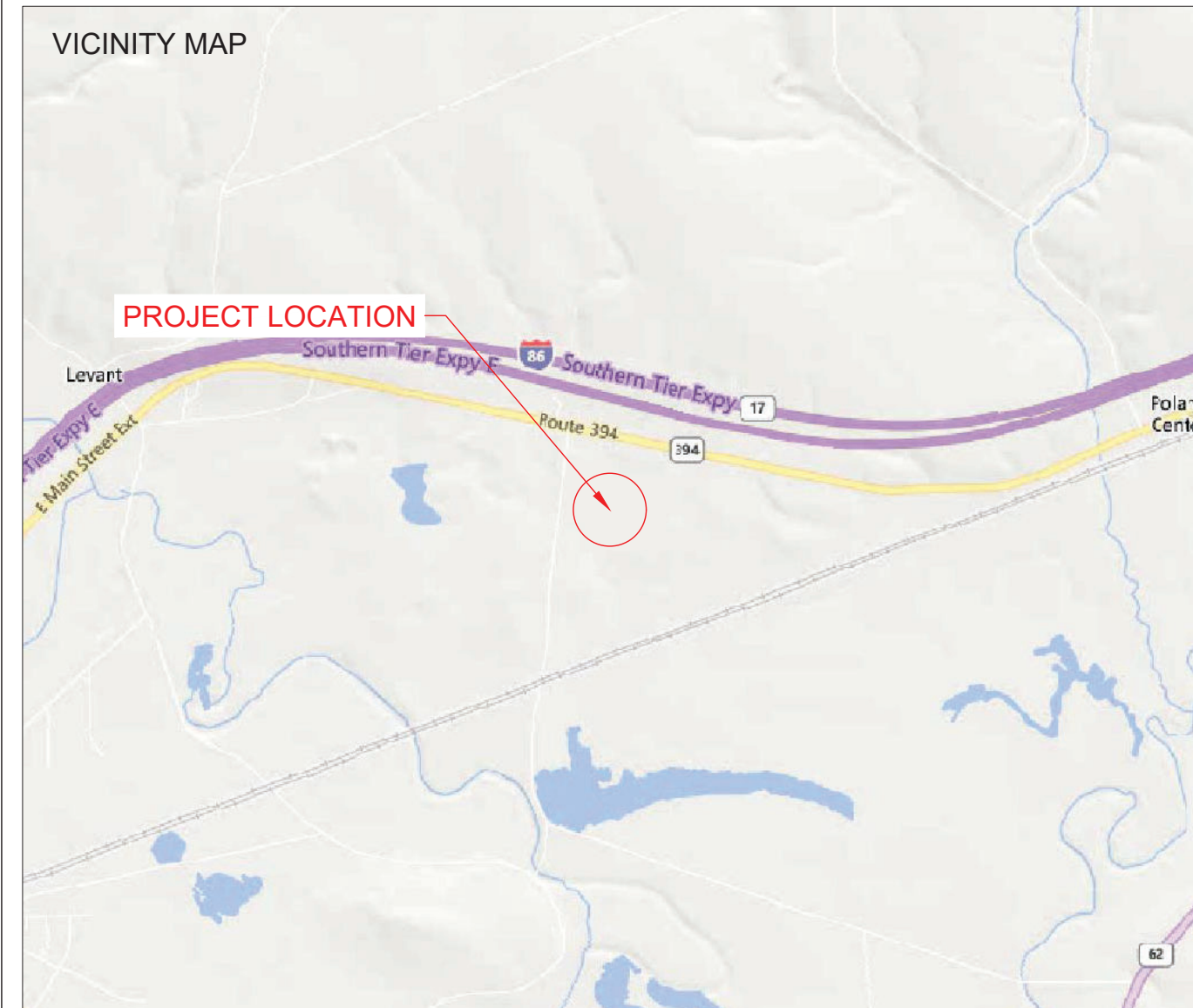
Sincerely,

A handwritten signature in cursive script, appearing to read 'Corinne Brath'.

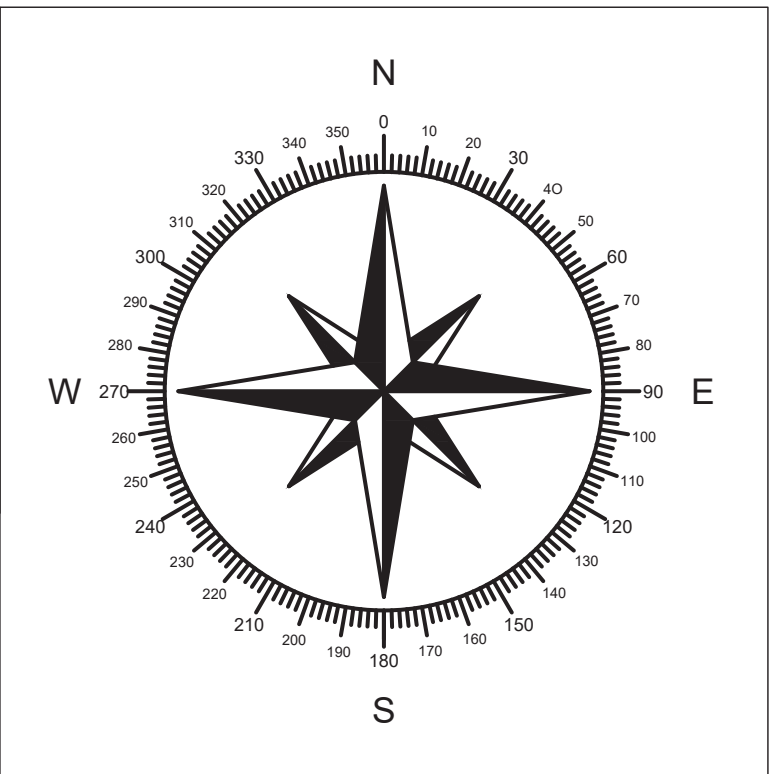
Corinne Brath
Junior Planner
Wendel Engineering

NEW ENERGY EQUITY LLC
LEGAL ORGANIZATION CHART
Chautauqua CSG 1 LLC





SPACE FOR PE STAMP:



SHEET NOTES:

UTILITY POLES ARE SHOWN FOR INDICATING LOCATIONS ONLY. SPACING BETWEEN POLES, PHYSICAL PROTECTION BARRIER FOR SWITCHBOARDS, ETC. WILL BE ADDED IN THE DRAWINGS PREPARED FOR THE CONSTRUCTION DOCUMENTS

SCREENING NOTES:

SCREENING DETAILS SHOWN ON PV PAGES IS FOR DISCRETIONARY PERMITTING PURPOSES ONLY AND FINAL TREE AND SHRUB SELECTIONS WILL BE MADE BY THE EPC IN COLLABORATION WITH THE TOWN OF POLAND

LEGEND	
PARCEL BOUNDARY	
BOUDARIES BETWEEN PARCELS OWNED BY THE SAME LAND OWNER	
30' SETBACK FROM PARCEL BOUNDARY	
DWELLINGS (WITH 300' SETBACKS, NTS)	
EXISTING OVERHEAD UTILITY LINE (NATIONAL GRID LOCAL VOLTAGE: 4.8kV FEEDER: 36_09_6661)	
PROPOSED OVERHEAD LINE EXTENSION (~442')	
PROPOSED NEW UNDERGROUND ELECTRICAL LINE (~102')	
ARRAY FENCE LINE (~3257' AND ~11.87 ACRES)	
20' WIDE ACCESS ROAD (~575')	
LIMITS OF PERMITTING (DETAILED ON PV6, ~14.58 ACRES)	
TREE CLEARING AREA (~0.71 ACRES)	
SCREENING TREES CONTAINING EVERGREENS & SHRUBS (DETAILS ON PV8)	
EXISTING TREES TO BE MAINTAINED FOR SCREENING	

PROJECT ENTITY: CHAUTAUQUA CSG 1 LLC

NEW ENERGY EQUITY, LLC
2530 RIVA ROAD, SUITE 200
ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS 1455 NY-394 FALCONER, NY 14733	LAT: 42.13092 LONG: -79.1533
--	---------------------------------

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	2.993 MW
SYSTEM SIZE AC	2.250 MW
DC/AC RATIO	1.330
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	5160
MODULE TYPE	HANWA Q.PEAK DUO XL-G11.3_BFG - 580
MODULE STC RATING	580 W
INVERTER COUNT	16
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 140.623KW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA	
MIN/MAX TEMP.	-20°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	40 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER: #452469
ALL SOLAR PANELS SHALL HAVE ANTI-REFLECTIVE COATING(S). NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS

24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR ALL UTILITY ENERGY EQUIPEMTN INCLUDING THE METERS AND AC DISCONNECT. NON CHEMICAL WEED CONTROL IS REQUIRED. FENCING SHALL HAVE SELF LOCKING GATE

WETLAND B FUNCTIONS AS A DRAINAGE BASIN FOR THE AGRICULTURAL FIELD LOCATED ON THE EASTERN PORTION OF THE SUBJECT PROPERTY. SEE WETLAND DELINEATION REPORT FOR ADDITIONAL DETAILS.

INTERCONNECTION TYPE: PRIMARY

REVISIONS			
#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	TMP	5/10/2022
1	PEER COMMENTS	TMP	6/2/2022
2	UTILITY COMMENTS	TMP	9/13/2022
3	UTILITY COMMENTS II	TMP	2/4/2023
4	SETBACK & MODULE UPDATE	SP	11/7/2023
5	DC SIZE INCREASE	SP	11/9/2023
6	CUP PACKAGE	SP	11/16/2023
7	CUP ADDITIONS	SP	11/29/2023
8	ALTA AND WETLANDS	NGA	6/3/2024
9	TY AND JODI COMMENTS	NGA	6/4/2024
10	WETLANDS SETBACK ADJUST	NGA	6/10/2024
11	CONSULTANT COMMENTS	NGA	6/11/2024

PROJECT NAME

ECHARD CSG

DRAWING TITLE

PROJECT OVERVIEW

SCALE ¹
1" = 100'

SHEET

PV1

Public Hearing
Chautauqua CSG 1 LLC
Town of Poland
3593 Church Street
Kennedy, NY 14747
August 5, 2025
10:00 AM



County of Chautauqua Industrial Development Agency

Public Hearing Attendance Sheet

Project: Chautauqua CSG 1 LLC

Public Hearing Location: Poland Town Hall, 3593 Church Street, Kennedy, NY

Public Hearing Date and Time: August 5, 2025 – 10:00 AM

Full Name (Please Print)

Signature

Affiliation

- | | | | |
|-----|-------------------------|-------------------------|-----------------------|
| 1. | <i>Rhonda Lindquist</i> | <i>Rhonda Lindquist</i> | <i>resident</i> |
| 2. | <i>GREG PERESA</i> | <i>[Signature]</i> | <i>Phillips Lytle</i> |
| 3. | | | |
| 4. | | | |
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| 13. | | | |

MS. STRANDBURG: Good morning. My name is Rosie Strandburg. I am a Project Manager and a duly authorized hearing officer of 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 August 1, 2025 and the time is now 10:01 a.m. We are at Town Hall, 3593 Church Street, Kennedy, Town of Poland, County of Chautauqua, New York.

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

CHAUTAUQUA CSG 1 LLC, a limited liability company duly organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Chautauqua CSG 1 LLC and/or an entity or entities formed or to be formed on behalf of any of the foregoing (collectively, 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 15.58 acre portion of two parcels of land totaling approximately 30.4 acres located at 1437 West NY-394 and West NY-394 Rear, Town of Poland, County of Chautauqua, New York (Tax Map Parcel ID Nos. 355.00-2-38.1 and 355.00-2-38.2) (the “Land”), (2) the acquisition, construction, installation, and equipping on the Land of: (i) solar photovoltaic modules mounted on tracking steel structure, (ii) inverters and transformers, (iii) underground and overhead electrical lines, (iv) fencing, and (v) 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 2.25 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 in the form of potential exemptions or partial exemptions from real property taxes and sales and use taxes (collectively, the “Financial Assistance”); 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(ies)) would receive the 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. The structure of this payment in lieu of taxes proposal is a deviation from the Agency's Uniform Tax Exemption Policy, has not yet been accepted by the Agency, and would still need to be approved by the Agency at a later date.

Notice of this public hearing was published in *The Post Journal* on July 27, 2025 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 July 26, 2025.

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: Strandbr@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? If so, please just state your name. Would you like me to go one at a time?

Rhonda Lindquist – My name is Rhonda Lindquist and I have some questions that I am looking to get answered.

Rosie Strandburg – We can take your comments or questions. I won't be able to answer them during the public hearing but I can try to address them post.

Ronda Lindquist – My first question is when is the payment amount, when will that amount be determined? My second question is what is the rate of inflation for the payment each year? My next question is when do the payments begin and the second part of that question is will the taxes continued to be paid until that payment is made? Next question is how long does the PILOT last? What happens if the company defaults in their payments or they go bankrupt? And my final question is can the PILOT be assigned if they sell the company.

Rosie Strandburg – Thank you. Are there any other comments with respect to the project or the financial assistance? Thank you.

MS. STRANDBURG: It is now 10:07 a.m. Let the record show that, no members of the public have indicated a desire to comment with respect to the Project or the Financial Assistance. No written comments have been received by the Agency with respect to the Project or the Financial Assistance. I therefore call this hearing to a close.

(TIME NOTED: 10:07 a.m.)

Main Rd Med Group LLC - Due Diligence Resolution

A regular meeting of the County of Chautauqua Industrial Development Agency (the “Agency”) was convened in public session on August 26, 2025, at 10:30 A.M., local time, at the offices of the Agency located at 201 West 3rd Street, Jamestown, County of Chautauqua, New York (the “IDA Office”).

The meeting was called to order by the _____ and, upon roll being called, the following members of the Agency were:

PRESENT:

Gary Henry	Chairman
Daniel Heitzenrater	Vice Chair
Sagan Sheffield-Smith	Treasurer
Amy Harding	Secretary
Daniel DeMarte	Member
Tom Harmon	Member
John Healy	Member
Kevin Muldowney	Member
Ted Wightman	Member

NOT PRESENT:

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Mark Geise	Administrative Director/CEO
Shelby Bilskie	Chief Financial Officer
Milan K. Tyler, Esq.	Counsel

The attached resolution no. 08-26-25-03 was offered by _____, seconded by _____:

RESOLUTION TAKING PRELIMINARY ACTION TOWARD THE
ACQUISITION AND STRAIGHT LEASING OF A CERTAIN PROJECT FOR MAIN RD
MED GROUP LLC AND AUTHORIZING THE EXECUTION AND DELIVERY OF A
PRELIMINARY AGREEMENT WITH RESPECT TO SUCH TRANSACTION

WHEREAS, the County of Chautauqua Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), and Chapter 71 of the 1972 Laws of New York, as amended, constituting Section 895-h of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, MAIN RD MED GROUP LLC, a limited liability company 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 32.9 acre parcel of land located at 879 Route 5 & 20, 845 Route 5 & 20, 12644 Seneca Street, V/L Southerland Road, 682 Southerland Road and V/L Route 5 & 20, Irving, Town of Hanover, County of Chautauqua, New York (Section: 33.00; Block: 2; Lots: 17, 18, 19, 22, 23, 24, 25, 26 and 29) (the “Land”), (2) the renovation of an existing approximately 173,000 square foot building on the Land (the “Building”), together with related improvements to the Land, and (3) the acquisition of certain furniture, fixtures, machinery, equipment and building materials necessary for the completion thereof (the “Equipment” and together with the Land and the Building, collectively, the “Project Facility”), all of the foregoing for use as a medical office building; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from sales and use taxes, mortgage recording taxes and real property taxes (collectively, the “Financial Assistance”); (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; and (D) the sublease of the Project Facility by the Applicant to New York Med

Center LLC or such other entity(ies) as may be designated by the Applicant and agreed upon by the Agency for purposes of operating the Project Facility; and

WHEREAS, the Agency has given due consideration to the Application and to the representations made by the Applicant therein, in certain supplemental documents and at this meeting, including, without limitation, representations of the Applicant that: (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Applicant to undertake the Project in the County of Chautauqua, New York; (B) the completion of the Project and the leasing and operation of the Project Facility by the Applicant and/or its designee will not result in the removal of a facility or plant of the Applicant, such designee or any other occupant of the Project Facility from one area of the State of New York (the “State”) to another area of the State or in the abandonment of one or more plants or facilities of the Applicant, such designee or any other occupant of the Project Facility in the State; (C) although the Project Facility may constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project, the predominant purpose of the Project would be to make available goods or services (i.e., behavioral health services and substance use disorder treatment) which would not, but for the Project, be reasonably accessible to the residents of the town within which the Project Facility would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services; (D) the Project will serve the public purposes of the Act by preserving permanent, private sector jobs and increasing the overall number of permanent, private sector jobs in the State; and (E) the granting of the Financial Assistance by the Agency will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of the County of Chautauqua, New York, and improve their standard of living, and prevent unemployment and economic deterioration, and thereby serve the public purposes of the Act; and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Agency to proceed with the Project following determinations by the Agency that: (A) the public hearing and notice requirements and other procedural requirements contained in the Act relating to the Project and the Financial Assistance have been satisfied; and (B) the undertaking of the Project by the Agency and the granting of the Financial Assistance are and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the “SEQR Act”) and the regulations adopted pursuant thereto (the “Regulations” and together with the SEQR Act, collectively, “SEQRA”), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project or the Project Facility (collectively, the “Applicable Laws”); and

WHEREAS, the Agency desires to encourage the Applicant to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of the County of Chautauqua, New York, and to prevent unemployment and economic deterioration, by undertaking the Project in the County of Chautauqua, New York; and

WHEREAS, although a resolution authorizing the undertaking of the Project has not yet been submitted for approval by the Agency, a preliminary agreement (the “Preliminary

Agreement”) relative to the proposed undertaking of the Project by the Agency has been presented for approval by the Agency;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby authorizes the Administrative Director/CEO of the Agency, prior to the granting of any Financial Assistance with respect to the Project: (A) to establish a time, date and place (if applicable) for a public hearing (the “Public Hearing”) of the Agency to hear all persons interested in the location and nature of the Project and the proposed Financial Assistance being contemplated by the Agency with respect to the Project, said Public Hearing to be held in the city, town or village within which the Project Facility is or will be located, subject to Applicable Laws; (B) to cause notice of said Public Hearing to be given to the public by publishing a notice of said Public Hearing in a newspaper of general circulation available to residents of the governmental units within which the Project Facility is or will be located, such notice to comply with the requirements of and to be published in accordance with the requirements of the Act; (C) to cause notice of said Public Hearing, pursuant to the Act, to be given to the chief executive officer of the County of Chautauqua, New York, and of each city, town, village, school district and other affected tax jurisdiction in which the Project Facility is or will be located; (D) to conduct the Public Hearing or to authorize a hearing officer to conduct the Public Hearing in accordance with the Act; (E) to cause a report of the Public Hearing fairly summarizing the views presented at said Public Hearing to be promptly prepared and cause copies of said report to be made available to the members of the Agency; and (F) to otherwise comply with all other procedural and other requirements imposed on the Agency pursuant to Applicable Laws with respect to the Project and/or the Financial Assistance.

Section 2. The Applicant is hereby authorized to conduct such environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary or convenient to enable the Agency to make its determination whether to proceed with the Project and to grant the Financial Assistance; provided, however, that such authorization shall not entitle or permit the Applicant to commence the acquisition, renovation, installation or equipping of the Project Facility unless and until the Agency shall determine that all requirements of Applicable Laws have been fulfilled. The officers, agents and employees of the Agency are hereby directed to proceed to do such things or perform such acts as may allow the Agency to proceed to its final consideration of the Project. This Resolution constitutes an authorization to conduct concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning with respect to the Project within the meaning of Section 617.3(c)(2) of the Regulations and a determination of compliance with technical requirements within the meaning of Section 617.3(c)(2) of the Regulations and does not constitute, and shall not be deemed to constitute, either an approval by the Agency of the Project for the purposes of the Act or SEQRA or a commitment by the Agency to approve the Project or to grant the Financial Assistance.

Section 3. Any expenses incurred by the Agency with respect to the Project and the financing thereof shall be paid by the Applicant as set forth in the Preliminary Agreement.

Section 4. The findings of the Agency set forth herein are expressly conditioned upon full compliance of the Applicant, the Project and the Project Facility with all Applicable Laws, and the Applicant shall be required to provide evidence of same satisfactory to the Agency prior to the granting of any Financial Assistance.

Section 5. If, following full compliance with all Applicable Laws, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the Financial Assistance, or any portion thereof, with respect to the Project and the Applicant complies with all conditions set forth in the Preliminary Agreement and the Future Resolution, then the Agency will (A) acquire an interest in the Project Facility pursuant to a deed, lease agreement, assignment of lease, license, bill of sale and/or other documentation to be negotiated between the Agency and the Applicant (the "Company Lease"); (B) lease (with the obligation to purchase), license or sell the Project Facility to the Applicant or its designee pursuant to an agency lease agreement or an installment sale agreement (the "Agency Lease") to be negotiated between the Agency and the Applicant; and (C) provide the Financial Assistance with respect to the Project, all as contemplated by the Preliminary Agreement and the Future Resolution.

Section 6. The form, terms and substance of the Preliminary Agreement (in substantially the form presented at this meeting) are in all respects approved, and the Chairman, Vice Chairman, Administrative Director/CEO and Chief Financial Officer of the Agency are each hereby authorized, empowered and directed, acting individually or jointly, to execute and deliver said Preliminary Agreement in the name and on behalf of the Agency, with such changes therein as shall be approved by the officer executing same on behalf of the Agency, the execution thereof by such officer to constitute conclusive evidence of such officer's approval of any and all changes or revisions therein from the form now before this meeting, and the Agency hereby ratifies and approves any action heretofore taken by the Agency with respect to the Preliminary Agreement.

Section 7. From and after the execution and delivery of the Preliminary Agreement, the officers, agents and employees of the Agency are hereby authorized, empowered and directed, acting individually or jointly, to proceed with the undertakings provided for therein on the part of the Agency, and are further authorized to do all such acts and things and to execute all such documents as may be necessary or convenient to carry out and comply with the terms and provisions of the Preliminary Agreement as and when executed.

Section 8. The law firm of Phillips Lytle LLP, Jamestown, New York, is hereby appointed Counsel to the Agency with respect to all matters in connection with the Project. Counsel for the Agency is hereby authorized, at the expense of the Applicant, to work with the Applicant, counsel to the Applicant, and others to prepare, for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution.

Section 9. The Chairman, Vice Chairman, Administrative Director/CEO and Chief Financial Officer of the Agency are each hereby authorized and directed to distribute copies of this Resolution to the Applicant and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 10. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Gary Henry	VOTING
Dan Heitzenrater	VOTING
Sagan Sheffield-Smith	VOTING
Amy Harding	VOTING
Daniel DeMarte	VOTING
Tom Harmon	VOTING
John Healy	VOTING
Kevin Muldowney	VOTING
Ted Wightman	VOTING

The foregoing resolution was thereupon declared duly _____.

STATE OF NEW YORK)
) SS.:
COUNTY OF CHAUTAUQUA)

WE, the undersigned officers of the County of Chautauqua Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on August 26, 2025 with the original thereof on file in our offices, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public at both locations at which members of the Agency were present, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; (D) there was a quorum of the members of the Agency present throughout said meeting; and (E) the meeting was recorded and the recording has been or will be posted on the public website of the Agency pursuant to the Open Meetings Law.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our hand this 26th day of August, 2025.

[Assistant] Secretary

[Vice] Chairman

PRELIMINARY AGREEMENT

THIS PRELIMINARY AGREEMENT (this “Preliminary Agreement”) dated as of the 26th day of August, 2025, between the COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY (the "Agency"), a public benefit corporation organized and existing under the laws of the State of New York, and MAIN RD MED GROUP LLC, a limited liability company 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”).

WITNESSETH:

WHEREAS, the Agency is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), and Chapter 71 of the 1972 Laws of New York, as amended, constituting Section 895-h of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Applicant presented a draft application for financial assistance (the “Application”) to the Agency, which Application requested that the Agency consider undertaking a project (the “Proposed Project”) consisting of the following: (A)(1) the acquisition of an interest in an approximately 32.9 acre parcel of land located at 879 Route 5 & 20, 845 Route 5 & 20, 12644 Seneca Street, V/L Southerland Road, 682 Southerland Road and V/L Route 5 & 20, Irving, Town of Hanover, County of Chautauqua, New York (Section: 33.00; Block: 2; Lots: 17, 18, 19, 22, 23, 24, 25, 26 and 29) (the “Land”), (2) the renovation of an existing approximately 173,000 square foot building on the Land (the “Building”), together with related improvements to the Land, and (3) the acquisition of certain furniture, fixtures, machinery, equipment and building materials necessary for the completion thereof (the “Equipment” and together with the Land and the Building, collectively, the “Project Facility”), all of the foregoing for use as a medical office building; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from sales and use taxes, mortgage recording taxes and real property taxes (collectively, the “Financial Assistance”); (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; and (D) the sublease of the Project Facility by the Applicant to New York Med

Center LLC or such other entity(ies) as may be designated by the Applicant and agreed upon by the Agency for purposes of operating the Project Facility; and

WHEREAS, the members of the Agency held a meeting on August 26, 2025 and approved a resolution (the "Preliminary Resolution") requiring the execution and delivery of this Preliminary Agreement by the Applicant and authorizing its execution and delivery by the Agency, and authorizing the Agency to pursue preliminary action toward the undertaking of the Proposed Project;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Agency and the Applicant agree as follows:

Article 1. Representations; No Commitments.

Section 1.01. The Applicant hereby represents to the Agency that:

(A) Based on the proposed use of the Project Facility, the economic effects of the Proposed Project on the area in which it is situated, the employment reasonably expected to be created by the acquisition, renovation, installation, equipping and operation of the Project Facility, and an analysis of how the Proposed Project would contribute to the realization of the public purposes of promoting job opportunities in the County of Chautauqua (the "County"), and the prevention of economic deterioration in the County, the Proposed Project would constitute a commercial facility with a significant impact on the area in which it is situated, and would advance the Agency's purposes by promoting job opportunities and preventing economic deterioration in the County. Therefore, the Proposed Project would constitute a "project" within the meaning of the Act.

(B) The execution, delivery and performance by the Applicant of this Preliminary Agreement have been duly authorized by all necessary company action, and this Preliminary Agreement has been duly executed and delivered by the Applicant and is the legal, valid and binding obligation of the Applicant enforceable against the Applicant in accordance with its terms.

(C) Although the Project Facility may constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Proposed Project, the predominant purpose of the Project would be to make available goods or services (i.e., behavioral health services and substance use disorder treatment) which would not, but for the Project, be reasonably accessible to the residents of the town within which the Project Facility would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services. For purposes of this representation, retail sales shall mean: (A) sales by a registered vendor under

Article 28 of the New York Tax Law primarily engaged in the retail sale of tangible personal property, as defined in subparagraph (i) of paragraph four of subdivision (b) of Section 1101 of the New York Tax Law; or (B) sales of a service to such customers.

(D) The undertaking of the Proposed Project will not result in the removal of a facility or plant of the Applicant, any designee or any other occupant of the Project Facility from one area of the State of New York to another area of the State of New York or in the abandonment of one or more plants or facilities of the Applicant, any designee or any other occupant of the Project Facility located in the State of New York. Therefore, the provisions of subdivision (1) of Section 862 of the Act would not be violated as a result of the granting of the Financial Assistance by the Agency to the Applicant.

(E) Each owner, occupant or operator that would receive Financial Assistance with respect to the Proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

(F) As of the date of this Preliminary Agreement, the Applicant is in substantial compliance with all provisions of Article 18-A of the General Municipal Law, including, but not limited to, the provisions of Section 859-a and Section 862(1) thereof.

(G) The granting by the Agency of the Financial Assistance with respect to the Proposed Project would be an inducement to the Applicant to undertake the Proposed Project in the County.

(H) The Applicant would not undertake the Proposed Project in the County without the granting of the Financial Assistance by the Agency.

(I) The Project Facility is located entirely within the boundaries of the Town of Hanover, is not located within the boundaries of any incorporated village or city, and is located within the boundaries of the Silver Creek Central School District.

(J) The Applicant plans to invest a total of at least \$42,199,744 in the Project Facility.

Section 1.02. This Preliminary Agreement does not commit the Agency to undertake the Proposed Project or to grant to the Applicant any Financial Assistance with respect to the Proposed Project. The members of the Agency shall decide, in their sole and absolute discretion, whether or not to undertake the Proposed Project and to grant such Financial Assistance, and then only following a determination by the members of the Agency that all requirements of

applicable laws, rules and regulations and the policies and procedures of the Agency (collectively, “Legal Requirements”) have been fulfilled.

Article 2. Undertakings on the Part of the Agency.

Based upon the statements, representations and undertakings of the Applicant, and subject to the conditions set forth herein, the Agency agrees as follows:

Section 2.01. The Agency agrees to review the Application and to proceed with its consideration of the Proposed Project and the Financial Assistance relating to the Proposed Project, subject to the conditions contained in this Preliminary Agreement, including, but not limited to, the provision of Section 1.02 above and the following conditions:

(A) The Agency shall receive, in form and substance satisfactory to the Agency, such rulings, approvals, resolutions, consents, certificates, opinions of counsel and other instruments and proceedings as shall be specified by the Agency in connection with the Proposed Project and the various documents to be executed in connection with the Proposed Project;

(B) The Applicant shall provide the Agency and all other “involved/interested agencies” with all information and statements that may be required by said respective entities to ensure compliance by said entities with the New York State Environmental Quality Review Act and the regulations promulgated thereunder (collectively, “SEQRA”);

(C) The Applicant shall comply with and shall provide the Agency with all information, documentation and statements required for the Agency to comply with the requirements of all Legal Requirements; and

(D) The Applicant shall pay or reimburse the Agency for all expenses incurred by the Agency in connection with the Proposed Project (including, without limitation, counsel fees and disbursements).

Article 3. Undertakings on the Part of the Applicant.

Based upon the statements, representations and undertakings of the Agency and subject to the conditions set forth herein, the Applicant agrees as follows:

Section 3.01. The Applicant hereby agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency (and its members, officers, agents, attorneys and employees) harmless from any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) review, examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application, the Proposed Project or the Financial Assistance are favorably acted upon by the Agency, and (B) any further action taken by the Agency with respect to the Application or the Proposed Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the

Agency's general counsel, transaction counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency) heretofore or hereafter incurred, and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Agency decides not to proceed with consideration of the Application or the proposed Project or the Applicant fails to conclude or consummate 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 secure third party financing, if required, or otherwise fails to conclude the Proposed Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

Section 3.02. The Applicant agrees that each of the Agency's general counsel, transaction counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Preliminary Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of Section 3.01 of this Preliminary Agreement, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application. The Applicant further agrees that the Agency may (but shall not be obligated to) directly enforce the provisions of Section 3.01 of this Preliminary Agreement against the Applicant, whether by lawsuit or otherwise, to collect such fees and expenses.

Section 3.03. The Applicant will take such further action and adopt such further proceedings as the Agency may deem necessary to implement its aforesaid undertakings or as the Agency may deem appropriate in pursuance thereof.

Section 3.04. This Preliminary Agreement is intended to facilitate discussion regarding the Proposed Project, and neither this Preliminary Agreement nor any discussions or course of conduct between the parties or their representatives shall constitute an agreement, offer or legally binding commitment by the Agency to undertake the Proposed Project or to grant the Financial Assistance. This Preliminary Agreement does not purport to summarize or contain all the conditions, covenants, representations, warranties and other provisions that would be contained in the definitive documentation between the Agency and the Applicant relating to the Proposed Project.

Article 4. General Provisions.

Section 4.01. (A) All notices and other communications hereunder shall be in writing and shall be deemed given (i) when mailed by United States registered or certified mail, postage prepaid, return receipt requested, (ii) when delivered by hand delivery to the undersigned, or (iii) one (1) day after deposit with Federal Express or other nationally recognized overnight courier for delivery, addressed as follows:

(1) To the Agency:

County of Chautauqua Industrial Development Agency
201 West 3rd Street, Suite 115
Jamestown, NY 14701
Attn: Mark Geise

(2) To the Applicant:

Main Rd Med Group LLC
701 Brickell Avenue, 17th floor
Miami, FL 33131
Attn: Mateo Rengifo

(B) The Agency and the Applicant may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates and other communications shall be sent.

Section 4.02. All covenants and agreements herein contained by or on behalf of the Agency and the Applicant shall bind and inure to the benefit of the respective permitted successors and assigns of the Agency and the Applicant, as the case may be, whether so expressed or not.

Section 4.03. The obligations and agreements of the Agency contained herein shall be deemed the obligations and agreements of the Agency, and not of any member, officer, agent or employee of the Agency in his individual capacity, and the members, officers, agents and employees of the Agency shall not be liable personally hereon or be subject to any personal liability or accountability based upon or in respect hereof or of any transaction contemplated hereby. The obligations and agreements of the Agency contained herein shall not constitute or give rise to an obligation of the State of New York or of the County, and neither the State of New York nor the County, shall be liable thereon; and further, such obligations and agreements shall not constitute or give rise to a general obligation of the Agency, but rather shall constitute limited obligations of the Agency payable solely from the revenues of the Agency derived and to be derived from the lease, sale or other disposition of the Project Facility.

Section 4.04. Notwithstanding any provision of this Preliminary Agreement to the contrary, the Agency shall not be obligated to take any action pursuant to any provision hereof unless (A) the Agency shall have been requested to do so in writing by the Applicant; and (B) if compliance with such request is reasonably expected to result in the incurrence by the Agency (or any member, officer, agent or employee of the Agency) of any liability, fees, expenses or other costs, the Agency shall have received from the Applicant security or indemnity satisfactory to the Agency for protection against all such liability and for the reimbursement of all such fees, expenses and other costs.

Section 4.05. This Preliminary Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Signatures by facsimile or in Portable Document Format shall be deemed to constitute originals.

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IN WITNESS WHEREOF, the parties hereto have entered into this Preliminary Agreement as of the date and year first written above.

MAIN RD MED GROUP LLC

COUNTY OF CHAUTAUQUA INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Name:
Title:

By: _____
Name: Shelby Bilskie
Title: Chief Financial Officer

APPLICATION FOR FINANCIAL ASSISTANCE

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate: filling in blanks; checking the applicable term(s); attaching additional text (with appropriate notations, such as "see Schedule 2(A), etc."); or writing "N.A.", signifying "not applicable".

The following amounts are payable to the County of Chautauqua Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); and (ii) a \$1,000 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit to defray the cost of Transaction/Bond Counsel fees and expenses with respect to the Project. In the event that the subject transaction closes, the Counsel Fee Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

Any approval of financial assistance will be effective for one year. If the subject transaction has not closed within that time, reapproval may be required, which may be conditioned upon payment of some, most or all of the Agency's expected administrative fee and attorneys' fees accrued on that date.

Note: Please contact the CCIDA Main Office @ (716) 661-8900 with any questions relative to the application content and/or process.

PART I: APPLICANT

Name: Main Rd Med Group LLC
Address: 701 Brickell Ave 17th floor Miami, FL 33131
Phone: 201-325-4728
NY State Dept. of Labor Reg #: N/A
Federal Employer ID #: 99-3178509
NAICS Code #: 531120
NAICS Sector: Lessors of Real Estate
NAICS Industry: Real Estate
Website:
Nature of business (goods to be sold, manufactured, assembled or processed, services rendered):
Medical office building for healthcare services and commercial use

Contact Name: Mateo Rengifo
Title: Trustee of Medical Health Care Irrevocable Trust
Phone Number: 210-325-4728
E-Mail: 00rengifo@gmail.com

Business Type:

- ☐ Sole Proprietorship
☐ General Partnership
☐ Limited Partnership
☒ Limited Liability Company
☐ Privately Held Corporation
☐ Publicly Held Corporation
☐ Not-for-Profit Corporation

State/Year of Incorporation/Organization: DE/2024
Qualified to do Business in New York (Yes or No): Yes

Owners of 20% or more of Applicant:

Name	%
Medical Health Care Irrevocable Trust	100%

PART II: PROJECT

Address of proposed project facility:
see attached document
Tax Map Parcel Number(s): 33.00-2-17,18, 19,22, 23, 24,25, 26, 29
City/Town/Village(s): Irving/ Town of Hanover
School District(s): Silver Creek
Current Legal Owner: Main Rd Med Group LLC
Contract to purchase (Yes or No): No
Date of purchase:
Purchase price: \$

Present use of the Project site:
Vacant hospital site
What are current real estate taxes on the Project site?
County/Town: \$11,420.65
City/Village: \$
School: \$22,405.05
Are tax cert. proceedings currently pending with respect to the Project real property?
YES ☐ NO ☒

Proposed User(s)/Tenant(s) of the Facility
(Complete for each User/Tenant for additional User/Tenants of the Company, use space at the end of this section)
Company Name: New York Med Center LLC
Address: 845 Rt 5 and 20
City/State/Zip: Irving, NY 14081
Tax ID No.: 33-2212680
Contact Name: Raymond Manning
Title: CEO
Phone Number: 716-228-0733
E-Mail: rmanning@nymedctr.org

% of facility to be occupied by User/Tenant:
100%

Relationship to the Applicant:
Tenant-Leasee

OFFICERS OF APPLICANT

Name: Mateo Rengifo Title: Trustee of Medical Health Care Irrevocable Trust

Owners of 20% or more of User/Tenant:

Name	%	Corporate Title
Nicholas DiTomaso	90%	Principal Manager
_____	_____	_____
_____	_____	_____

APPLICANT'S LEGAL COUNSEL:

Firm name: Lipsitz Green Scime Cambria
 Address: 42 Delaware Ave Suite 120 Buffalo, NY 14202
 Contact: Amy Vigneron
 Phone: 716-849-1333 Ext 319
 Fax: 716-855-1580
 E-Mail: avigneron@lglaw.com

Type of Proposed Project (check all that apply):

- ☐ New Construction of a Facility
Square footage: _____
- ☐ Addition to Existing Facility
Square footage of existing facility: _____
Square footage of addition: _____
- ☒ Renovation of Existing Facility
Square footage of area renovated: 173,000
Square footage of existing facility: 173,000
- ☐ Acquisition of Land/Building
Acreage/square footage of land: _____
Square footage of building: _____
- ☒ Acquisition of Furniture/Machinery/Equipment
List principal items or categories:
Maintenance equipment, life safety equipment,
furnishings for medical offices, patient rooms, commercial space
- ☐ Other (specify): _____

Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

To provide medical office building for healthcare services to the area that are no longer available for the Substance Use Disorders and Behavioral Health Services. We will be re-vitalizing an area and
building that has sat vacant for 5 years. It will need significant renovations and repairs to turn it into a psychiatric facility due to regulations. In order to accomplish this task,
we seek assistance to lessen some of the tax burden on the organization that will not be fully operational to capacity until the 3 year renovation project is complete.

Please list Affiliates/Parents/Subsidiary Entities to Applicant (attach organization chart if necessary)

Medical Health Care Irrevocable Trust DE/2024 (Trust has 100% ownership of Main Rd Med Group LLC)

FEIN 33-4130942 701 Brickell Ave, 17th floor, Miami, FL 33131

Will the Project provide on-site child daycare facilities? If so, please explain: No

PART III. CAPITAL COSTS OF THE PROJECT

A. Provide an estimate of Project Costs of all items listed below:

	<u>Item</u>	<u>Cost</u>
1.	Land and/or Building Acquisition:	\$ _____
2.	Building Demolition:	\$ _____
3.	Construction/Reconstruction/Renovation:	\$15,000,000
4.	Site Work:	\$ _____
5.	Infrastructure Work:	\$5,000,000
6.	Furniture, Equipment & Machinery Acquisition (not included in 3. above):	\$17,000,000
7.	Architectural/Engineering Fees:	\$200,000
8.	Applicant's Legal Fees:	\$50,000
9.	Financial Fees:	\$2,800,000
10.	Other Professional Fees:	\$30,000
11.	Other Soft Costs (describe): <u>insurance, accounting, permits, engineering</u>	\$2,119,744
12.	Other (describe): _____	\$ _____
	Total Project Costs:	\$42,199,744

B. Estimated Sources of Funds for Project Costs:

	<u>Source</u>
1.	Tax-Exempt IDA Bonds: \$ _____
2.	Taxable IDA Bonds: \$ _____
3.	Conventional Mortgage Loans: \$ _____
4.	SBA or other Governmental Financing: \$ _____
	Identify: _____
5.	Other Public Sources (e.g., grants, tax credits): \$ _____
	Identify: _____
6.	Other Public Agency Loans: \$ _____
7.	Other Private Loans: \$32,199,744
8.	Equity Investment: \$10,000,000
	(Excluding equity attributable to grants/tax credits)
	Total Funding: \$42,199,744

What percentage of the total project costs are funded/financed from public sector sources: 0 %

C. Requested Financial Assistance

Tax-Exempt Bonds: \$ _____
Taxable Bonds: \$ _____
Estimated Value of Sales Tax Benefit: \$2,100,000
(i.e., gross amount of cost of goods and services that are subject to state and local sales and use taxes multiplied by [8.0%])

Estimated Value of Mortgage Tax Benefit: \$406,250
(i.e., principal amount of mortgage loans multiplied by [1.25%])

Estimated CCIDA PILOT Property Tax Benefit:

Type: ADAPTIVE RE-USE

Term: 15 years

Schedule Requested: 15 years

Deviation? Yes ☐ No ☒

Will the proposed Project utilize a property tax exemption benefit other than from the Agency: no
(if so, please describe requested type, term and schedule)

Existing Total Annual Property Taxes on Land and Building: \$ 53,516.82

Estimated Additional Property Taxes on completed Project over the requested PILOT term (without Agency financial assistance): \$ TBD

Other (specify): _____

NOTE: Upon acceptance of this Application by the Agency, the Agency's staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit/Cost utilizing anticipated tax rates and assessed valuation, make an estimate of the allocation of PILOT payments among the affected tax jurisdictions, and attach such information as Exhibit A hereto.

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

D. Status of Expenses

Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

YES ☐

NO ☒

E. Existing Operations

Does the Applicant or any User(s)/Tenant(s) currently operate in the County? If YES, describe such operations, including whether the proposed Project will result in the relocation or abandonment of such other operation(s).

no

PART IV: COST-BENEFIT ANALYSIS

Provide the current annual payroll in Chautauqua County. Then, estimate projected payroll in years 1, 2, 3, after completion of Project.

	<u>Present</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Full Time:	<u>\$0</u>	<u>\$4,800,000</u>	<u>\$11,608,261</u>	<u>\$19,095,713</u>
Part Time ¹ :	<u>\$0</u>	<u>\$179,837</u>	<u>\$359,674</u>	<u>\$716,348</u>

If the Applicant presently operates in Chautauqua County, provide the current number of employees in the following occupations. Then, estimate the projected Full Time Equivalent ("FTE") employees as indicated following completion of the Project:

Current and Planned Occupations	Present Jobs Per Occupation	Est. FTEs Post-Completion:			Est. # of County Residents. by yr. 3
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>	
Management	<u>0</u>	<u>21</u>	<u>23</u>	<u>28</u>	<u>5</u>
Professional	<u>0</u>	<u>36</u>	<u>118</u>	<u>205</u>	<u>150</u>
Administrative	<u>0</u>	<u>10</u>	<u>25</u>	<u>40</u>	<u>25</u>
Production	<u>0</u>				
Supervisor	<u>0</u>	<u>1</u>	<u>3</u>	<u>4</u>	<u>2</u>
Laborer	<u>0</u>	<u>4</u>	<u>9</u>	<u>25</u>	<u>12</u>
Independent Contractor ²	<u>0</u>				
Other (describe)	<u>0</u>				

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Chautauqua County because of the proposed Project:

Category of Jobs to be Retained/Created:	Average Salary or Range of Salary:	Average Fringe Benefits or Range of Fringe Benefits:
Management	75,000-325,000	benefits included
Professional	64,000-300,000	benefits included
Administrative	45,000-64,000	benefits included
Production		
Supervisor	85,000-95,000	benefits included
Laborer	35,000-55,000	benefits included
Independent Contractor ²		
Other		

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction, and/or renovation of the Project: 121

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

¹ NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

² As used in this chart, this category includes employees of independent contractors.

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Western New York)?

5 %

Describe any municipal revenues that will result from the Project (excluding any PILOT payments):

Water and sewer services will benefit from this project from increased utilization.

Building Permits/Signage Permits will need to be secured for the project producing revenue for the town.

What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project, and what portion will be sourced from businesses located in Chautauqua County and the State:

	<u>Amount</u>	<u>% Sourced in Chautauqua County</u>	<u>% Sourced in State</u>
Year 1	\$12,000,000	10%	50%
Year 2	\$13,000,000	12%	50%
Year 3	\$15,000,000	15%	50%

Describe, if applicable, other benefits to the Chautauqua County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

Improved Access to Care: Residents would have better access to specialized treatment for mental health and substance use disorders, reducing the need to travel long distances for care.

Economic Growth: The hospital will create jobs for healthcare professionals, administrative staff, and support services. This would stimulate the local economy and potentially attract related businesses into the medical office spaces.

Sales Tax Revenue: While specific projections for additional sales tax revenue are not readily available, the hospital's operations and increased local spending by employees and visitors could indirectly boost sales tax collections.

Community Well-being: Enhanced mental health services could lead to a healthier population, reducing the burden on emergency services and law enforcement.

If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

1. (a) Site clearance YES ☐ NO ___ % complete
- (b) Environmental Remediation YES ___ NO ___ % complete
- (c) Foundation YES ___ NO ___ % complete
- (d) Footings YES ___ NO ___ % complete
- (e) Steel YES ___ NO ___ % complete
- (f) Masonry YES ___ NO ___ % complete
- (g) Interior YES ___ NO ___ % complete
- (h) Other (describe below): YES ___ NO ___ % complete

If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project? September/October 2025

Provide an estimated time schedule to complete the Project and when first use of the Project is expected to occur:

First use will start September/October 2025 and schedule to complete July 1, 2028. It will be a 3 year project to

update all areas of the building. First unit should be able to be opened by January 2026 and will

continue to open unit by unit until fully renovated and operational.

PART V: QUESTIONS

Please answer the following questions. If an answer is "YES" to any question, please provide details in the space provided at the end of the section.

1. Would the completion of the Project 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 such plants?

YES ____ NO ____

*** If the answer is "No" please continue to question 3.*

2. If the answer is "Yes" please answer the two (2) following questions.

a. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed user, occupant or tenant of the Project, in its industry?

YES ____ NO ____

b. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES ____ NO ____

3. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project).

YES ____ NO ____

4. The Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

YES ____ NO ____

5. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)? If "yes" please complete and attach to the Application.

YES ____ NO ____

*** Applicants should consult **Exhibit B** in order to determine which version of the New York State Environmental Assessment Form must be submitted with this Application.*

6. Will customers personally visit the Project site for "retail sales" of Goods and/or Services? "Retail Sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State primarily engaged in the retail sale of tangible personal property, as defined in section 1101(b)(4)(i) of the Tax Law of the State, or (ii) sales of a service to such customers.

Sales of Goods: YES ☐ NO ☒
Sales of Services: YES ☒ NO ☐

*** If the answer to both is "No" please continue to the next page; if the answer to either is "Yes" please answer the four (4) remaining questions.*

a. What percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?

100 %

b. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Western New York) in which the Project is or will be located?

YES ____ NO ____

c. 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 city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

YES ____ NO ____

d. Will the Project be located in one of the following: (a) an area designated as an empire zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES ____ NO ____

Details: Medical Office Building leased to facility providing services in the form of patient care for both inpatient and outpatient services in regards to Behavioral Health Services and Substance Use Disorder treatment. Potential creation of Laboratory Services, Radiology Services, and Emergency Department Services in Phase 2 of our project.

CERTIFICATIONS AND ACKNOWLEDGMENTS OF THE APPLICANT

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the County of Chautauqua Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction, reconstruction, renovation, installation and/or equipping of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

FIFTH:

The Applicant hereby certifies, under penalty of perjury, that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

SIXTH:

The Applicant hereby acknowledges that the submission to the Agency of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the recapture from the Applicant of an amount equal to all or any part of any tax exemption claimed by reason of the Agency's involvement in the Project.

SEVENTH:

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

EIGHTH:

Upon successful closing of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:

- (A) All Initial Transactions - One-Hundred basis points (1.00%) of Total Project Costs
 - a. This fee applies to all Initial Transactions except for certain small solar or wind energy systems or farm waste energy systems under RPTL §487, for which the Agency collects no fee (other than Counsel fees).
- (B) Refundings/Assumptions/Modifications: Agency fee shall be determined on a case-by-case basis.

The Agency's bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

The Agency's bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Regardless of the success of this Application or whether the hoped-for Financial Assistance is realized, Applicant agrees to pay all costs in connection with any efforts by the Agency on behalf of the Applicant including any fees and expenses of the Agency's general counsel, bond counsel, and all applicable recording, filing or other related fees, taxes and charges upon receipt and review of the Application, securing necessary approvals, closing the necessary transaction, and/or terminating any transaction entered into by the Applicant and the Agency.

NINTH:

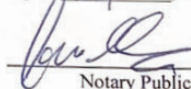
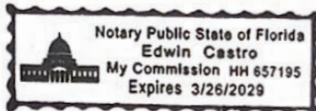
The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.



Name: Mateo Rengifo
Title: Trustee

Subscribed and affirmed to me this 30th
day of July, 2025


Notary Public

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any financial assistance with respect to the proposed Project, or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

07/17/2025

DATE

EXHIBIT A

Financial Assistance Schedule

Agency staff will indicate the amount of PILOT, sales and mortgage recording tax benefits based on estimated Project Costs as contained herein, anticipated tax rates, and assessed valuation, including the annual PILOT Benefit abatement amount for the term of the PILOT as depicted below. This section 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 the completed Application.

A. 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	Total Current Annual Taxes
\$15,000,000	TBD	\$11.909407	\$3.507548	\$18.876126	\$33,826.00

*Apply equalization rate to value

PILOT Year	% Payment	PILOT Amount	Full Tax Payment without PILOT	Estimated Net Exemption
1.	TBD	TBD	TBD	TBD
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.	TBD	TBD	TBD	TBD
TOTAL	TBD	TBD	TBD	TBD

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

B. Sales Tax Exemption Benefit:

Estimated Sales Tax exemption for facility construction: \$2,100,000
Estimated Sales Tax exemption for fixtures and equipment: \$combined above
Estimated Start Date: Sept/Oct 2025
Estimated duration of Sales Tax exemption: one year

C. Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage Recording Tax exemption: \$406,250

D. Other Benefit(s): _____

E. Solar Projects Only: Size _____ ☐ kW or ☐ MW
☐ Community Distribution Facility ☐ Small Alternate Energy Project

F. Battery Energy Storage System Only: Size _____ MW

Parcel ID(s):
1.33.00-2-17
2.33.00-2-18
3.33.00-2-19
4.33.00-2-22
5.33.00-2-23
6.33.00-2-24
7.33.00-2-25
8.33.00-2-26
9.33.00-2-29
10.

Exhibit B

State Environmental Quality Review Act Compliance Checklist

The County of Chautauqua Industrial Development Agency (“CCIDA”), pursuant to the State Environmental Quality Review Act (“SEQRA”), must evaluate the environmental impacts of a project before deciding whether to undertake the project. The below checklist is intended to aid Applicants in determining which version of NYSDEC’s Environmental Assessment Form (“EAF”), available on NYSDEC’s website, to submit as a part of a complete application package to the CCIDA.

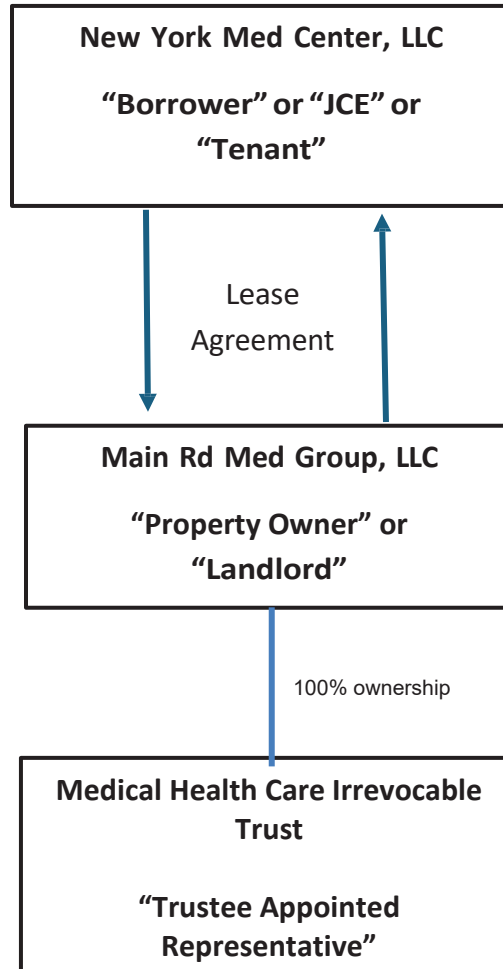
If one or more of the below items applies to the project, then a Full EAF must be prepared for submission. If none of the below items apply, then a Short EAF may be submitted. Please note that the below list is not exhaustive, and Applicants who have completed a short EAF may be required to fill out a Full EAF upon review of the project information by the CCIDA. Applicants should consult with their engineers and consultants to aid them in preparing the EAF.

Does the project involve:

- ☐ activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds:
 - a project or action that involves the physical alteration of 10 acres?
 - a project or action that would use ground or surface water in excess of 2,000,000 gallons per day?
 - parking for 500 vehicles?
 - a facility with more than 100,000 square feet of gross floor area?
- ☐ the expansion of existing nonresidential facilities that meet or exceed any of the following thresholds:
 - a project or action that involves the physical alteration of 5 acres?
 - a project or action that would use ground or surface water in excess of 1,000,000 gallons per day?
 - parking for 250 vehicles?
 - a facility with more than 50,000 square feet of gross floor area?
- ☐ activities which meet at least one of the criteria in **both** Columns A **and** B below:
 - ☐ Column A:
 - occurring wholly or partially within an agricultural district certified by Agriculture and Markets?
 - occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the State or National Register of Historic Places, or has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing?
 - occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks?
 - ☒ Column B:
 - activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds:
 - a project or action that involves the physical alteration of 2.5 acres?
 - a project or action that would use ground or surface water in excess of 500,000 gallons per day?
 - parking for 125 vehicles?
 - a facility with more than 25,000 square feet of gross floor area?
 - the expansion of existing nonresidential facilities that meet or exceed any of the following thresholds:
 - a project or action that involves the physical alteration of 1.25 acres?
 - a project or action that would use ground or surface water in excess of 250,000 gallons per day?
 - parking for 63 vehicles?
 - a facility with more than 12,500 square feet of gross floor area?



NEW YORK MEDICAL CENTER
845 RT 5 AND 20
IRVING, NY 14081



Parcel ID	Location Address	Acreage
064689-33.00-2-17	879 Rt 5 & 20 Irving, NY 14081	1.5
064689-33.00-2-18	845 Rt 5 & 20 Irving, NY 14081	5.2
064689-33.00-2-19	12644 Seneca St Irving, NY 14081	1.7
064689-33.00-2-22	V/L Southerland Rd Irving, NY 14081	3.5
064689-33.00-2-23	682 Southerland Rd Irving, NY 14081	3.6
064689-33.00-2-24	V/L Rt 5 & 20 Irving, NY 14081	1
064689-33.00-2-25	V/L Rt 5 & 20 Irving, NY 14081	1.6
064689-33.00-2-26	V/L Rt 5 & 20 Irving, NY 14081	5.2
064689-33.00-2-29	V/L Southerland Rd Irving, NY 14081	9.6
TOTALS:		32.9

Main Rd Med Group LLC



Market Demand for Treatment & Care

Market Need

Mental illnesses are common in the United States. In 2023, a survey by Mental Health America found that more than 50 million Americans are experiencing a mental illness. Of those with a mental health condition or concern, only 45% received mental health services in the past year.²

Studies show that half of all mental disorders begin by age 14 and three-quarters present by age 24. Meanwhile, of adults with any mental disorder in a one-year period, 14.4% have one disorder, 5.8% experience two disorders, and 6% experience three or more.³ These rates of prevalence, high enough among the general population, can be even higher for at-risk communities such as veterans, the LGBTQ community, minority races and ethnicities, and women, as well as individuals experiencing stressful life events.

The COVID-19 pandemic negatively impacted the state of America's mental health, with four in 10 adults reporting symptoms of anxiety or depressive disorder, up from one in 10 in 2019.⁴ KFF Health Tracking Poll indicated that adults had specific negative impacts on their mental health and well-being as of July 2020; approximately 36% had trouble sleeping, 32% had difficulty eating, 12% increased alcohol or substance abuse, and 12% had worsening chronic conditions due to stress and worry related to COVID-19. Isolation and unemployment caused by the pandemic only exasperated these conditions.

Communities of color were disproportionately impacted by the pandemic. Forty-eight percent of Black adults and 46% of Hispanic or Latino adults reported symptoms of anxiety or a depressive disorder, compared to only 41% of white adults.⁵ Annually, more individuals of color report mental illness, with

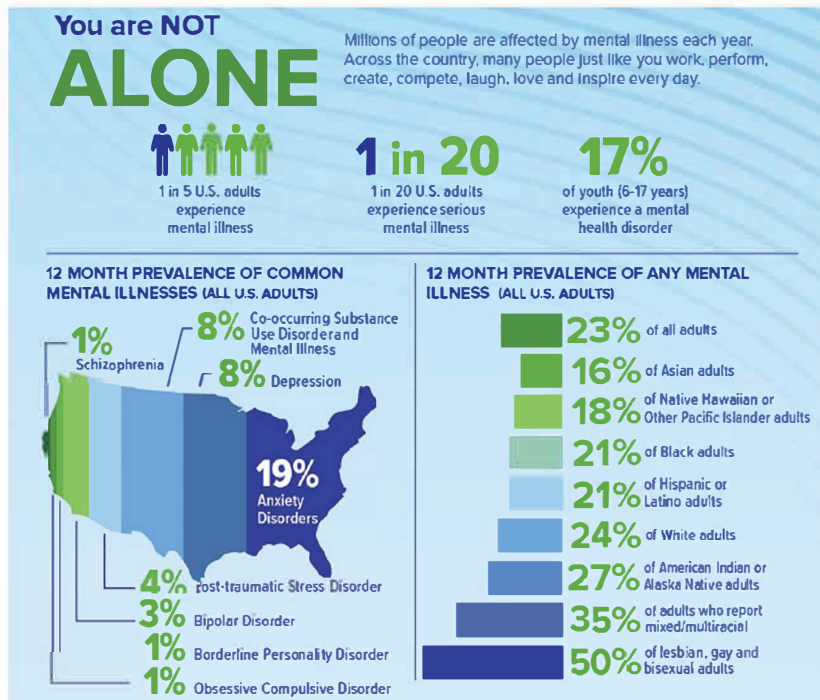
² Mental Health America. "The State of Mental Health in America" Source: <https://mhanational.org/sites/default/files/2023-State-of-Mental-Health-in-America-Report.pdf>

³ Mental Health First Aid. 5 Surprising Mental Health Statistics. February 2019. Source: <https://www.mentalhealthfirstaid.org/2019/02/5-surprising-mental-health-statistics/>

⁴ Panchal, Nirmita. "The Implications of COVID-19 for Mental Health and Substance Use" February 10, 2021. Source: <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/>

⁵ Panchal, Nirmita. "The Implications of COVID-19 for Mental Health and Substance Use" February 10, 2021. Source: <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/>

higher prevalence of mental illness among individuals of American Indian or Alaska Native adults and mixed race/multiracial individuals. The following infographic reflects these findings.⁶



In addition to negatively impacting communities of color, the pandemic also created a negative impact on the mental health of less affluent individuals. Approximately 35% of households earning less than \$40,000 stated COVID had a major negative impact on their mental health.⁷ According to the Centers for Disease Control, 8.7% of Americans with incomes below the poverty level report severe psychological distress. Low-income communities frequently experience insecurity about food, housing, and income.⁸

Substance Abuse

Substance abuse, which can be a comorbidity with mental health issues, impacts 15.3% of Americans. Addiction, substance abuse, and overdose deaths have increased dramatically over the past few years. In 2021, more than 106,000 Americans died from drug-involved overdoses, of which 80,411 were caused by an opioid. In 2021, the number of Americans who died from a drug overdose was more than six times the number in 1999. More than 75% of overdose deaths involved an opioid. More than 220 Americans die

⁶ National Alliance on Mental Illness. "Mental Health by the Numbers" Source: <https://www.nami.org/mhstats>

⁷ Panchal, Nilrmita. "The Implications of COVID-19 for Mental Health and Substance Use" February 10, 2021. Source: <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/>

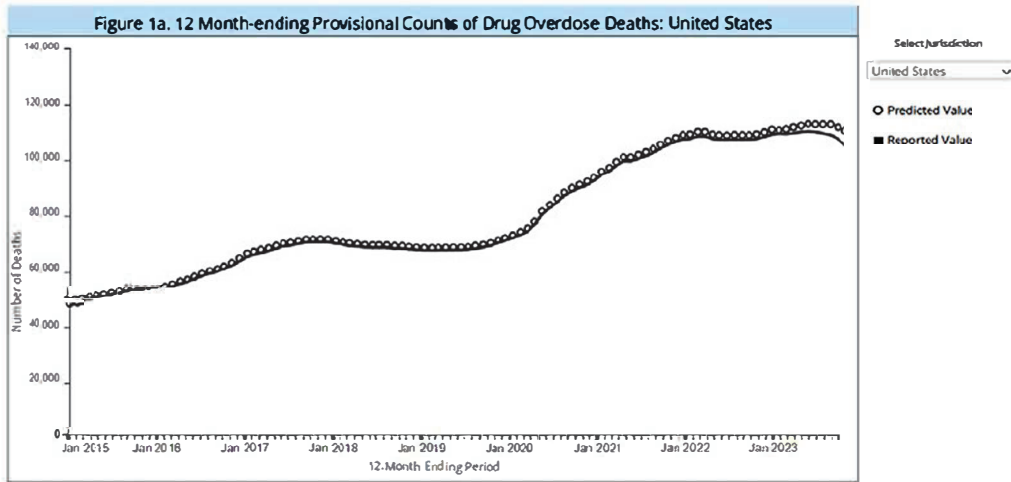
⁸ Anxiety & Depression Association of America. "Low-Income" Source: <https://adaa.org/find-help/by-demographics/low-income>

each day from an opioid overdose.⁹ Today, synthetic opioids, such as fentanyl, are responsible for a rising number of overdose deaths.

In the 12 months ending in October 2023, 105,303 Americans had died of a drug overdose. While deaths from overdose declined slightly from the projected number, as shown on the following chart, the number of overdose deaths has generally increased since 2021.¹⁰

12 Month-ending Provisional Number and Percent Change of Drug Overdose Deaths

Based on data available for analysis on: March 3, 2024



In Chautauqua County, where New York Med Center, LLC is located, 30.9 people out of 100,000 died from opioids in 2020, compared to 21.8 people out of 100,000 for the rest of the state. As shown on the following chart, these deaths have been increasing both within the county and the state over the past decade.¹¹

Opioid Deaths Crude Rate per 100,000, 2010-2020

Source: New York State Department of Health, Opioid Data Dashboard and County Opioid Quarterly Reports

https://webb1.health.ny.gov/SASStoredProcess/quest?program=/EBI/PHIG/apps/opioid_dashboard/op_dashboard&p=it&ind_id=op51 and

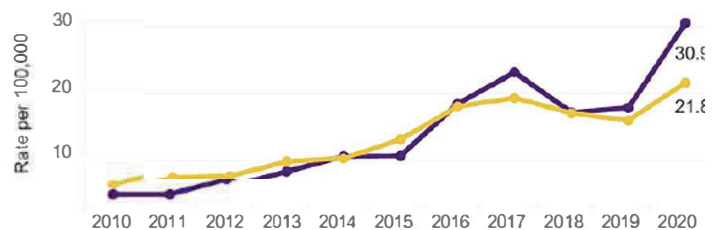
<https://www.health.ny.gov/statistics/opioid/>

An asterisk (*) indicates the rate is unstable.

*Opioid overdose deaths in Chautauqua County in 2020: 40

Opioid Death Rate per 100,000 Population

County to Rest of State	2017	2018	2019	2020
Chautauqua	23.4	17.3	18.0	30.9 ▲
(ROS)	19.5	17.2	16.1	21.8 ▲



⁹ Centers for Disease Control and Prevention. "Understanding the Opioid Overdose Epidemic" Source: <https://www.cdc.gov/opioids/basics/epidemic.html>

¹⁰ Centers for Disease Control and Prevention. "National Vital Statistics System" Source: Products - Vital Statistics Rapid Release - Provisional Drug Overdose Data (cdc.gov)

¹¹ New York State Department of Health. Chautauqua County Substance Use Disorder Key Indicators. Source: [chautauqua_county_key_sud_indicators_06152022.pdf](https://www.health.ny.gov/statistics/opioid/) (ny.gov)

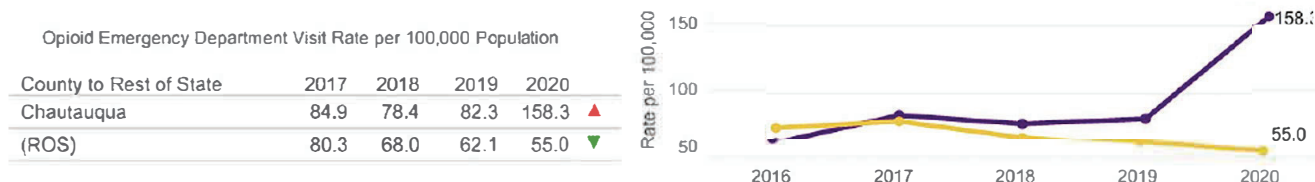
In addition to a rise in opioid overdose deaths, the number of emergency department visits related to opioids within the county has also skyrocketed. As shown on the following chart, in 2020, 158.3 per 100,000 people in Chautauqua County received emergency room treatment, compared to 55 per 100,000 people in the rest of the state.¹²

Opioid Emergency Department (ED) Visits, 2016-2020

Source: New York State Department of Health, Opioid Data Dashboard and County Quarterly Reports

https://webb1.health.ny.gov/SASStoredProcess/guest?_program=%2FEBI%2FPHIG%2Fapps%2Fopioid_dashboard%2Fopi_dashboard&p=it&ind_id=op53 and <https://www.health.ny.gov/statistics/opioid/>

An asterisk (*) indicates the rate is unstable, while (s) indicates that the data do not meet reporting criteria.



Industry Analysis

Current State of the Industry

The *Mental Health and Substance Abuse Treatment* industry is experiencing significant strain, primarily due to the exacerbation of the mental health crisis and the opioid epidemic during the pandemic. Outpatient mental health clinics are struggling to meet the unprecedented demand for mental health services, resulting in an overburdened infrastructure. The undersized behavioral health workforce is a critical bottleneck, preventing the expansion needed to address the growing number of individuals seeking treatment. Despite these challenges, the industry has maintained steady revenue growth, with a current valuation of \$32.6 billion and employing 326,000 people across 16,460 businesses.¹³ Market research firm IBISWorld breaks down the major revenue categories and sources of payment within this industry.

¹² New York State Department of Health. Chautauqua County Substance Use Disorder Key Indicators. Source: [chautauqua_county_key_sud_indicators_06152022.pdf](#) (ny.gov)

¹³ Bocker, Marley. "Mental Health & Substance Abuse Clinics in the US." Nov. 2023. Source: IBISWorld.com

Mental Health & Substance Abuse Clinics in the US

Products & Services Segmentation

Industry revenue in 2023 broken down by key product and service lines.



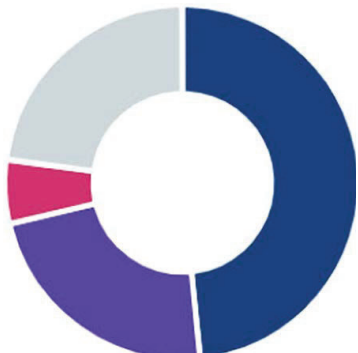
- Outpatient treatment services for mental disorders only (\$14.7bn) 45.0%
- Outpatient treatment for substance-use disorders only (\$3.4bn) 10.4%
- Outpatient treatment for co-occurring disorders (\$3.3bn) 10.2%
- Other services (\$11.2bn) 34.4%



Mental Health & Substance Abuse Clinics in the US

Major Market Segmentation

Industry revenue in 2023 broken down by key markets



- Government payers (\$15.8bn) 48.4%
- Private payers (\$7.5bn) 22.9%
- Out-of-pocket payments (\$1.9bn) 5.8%
- All other sources of revenue (\$7.5bn) 22.9%

**Forecast of Trends**

Looking ahead, the *Mental Health and Substance Abuse Treatment* industry is expected to continue its trajectory of growth, albeit at a slightly slower pace. Revenue is projected to grow at a compound annual

growth rate (CAGR) of 2.9% from 2023 to 2028, compared to 3.1% from 2018 to 2023.¹⁴ Employment in the industry is also expected to increase, with a forecasted CAGR of 3.4% over the next five years. Business establishments within the sector are anticipated to grow at a CAGR of 4.8%, reflecting ongoing expansion efforts despite existing workforce limitations. Wage growth, while still positive, is expected to decelerate slightly, increasing at a rate of 3.3% annually from 2023 to 2028.¹⁵

Forces Impacting the Industry

The Substance Abuse and Mental Health Services Administration (SAMHSA) plays a pivotal role by allocating billions in funding to support mental health services, clinic development, and workforce enhancement. This financial support is critical for maintaining and expanding access to care. Additionally, the industry operates within a complex regulatory environment, with federal and state regulations dictating operational parameters. Internally, the shortage of a qualified behavioral health workforce is a significant challenge, hindering the ability of clinics to meet the rising demand for services. The interplay of these external and internal forces shapes the industry's capacity to grow and respond to the evolving mental health landscape.

Competitive Analysis

The number of *Mental Health and Substance Abuse Treatment* establishments in New York accounts for 5.4% of the 23,827 establishments within the national industry while also generating 6.9% of the total national industry's revenue of \$32.6 billion, ranking New York second in the nation for the number of establishments and for industry revenue.¹⁶

Establishments in New York

Mental Health & Substance Abuse Clinics in New York			Mental Health & Substance Abuse Clinics in the US		
#2 in Highest Establishments					
1,282	5.3% ▲	4.9% ▲	23,827	6.6% ▲	4.7% ▲
Establishments (2024)	Annual Growth (2019-24)	Annual Growth (2024-29)	Establishments (2023)	Annual Growth (2018-23)	Annual Growth (2023-28)

Revenue in New York

¹⁴ Bocker, Marley. "Mental Health & Substance Abuse Clinics in the US." Nov. 2023. Source: IBISWorld.com

¹⁵ Bocker, Marley. "Mental Health & Substance Abuse Clinics in the US." Nov. 2023. Source: IBISWorld.com

¹⁶ Bocker, Marley. "Mental Health & Substance Abuse Clinics in the US." Nov. 2023. Source: IBISWorld.com

Mental Health & Substance Abuse Clinics in New York

#2 in Highest Revenue

6.9% of state's GDP

\$2.2bnRevenue
(2024)**2.1%** ▲Annual Growth
(2019-24)**3.1%** ▲Annual Growth
(2024-29)**Mental Health & Substance Abuse Clinics in the US****\$32.6bn**Revenue
(2023)**3.1%** ▲Annual Growth
(2018-23)**2.9%** ▲Annual Growth
(2023-28)

The Project will face competition from existing operators providing inpatient and outpatient healthcare, as well as specializing in addiction treatment, near Irving, New York. A majority of potential competitors for the Project are located in Buffalo or the surrounding metropolitan area. These competitors operate multiple recovery centers or rehabilitation housing. The Medical Center's most direct competitors are overviewed below. A map of their location relative to the Project follows.

Horizon Health Services | [Horizon-health.org](https://horizon-health.org)

- **Overview:** Horizon Health Services has more than 20 locations within Erie, Niagara, and Genesee counties, as well as provides telehealth services for individuals living in the state of New York. Horizon provides treatment, recovery, and support services to children, adolescents, adults, and families affected by mental health and substance use disorders. The company provides counseling, specialty care, stabilization and medically supervised withdrawal detoxification, intensive residential substance use rehabilitation, and medication-assisted treatment for substance use.

Best Self Behavioral Health | bestselfwny.org

- **Overview:** Best Self Behavioral Health operates multiple outpatient clinics for children, families, young adults, and adults struggling with addiction, behavioral health, and homelessness. Best Self Behavioral Health operates Renaissance Addiction Services, which provides residential treatment programs and operates 47 beds in West Seneca, New York. The company also operates the Lighthouse Women's Residence, which provides a supportive recovery environment for pregnant and parenting women with their children while providing treatment for substance-free lifestyles.

Caz Recovery | [Cazenoviarecovery.org](https://cazenoviarecovery.org)

- **Overview:** Operating in Western New York, Caz Recovery provides residential care for individuals with substance use disorders. The company offers rehabilitation care and ongoing individual or group counseling. Caz Recovery additionally provides medication assisted treatments to patients. The company operates 10 residential recovery homes for individuals undergoing treatment.

New York Med Center, LLC's location is reflected in red on the following map, while locations operated by Horizon Health are shown in blue; Caz Recovery's locations are in green; and Best Self Behavioral Health are reflected in purple. A site not located on the map below is a proposed fifty-four-unit senior housing development in nearby Silver Creek. This future site would not impact the Project's available beds model as it is a single service facility dedicated to senior long-term housing for seniors.

