

Resolution No. 9-11-25-01

RESOLUTION OF THE COUNTY OF CHAUTAUQUA INDUSTRIAL
DEVELOPMENT AGENCY PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT CONCERNING THE
DETERMINATION OF SIGNIFICANCE FOR A CERTAIN PROJECT FOR
MAPLEVALE FARMS, INC., AND/OR ITS AFFILIATES

Name of Project: Maplevale Farms Distribution Facility

Location: 3140 NY-426, Findley Lake, NY 14736

SEQR Status: Type I

**Determination
of Significance:** Negative Declaration

WHEREAS, the County of Chautauqua Industrial Development Agency (the “**Agency**”) is authorized and empowered by the provisions of the New York State Industrial Development Agency Act, 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, renovating, improving, maintaining, equipping and furnishing of 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, among other things, (i) acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein; and (ii) 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, MAPLEVALE FARMS, INC., a corporation duly organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Maplevale Farms, Inc. 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 194 acre parcel of land known as 3196 Route 426, Findley Lake, Town of Mina, County of Chautauqua, New York (Tax Map Parcel ID Nos. 342.00-1-1) (the “**Land**”), (2) the construction of an approximately 144,405 square foot building on the Land, together with related improvements to the Land (the “**Building**”), and (3) the acquisition of certain furniture, fixtures, machinery, equipment and building materials necessary for the completion thereof (collectively, the “**Equipment**”, and together with the Land and the Building, the “**Facility**”), all of the foregoing for use by the Applicant as a refrigerated food warehouse and distribution 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 sales and use taxes, mortgage recording taxes and real property 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, 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 NYCRR 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, prior to making a recommendation about the potential environmental significance of the Project, the Agency has reviewed the Environmental Information, consulted various information sources, and considered the list of activities which are Type I Actions outlined in Section 617.4 of the SEQRA regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the SEQRA regulations and the criteria for determining significance outlined in Section 617.7 of the SEQRA regulations; and

WHEREAS, on August 8, 2025, the Agency caused to be transmitted to all other potentially Interested and Involved Agencies: (1) a cover letter describing the Project; (2) a copy of the Project Application; (2) a notice of intent to act as Lead Agency; (3) a list of potentially Involved Agencies; (4) a Full Environmental Assessment Form Part I; and (5) an acknowledgement form for the Agency to act as Lead Agency; and

WHEREAS, no other potentially Involved Agency disputed the Agency’s declaration of Lead Agency status within 30 days; and

WHEREAS, the Agency is Lead Agency for the Project and undertook a coordinated review pursuant to 6 N.Y.C.R.R. 617.6(b)(3) of the Regulations; and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Agency has received and reviewed:

1. Part 1 of a Full Environmental Assessment Form dated August 6, 2025 (collectively, the “**EAF**”);
2. the Application;
3. Project design plans dated August 28, 2025 (“**Plans**”);
4. NYSDEC’s Environmental Resource Mapper (“**NYSDEC Mapper**”);
5. NYSDEC’s Info Locator Mapper (“**Info Locator**”);
6. New York State Department of Parks, Recreation, and Historic Preservation, Cultural Resource Information System Mapper (“**CRIS Mapper**”);
7. a memorandum from Clark, Patterson, and Lee Architecture, Engineering, and Planning (“**CPL**”), dated August 22, 2025 (“**CPL Memo**”), providing supplemental information to the EAF;
8. a Phase IA/IB cultural resource investigation prepared by Deuel Archaeology & CRM (“**Archeo Report**”), dated January 2024;
9. a letter from the New York State Office of Parks, Recreation, and Historic Preservation, State Historic Preservation Officer (“**SHPO**”), dated February 8, 2024 (“**No Impact Letter**”), and;
10. other relevant information (collectively, 1-10 the “**Environmental Information**”); and

WHEREAS, a thorough analysis of the Environmental Information and potential environmental impacts associated with the Project reveals that the Project will not have any potentially significant adverse environmental impacts; and

WHEREAS, it is appropriate that the Agency issue a negative declaration pursuant to SEQRA for the Project.

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

Section 1. Based upon a thorough review and examination of the Project and Environmental Information, and upon the Agency’s knowledge of the area surrounding the Land and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings with respect to the Project:

- (A) The Project is Type I Action pursuant to SEQRA, as the Project involves the construction and operation of building totaling over 100,000 square feet of floor space and involving over 2.5 acres of physical disturbance in an agricultural district;
- (B) The Agency has undertaken a coordinated review of the Project in accordance with the requirements of SEQRA; and
- (C) No potentially significant adverse impacts on the environment are noted in the Environmental Information and none are known to the Agency.

Section 2. Based upon the Agency's review of the Environmental Information and investigations of the potential environmental impacts associated with the Project, considering both the magnitude and importance of each potential environmental impact indicated, and upon the Agency's knowledge of the Land and surrounding area and such further investigations of the Project and its environmental effects as the Agency has deemed appropriate, the Agency has determined that the Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are as follows:

1. **Impact on Land.** The Project consists of the construction of approximately 144,405 square feet of building space consisting of an office and warehousing facility ("**Warehouse**") and a truck maintenance facility ("**Truck Facility**") with associated parking and driveway space. The Project will disturb approximately 27 acres of the Land, part of a much larger site which totals approximately 194 acres of a mix of vacant farmland, three existing dilapidated silos, two barns, and a shed. The majority of the Land is zoned A-1 Agricultural and with the remaining portion zoned B-2 Commercial Business. The Project is permitted in both districts by special permit.

Of the 194 acres comprising of the Land, only approximately 9.6 acres (~5%) will be converted into roads, buildings, or impervious surface. The remaining disturbance will be limited to the creation of a pervious stormwater management basin, and limited site grading and preparation work. The Project will retain approximately 112 acres of forestland and 60 acres of meadows and grasslands.

The Project does not involve any substantial excavation, mining or dredging and will be completed in a single phase over 12 months. Additionally, while there will be temporary runoff during construction, it will be discharged on Land and controlled by stormwater and sediment/erosion control best management practices. Further, the Project is not within a Coastal Area, a waterfront area of a Designated Inland Waterway, an area with an approved Local Waterfront Revitalization Program or a Coastal Erosion Hazard Area.

Based on the foregoing, the Project will not create any potentially significant adverse impacts to land resources or land use.

2. Impact on Geological Features. The Project does not contain and is not adjacent to any unique geologic features or National Natural Landmarks. Accordingly, the Project will not create any potentially significant adverse impacts to geological features.
3. Impact on Surface Water. The NYSDEC Mapper indicates a small portion of the northern limit of the Project footprint may contain a wetland. According to the CPL Memo, an initial wetland delineation completed in November 2023 identified a low-quality suspected field drainage tile in this area, which, according to CPL, likely does not meet the criteria for a regulated wetland given the past history of disturbance and the limited size or connectivity to larger wetland complexes. The proposed area of disturbance is otherwise free of wetland resources.

Other previously-mapped wetland areas lie to the north and east of the Land. Additionally, the West Branch French Creek lies along the eastern border of the Land and similarly well outside the area of disturbance of the Project. The site layout, grading, and stormwater management facilities have been designed with a minimum 100-foot buffer from the existing property line to avoid potential impacts to wetland boundaries and buffers. Furthermore, the conversion of the Land from agriculture, in which stormwater runoff containing fertilizer is unregulated, to the Project use, in which proposed stormwater management facilities will incorporate water quality treatment practices consistent with the NYSDEC Stormwater Design Manual (the contents of which are incorporated by reference), will likely have a beneficial impact on surface water quality in the area.

As detailed above, the Project will likely impact a low-quality field drainage tile, however, this minor impact will be more than offset by improvements to water quality resulting from the stormwater measures implemented in connection with the Project. In the event that the drainage tile is determined to be NYSDEC-jurisdictional, the Applicant has confirmed that they will avoid any impacts to the same by avoiding disturbance of the wetland resource. Accordingly, the Project will not create any significant adverse impacts on surface water.

4. Impact on Groundwater. The Project will not require substantial excavation which would impact groundwater. The Project will utilize a well to meet its relatively minimal water demand of 200 gallons per day for largely employee use. The Project is not located over or immediately adjoining a primary,

principal, or sole source aquifer. In addition, the EAF demonstrates that the Project will not involve generation, treatment, storage, or disposal of hazardous waste or any other activities that would pose a threat to groundwater. The Project will treat sanitary wastewater through development of an on-site septic system designed in accordance with all NYSDEC and Department of Health regulations.

The Project will involve the bulk storage of approximately 10,000 gallons of diesel fuel in an above ground storage tank for fleet refueling and to supply the standby generator. Given the volume of diesel storage, the Project will be subject to the Federal Spill Prevention Control and Countermeasures (“SPCC”) rules and NYSDEC regulations for the bulk storage of petroleum. These regulatory regimes comprehensively regulate the storage, transfer, and use of petroleum and are specifically implemented to prevent significant risk and harm from bulk petroleum storage.

The SPCC rules laid out in 40 CFR Part 112 specifically apply where a facility has a total aboveground storage capacity of greater than 1,320 gallons of petroleum, which if inadvertently discharged could reach federally protected waters. When SPCC rules apply, a facility is required to provide, among other requirements, adequate secondary containment of petroleum in storage and transfer areas, and the creation of an SPCC plan describing the measures taken at the subject facility to control and prevent inadvertent petroleum releases. NYSDEC rules in 6 NYCRR Parts 613-614 for petroleum bulk storage (“PBS”) of 1,100 gallons or more require concurrent similar protection and control measures as well as registration and record keeping requirements, and design standards for storage tanks. NYSDEC’s PBS rules also provide specific requirements for testing, leak detection, inspections, and monitoring.

These requirements are designed to mitigate any potential adverse impacts to human health and the environment, including groundwater and surface water resources. Therefore, any risk of potential impacts from storage of diesel will be mitigated through compliance with SPCC and NYSDEC regulatory requirements. Accordingly, the Project is not anticipated to create any significant adverse impacts to groundwater.

5. Impact on Flooding. The EAF states that the Project will not result in the development of lands which are subject to flooding. A small portion of the eastern border of the Land contains a 100 year flood plain adjacent to French Creek. However, the proposed limit of disturbance is located over 500 feet away and not within the floodplain. Furthermore, the Project proposes comprehensive stormwater management facilities to adequately handle stormwater flows from

the creation of the new impervious surface area proposed. Accordingly, the Project is not anticipated to create any significant adverse impacts to flooding.

6. Impact on Air. The Project will not include or create significant sources of air emissions, and it does not entail the types of activities or operations that require the Applicant to obtain air registration permits or that are associated with a significant potential for air emissions. Given the limited disturbance of the Project, any impacts to air quality from construction activities will be minor and temporary in nature. Accordingly, the Project is not anticipated to create any significant adverse impacts to air resources.
7. Impact on Plants and Animals. The Project consists of development of approximately 9.6 acres of vacant farmland into the Warehouse and Truck Facility, with approximately 112 acres of forest and 60 acres of grassland and abandoned agricultural fields remaining. As noted in the EAF, there are no known state or federally listed threatened or endangered species located on the Land. The NYSDEC Mapper indicates the Land is in the vicinity of the Mountain Brook Lamprey and Black Redhorse, which are aquatic fish species listed as special concern by the State. Notwithstanding, as the Project will not disturb any aquatic habitat, impacts to these species is not expected. Accordingly, the Project is not anticipated to create any significant adverse impacts to plants or animals.
8. Impact on Agricultural Land Resources. The Land is located within Chautauqua County Agricultural District CHAU007 which encompasses the bulk of the southwestern portion of Chautauqua County. The land contains approximately 56 acres of highly productive soils, however, those fields are laying fallow. The Project will result in the conversion of only approximately 9.6 acres of vacant agricultural land into impervious surface.

The property owner of the Land has executed a waiver of the requirements of New York State Agriculture and Markets Law § 305, which they have filed with the New York State Department of Agriculture and Markets pursuant to § 305(4)(c). As the Project will not have any other significant adverse impacts to water, air, or health, the Project will not indirectly impact any existing nearby agricultural operations. Accordingly, the Project will not create any significant adverse impacts to agricultural land, and 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.

9. Impact on Aesthetic Resources. The Project is not located on or adjacent to any officially designated and publicly accessible federal, state or local scenic or aesthetic resources. The Project will be well set back from adjacent residences,

with the nearest residence being more than 300 feet from the Truck Facility and more than 500 feet from the Warehouse. The tallest structure proposed for the Project is the Warehouse, which will only be 40 feet in height. The Warehouse will require a variance of 10 feet from the underlying 30 foot height restriction, but will be lower in height than the existing vacant buildings, such as silos, located on the Land ("**Existing Buildings**") consisting of a barn complex, an outbuilding, and three silos. Furthermore, the Warehouse will be set back far from Route 426 and the nearby residences in comparison to the existing agricultural buildings. Additionally, the limited construction of the Warehouse and Truck Facility in the visual context of the large parcel will further limit visual impacts and retain the rural agricultural setting of the Project and surrounding community. Furthermore, additional berms and landscaping have also been incorporated into the proposed Drawings to further screen the Project from neighboring residences and public viewpoints. Thus, any resulting visual impacts will be minor in nature, since the Project does not have a large visual profile and is otherwise aesthetically unobtrusive. Further limiting any impacts to aesthetic resources, existing vegetative buffers and mature trees will be retained to provide natural screening. Based on the foregoing, the Project is not anticipated to create any significant adverse impacts to aesthetic resources.

10. Impact on Historic and Archaeological Resources. According to the CRIS Mapper, there are no known historic or archaeological resources located on or substantially contiguous to the Land. As detailed in the Archeo Report, a Phase IA/IB cultural resource investigation was conducted for the portion of the Land encompassing the proposed areas of disturbance. The Archeo Report determined that the Existing Buildings on the Land were constructed in phases between the 1920s-1960s. The Archeo Report explained that due to the lack of archaeological integrity and research potential, the Existing Buildings did not meet the criteria for listing on the National Register of Historic Places. Additionally, a total of 72 shovel test pits ("**STPs**") were dug at systematic intervals across the Land. No indigenous artifacts were recovered from the STPs, which yielded only a mix of historic and modern debris. The Archeo Report concluded that no further investigation of the Land be conducted. Similarly, the No Impact Letter from the SHPO concluded that no historic properties, including archaeological and/or historic resources, would be affected by the Project. Accordingly, based on the above, the Project will not create any significant impacts to historic or archeological resources.
11. Impact on Open Space and Recreation. The Land is not used by members of the community for public recreation, and is not used, or could be used, for hunting, trapping, fishing or shell fishing. Accordingly, the Project will not create any significant impacts to open space or recreational resources.

12. Impact on Critical Environmental Areas. According to the EAF, the Project is not located in or substantially contiguous to any Critical Environmental Areas. Accordingly, the Project will not create any significant impacts to Critical Environmental Areas.
13. Impact on Transportation. The Project proposes a minor commercial entrance along Route 426 to facilitate safe site access. The Project will only result in approximately 58 vehicle trips (48 employee/10 truck) during the A.M. (7:00-8:00A.M) and P.M. (4:00-5:00P.M.) peak hour. The majority of vehicle traffic to the Project is expected to come from Interstate Highway 86 ("I-86"), located approximately .5 mile away, rather than through local roadways and residential areas. Accordingly, the Project is not anticipated to create any significant adverse impacts on transportation.
14. Impact on Energy. The Project will obtain electric power from the local distribution utility, which has adequate capacity to serve the Project. The Project will not require new or upgraded electrical substations. Accordingly, the Project will not create any significant adverse impacts on energy.
15. Impact on Noise, Odor and Light. The Project will result in an increase in noise during construction, which will be limited and temporary in duration. During regular operation, noise will be primarily from truck movements and loading dock activity rather than from large industrial operations. The Project is well buffered from surrounding residences, which will be located more than 300 feet from the Truck Facility and 500 feet from the Warehouse, further mitigating any potential noise impacts. Furthermore, the Project will be required to comply with the Town of Mina Zoning Code § 621, which prohibits truck parking on public road right-of-ways or within 150 feet of a residence, and prohibits truck operations at night which cause a noise nuisance to nearby residences.

The Project does not propose any activities that would be a significant source of odors. All lighting for the Project is designed to minimize off-site impacts, including the use of dark sky compliant lighting to reduce glare and light spillage. Accordingly, the Project will not create any significant adverse impacts on noise, odor or light.

16. Impact on Public Health. The Project does not involve the types of activities or operations that are associated with a significant potential for affecting public health, including the use, creation, disposal or storage of a hazardous or toxic substance. Further, any solid waste generated by the Project will be properly disposed of pursuant to Federal, State and local laws and regulations. Furthermore, the Project does not involve significant air emissions or impacts

from noise, odor, or light. Accordingly, the Project is not anticipated to create any significant adverse impact to public health.

17. Impact on Character of the Community and Community Plans. The Project is consistent with the underlying zoning classifications and will not have any other significant environmental impacts to the surrounding community as described above. The Project is not anticipated to result in secondary development effects or significant population growth. Furthermore, the Project will maintain significant existing buffers as well as the rural and agricultural character of the Land due to the minor amount of development (9.6 acres) in comparison to the total size of the Land (194 acres). Furthermore, the Project is in character with I-86 as well as nearby commercial uses including a self-storage operation and a landscape and garden supply operation within approximately .5 miles of the Project. Further, the Project, being a warehouse and distribution operation, will not result in significant traffic or other impacts such as noise or odor. Accordingly, the Project will not create any significant adverse impacts to the character of the community or community plans.
18. Impact on Disadvantaged Communities. Per the New York Environmental Justice Law ("EJL"), lead agencies must consider during SEQRA review, whether the proposed action would result in a disproportionate pollution burden on a Disadvantaged Community ("DAC"). New York's Climate Justice Working Group ("CJWG") promulgated a map of designated DACs in the State. However, the Project is not located in or near a designated DAC, the closest one being located over 15 miles away in the town of Portland. Notwithstanding, as discussed above, the Project will not be a significant source of air, water, noise, or light pollution and therefore will not increase the pollution burden on the surrounding community, regardless of DAC status. On the contrary, the Project is expected to have a positive economic impact on the surrounding community by providing economic development and creating jobs and concomitant economic benefits to the surrounding community. Accordingly, the Project will not result in a disproportionate burden on DACs.

Section 3. Since the Project will not have a significant adverse impact on the environment, a negative declaration ("**Negative Declaration**") pursuant to SEQRA is hereby issued, and the EAF Parts II and III prepared by the Agency are hereby adopted. This Negative Declaration has been prepared pursuant to and in accordance with the requirements of SEQRA.

Section 4. The Chairman, the Vice Chairman, the Chief Executive Officer and the Chief Financial Officer of the Agency are hereby further authorized on behalf of the Agency, or acting together or individually, 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 5. This Resolution, which is adopted by a majority vote of the Agency, shall serve as the Negative Declaration (as defined in 6 NYCRR 617.2(z)) for the Project, and is issued by the Agency pursuant to and in accordance with SEQRA in connection with the Agency's environmental impact review, shall take effect immediately.

Section 6. For further information on this Negative Declaration contact:

County of Chautauqua Industrial Development Agency
201 West 3rd Street, Suite 115
Jamestown, New York 14701-6902
ATTN: Mark Geise, Administrative Director/CEO
Phone: 716-661-8900
Fax: 716-664-4515

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

The foregoing Resolution was thereupon declared _____.

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 September 11, 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 the location 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 the minimum number of members required for a quorum was physically present at the location specified in the notice of the meeting; (F) members of the public were permitted to view such meeting and to participate in the proceedings in real time to the same extent that that public participation was permitted to members of the public present in person.

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 11th day of
September, 2025.

[Assistant] Secretary

[Vice] Chairman

**MAPLEVALE FARMS, INC. -
Approving Resolution**

A regular meeting of the County of Chautauqua Industrial Development Agency (the “Agency”) was convened in public session on September 11, 2025, at 10:00 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 Chairman
Sagan Sheffield-Smith	Treasurer
Amy Harding	Secretary
Daniel DeMarte	Member
Tom Harmon	Member
Kevin Muldowney	Member
John Healy	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
Matthew J. Fitzgerald, Esq.	Counsel

The attached resolution no. 9-11-25-02 was offered by _____, seconded by _____:

RESOLUTION TAKING OFFICIAL ACTION TOWARD AND APPROVING THE
STRAIGHT LEASE DOCUMENTS FOR A CERTAIN PROJECT FOR
MAPLEVALE FARMS, INC., 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, MAPLEVALE FARMS, INC., a corporation duly organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Maplevale Farms, Inc. 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 194 acre parcel of land known as 3196 Route 426, Findley Lake, Town of Mina, County of Chautauqua, New York (Tax Map Parcel ID Nos. 342.00-1-1) (the “Land”), (2) the construction of an approximately 144,405 square foot building on the Land, together with related improvements to the Land (the “Building”), and (3) the acquisition of certain furniture, fixtures, machinery, equipment and building materials necessary for the completion thereof (collectively, the “Equipment”, and together with the Land and the Building, the “Facility”), all of the foregoing for use by the Applicant as a refrigerated food warehouse and distribution 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 sales and use taxes, mortgage recording taxes and real property 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 15, 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 16, 2025 in *Post Journal*, a newspaper of general circulation available to residents of the County; (C) caused the Public Hearing to be conducted on August 1, 2025, at 9:00 a.m., local time, at 2883 North Road, Town of Mina, 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, the Agency has undertaken a coordinated review of the Project in accordance with SEQRA in which it consulted with all other Involved and Interested Agencies, and the Agency issued a “Negative Declaration” at its September 11, 2025, meeting with respect to the Project, and such Negative Declaration is binding upon the Agency and all other Involved and Interested Agencies; 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 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, however, the Agency has provided notice to the chief executive officer of the municipality in which the facility is currently located, and such removal is deemed necessary in order to facilitate the Project based upon the Company's representations to the Agency that the Project cannot be located at its existing location due to the need for growth beyond the capacity of their existing site.

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 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 4. 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 \$2,777,193, (b) an exemption from sales and use taxes in the maximum amount of \$2,000,000, and (c) an exemption from mortgage recording taxes having an estimated value of \$465,340.

Section 5. 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 6. 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 7. 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 8. 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 9. 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 10. 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 11. 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 12. 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
Sagan Sheffield-Smith	VOTING
Dan Heitzenrater	VOTING
Kevin Muldowney	VOTING
Amy Harding	VOTING
Daniel DeMarte	VOTING
Tom Harmon	VOTING
John Healy	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 September 11, 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 11th day of September, 2025.

[Assistant] Secretary

[Vice] Chairman

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: Maplevale Farms, Inc.
Address: 2063 Allen Street Ext., Falconer, NY 14733
Phone: 716-483-4000
NY State Dept. of Labor Reg #: _____
Federal Employer ID #: 16-0960649
NAICS Code #: 424400
NAICS Sector: Grocery and Related Product Merchant Wholesalers
NAICS Industry: _____
Website: https://maplevalefarms.com/
Nature of business (goods to be sold, manufactured, assembled or processed, services rendered):
Warehouse & Distribution

Contact Name: Doug Neckers
Title: CEO
Phone Number: 716-483-4000
E-Mail: dneckers@maplevalefarms.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/1969
Qualified to do Business in New York (Yes or No): Yes

Owners of 20% or more of Applicant:

Name	%
Doug Neckers	37.78525%
Bruce Neckers	16.25%

PART II: PROJECT

Address of proposed project facility:
3196 Route 426, Findley Lake, New York 14736
Tax Map Parcel Number(s):
342.00-1-1
City/Town/Village(s): Town of Mina
School District(s): Clymer
Current Legal Owner: French Creek Land Management, LLC
Contract to purchase (Yes or No): No - owned by company
Date of purchase: 4/30/2024
Purchase price: \$ 1,500,000

Present use of the Project site:
Farm
What are current real estate taxes on the Project site?
County/Town: \$ 6,165.43
City/Village: \$
School: \$ 6,456.13
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: Maplevale Farms, Inc
Address: 3196 Route 426, Findley Lake, New York 14736
City/State/Zip: _____
Tax ID No.: 16-0960649
Contact Name: Doug Neckers
Title: CEO
Phone Number: 716-483-4000
E-Mail: dneckers@maplevalefarms.com

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

Relationship to the Applicant:
same

OFFICERS OF APPLICANT

Name:	Title:
Douglas Neckers	CEO
Bruce Neckers	President
Keith Rogers	COO

Owners of 20% or more of User/Tenant:

Name	%	Corporate Title
Douglas Neckers	37.785250%	President
Bruce Neckers	16.25%	Vice President

APPLICANT'S LEGAL COUNSEL:

Firm name: Wright Calimeri, PLLC
Address: 525 Fairmount Ave, Jamestown, NY 14701
Contact: Joe Calimeri
Phone: 716-483-1122
Fax: _____
E-Mail: jcalimeri@wrightcalimeri.com

Type of Proposed Project (check all that apply):

- ☒ New Construction of a Facility
Square footage: 144,405
- ☐ 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:
Warehouse Equipment
Warehouse Racking
- ☐ 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:

Please see detailed description in Appendix A attached

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

French Creek Land Management, LLC

MF Meats, LLC

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:	\$ 1,500,000
2.	Building Demolition:	\$ 100,000
3.	Construction/Reconstruction/Renovation:	\$ 28,258,589
4.	Site Work:	\$ 4,050,000
5.	Infrastructure Work:	\$ 400,000
6.	Furniture, Equipment & Machinery Acquisition (not included in 3. above):	\$ 3,192,000
7.	Architectural/Engineering Fees:	\$ 1,412,929
8.	Applicant's Legal Fees:	\$ 100,000
9.	Financial Fees:	\$ 450,000
10.	Other Professional Fees:	\$ 150,000
11.	Other Soft Costs (describe): Moving Costs	\$ 250,000
12.	Other (describe): 4% Contingency	\$ 1,500,024
	Total Project Costs:	\$ 41,363,542

B. Estimated Sources of Funds for Project Costs:

	<u>Source</u>
1.	Tax-Exempt IDA Bonds: \$
2.	Taxable IDA Bonds: \$
3.	Conventional Mortgage Loans: \$ 20,681,771
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: \$ 16,545,417
8.	Equity Investment: \$ 4,136,354
	(Excluding equity attributable to grants/tax credits)
	Total Funding: \$ 41,363,542

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

C. Requested Financial Assistance

Tax-Exempt Bonds: \$ _____
Taxable Bonds: \$ _____
Estimated Value of Sales Tax Benefit: \$ 2,000,000
(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: \$ 465,340
(i.e., principal amount of mortgage loans multiplied by [1.25%])

Estimated CCIDA PILOT Property Tax Benefit:

Type: PILOT

Term: 10 Years

Schedule Requested: _____

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: \$ 12,621.56

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

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).

Yes, Maplevale Farms currently operates in Falconer, NY and plans to relocate to the proposed project location in Findley Lake, NY

(Please see Appendix A for a detailed description)

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:	\$ 15,110,000	\$ 15,854,473	\$ 16,171,563	\$ 16,494,994
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 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	_____	_____	_____	_____	_____
Professional	<u>76</u>	<u>78</u>	<u>81</u>	<u>85</u>	<u>15</u>
Administrative	<u>39</u>	<u>40</u>	<u>42</u>	<u>44</u>	<u>24</u>
Production	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____
Laborer	<u>68</u>	<u>70</u>	<u>72</u>	<u>74</u>	<u>45</u>
Independent Contractor ²	_____	_____	_____	_____	_____
Other (describe)	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>17</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		
Professional	100,238	+17-20%
Administrative	69,851	+17-20%
Production		
Supervisor		
Laborer	46,732	+17-20%
Independent Contractor ²		
Other	81,606	+17-20%

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction, and/or renovation of the Project: 300-400

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)?

100 %

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

Property Tax, Sales Tax, Bed Tax

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	\$ 155,465,000	2	17
Year 2	\$ 162,250,000	2.1	17.5
Year 3	\$ 173,500,000	2.3	18

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:

Property Tax, Sales Tax, Bed Tax

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? October 1, 2025

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

Construction Start Date (Site Work) 10/1/2025

Construction Completion Date 1/4/2027

Occupancy Date 1/15/2027

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?

1.0 %

- 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: Without the IDA's Assistance this project would not be feasible (See Appendix A for more details)

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.

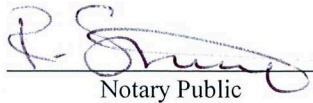
NINTH:

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: Keith Rogers
Title: Chief Operating Officer

Subscribed and affirmed to me this 13th
day of June, 2025


Notary Public

Rosemarie Strandburg
Notary Public, State of New York
Reg. No. 01ST0021819
Qualified in Chautauqua County
Commission Expires March 5, 2028

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.

6/13/25

DATE

MAPLEVALE - FINDLEY LAKE

6/13/2025

Land	1,500,000
Construction	32,808,589
FF & E	3,192,000
Other	2,362,929
Cont	1,500,024
Total project cost	41,363,542

Total sales tax savings* 2,000,000

Property tax savings

Estimated assessment on new building (AV)* 17,000,000

Curent tax rate per \$1,000 assessed value 23.337756

Year	Full Taxation	PILOT	Savings
1	396,742	39,674	357,068
2	396,742	39,674	357,068
3	396,742	79,348	317,393
4	396,742	79,348	317,393
5	396,742	119,023	277,719
6	396,742	119,023	277,719
7	396,742	158,697	238,045
8	396,742	158,697	238,045
9	396,742	198,371	198,371
10	396,742	198,371	198,371
Total	3,967,419	1,190,226	2,777,193

Mortage Recording Tax 1.25 % 465,340

Total Savings (Before Fees): 5,242,533

Agency Fee: 1% of total project cost \$ 413,635
Application Fee & Counsel Deposit: \$ 2,000
Attorney Fees (TBD): \$ 30,000
Total Fees: \$ 445,635

Total Savings After Fees are Deducted: \$ 4,796,898

* These are all estimates, subject to change based on variations in project costs

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:

☐ Column B:

- ☐ 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?

- ☒ 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?

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: See Environmental Phase I study attached			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Bruce Neckers</u> Date: _____ Signature: _____		

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

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

	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/> <div style="display: flex; justify-content: space-between;"> Name of Lead Agency Date </div>	
<hr/> <div style="display: flex; justify-content: space-between;"> Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer </div>	
<hr/> <div style="display: flex; justify-content: space-between;"> Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer) </div>	

Appendix A to CCIDA PILOT Application:

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:

Maplevale Farms Inc. has outgrown its existing facility in Falconer, which does not allow for expansion and is in need of critical upgrades.

Construction and equipping of a 150,000+/- square foot refrigerated food warehouse and distribution facility on a 194 +/- acre parcel of land located at 3196 Route 426 in Findley Lake, NY. The project, located adjacent to an I-86 interchange and close to a connection with I-90, will allow Maplevale Farms Inc. to upgrade and expand its food distribution operations and provide critical access to its customer base which extends east toward Rochester, NY, west toward Cleveland, and south to Erie and Pittsburgh. Total cost for construction and FF&E is estimated at \$41.3mm.

For a family-owned business like Maplevale, such a significant commitment of resources requires careful consideration, as to both location and economic feasibility. While a portion of the funding is expected to come from shareholder loans and bank financing, high interest rates present challenges. Finding other funding sources to offset project costs and reduce the cost of financing is critical to making the project viable. Incentives to support development of the Findley Lake site will also retain 208 jobs in Chautauqua County, NY and result in the creation of a minimum of 19 new jobs, although the company could see employment grow to 250 in the near term (42 new jobs).

Chautauqua County Industrial Development Agency

MRB Cost Benefit Calculator

Date June 11, 2025
Project Title Maplevale Farms
Project Location 3196 Route 426, Fidelity Lake, NY 14736



Economic Impacts

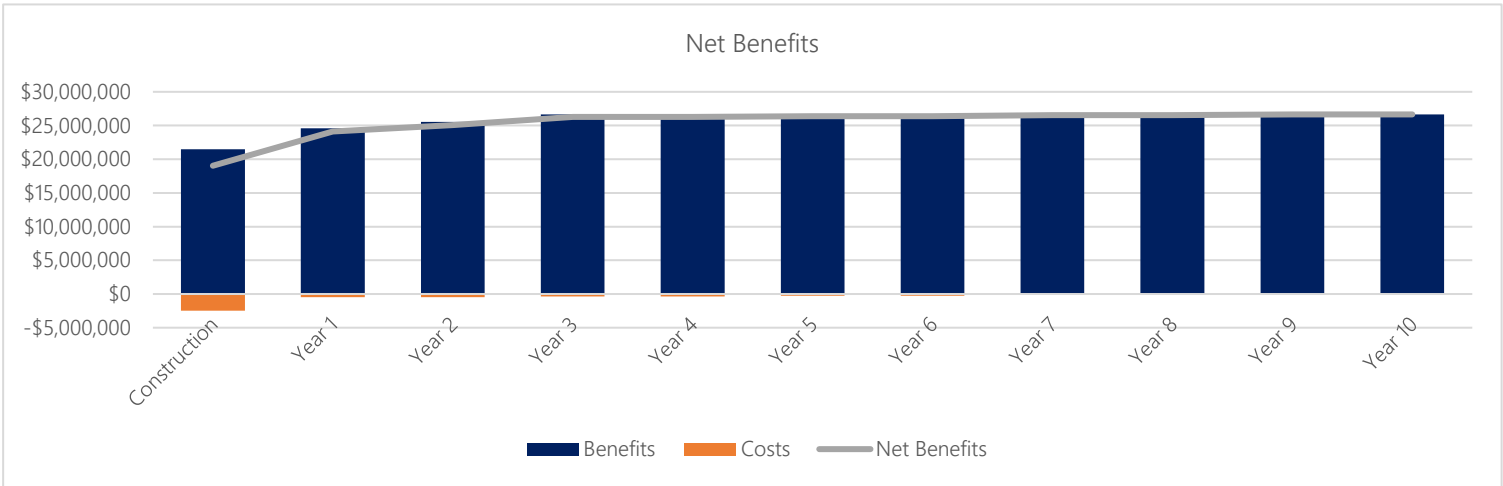
Summary of Economic Impacts over the Life of the PILOT

Construction Project Costs
\$41,363,542

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	224	87	311
Earnings	\$15,931,110	\$4,371,633	\$20,302,744
Local Spend	\$41,363,542	\$14,646,943	\$56,010,485

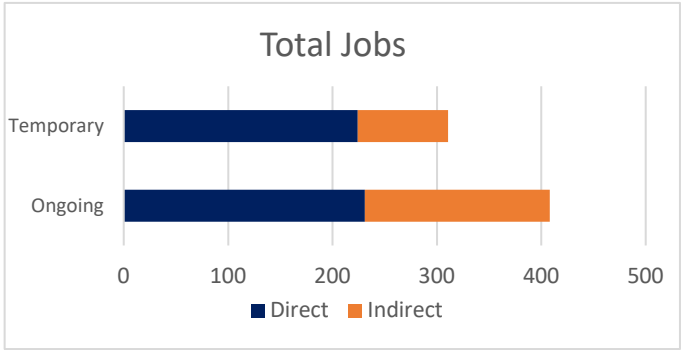
Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	231	177	408
Earnings	\$171,321,166	\$77,329,347	\$248,650,513

Figure 1



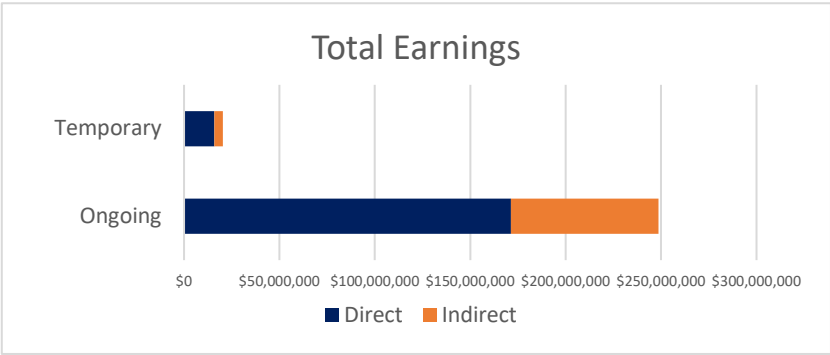
Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2



© Copyright 2025 MRB Engineering, Architecture and Surveying, D.P.C.

Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$2,427,127	\$2,266,475
Sales Tax Exemption	\$2,000,000	\$2,000,000
Local Sales Tax Exemption	\$1,000,000	\$1,000,000
State Sales Tax Exemption	\$1,000,000	\$1,000,000
Mortgage Recording Tax Exemption	\$465,340	\$465,340
Local Mortgage Recording Tax Exemption	\$465,340	\$465,340
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$4,892,467	\$4,731,815

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$266,588,454	\$241,276,685
To Private Individuals	\$268,953,256	\$243,431,142
Temporary Payroll	\$20,302,744	\$20,302,744
Ongoing Payroll	\$248,650,513	\$223,128,398
Other Payments to Private Individuals	\$0	\$0
To the Public	(\$2,364,802)	(\$2,154,457)
Increase in Property Tax Revenue	(\$4,247,475)	(\$3,858,475)
Temporary Jobs - Sales Tax Revenue	\$142,119	\$142,119
Ongoing Jobs - Sales Tax Revenue	\$1,740,554	\$1,561,899
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$13,985,569	\$12,658,419
To the Public	\$13,985,569	\$12,658,419
Temporary Income Tax Revenue	\$913,623	\$913,623
Ongoing Income Tax Revenue	\$11,189,273	\$10,040,778
Temporary Jobs - Sales Tax Revenue	\$142,119	\$142,119
Ongoing Jobs - Sales Tax Revenue	\$1,740,554	\$1,561,899
Total Benefits to State & Region	\$280,574,024	\$253,935,104

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$241,276,685	\$3,731,815	65:1
State	\$12,658,419	\$1,000,000	13:1
Grand Total	\$253,935,104	\$4,731,815	54:1

*Discounted at the public sector discount rate of: 2%

Additional Comments from IDA

0

Does the IDA believe that the project can be accomplished in a timely fashion? Yes
Does this project provide onsite childcare facilities? No

Public Subsidy Board Test

13.54% <- Private sector discount rate, user-entered.



Cost-Benefit Analysis Tool powered by MRB Group

Calculations Showing Discounted Values of "Public Funds"						
Year #	Year	STE & MRTE*	PILOT Savings	Other "Public Funds"***	Total, Nominal	Total, Discounted
0	Current	\$2,465,340		\$0	\$2,465,340	\$2,465,340
1	2026		\$485,425	\$0	\$485,425	\$427,537
2	2027		\$485,425	\$0	\$485,425	\$376,552
3	2028		\$364,069	\$0	\$364,069	\$248,735
4	2029		\$364,069	\$0	\$364,069	\$219,073
5	2030		\$242,713	\$0	\$242,713	\$128,632
6	2031		\$242,713	\$0	\$242,713	\$113,292
7	2032		\$121,356	\$0	\$121,356	\$49,891
8	2033		\$121,356	\$0	\$121,356	\$43,941
9	2034		\$0	\$0	\$0	\$0
10	2035		\$0	\$0	\$0	\$0
>10**	-		\$0	\$0	\$0	\$0

*STE & MRTE = Sales tax exemption and mortgage recording tax exemption.

**Sum total of all benefits from Year 11 to the end of the PILOT, if applicable.

***"Public funds" as defined in NYS Labor Law 224-a. See notes below that explain values, if any, entered in this column.

Other Public Funds Explanation (if any): No public funding indicated aside from PILOT, STE, MTE

Net Present Value of All Benefits		
NPV of All Benefits	Total Construction Project Costs*	%
\$4,072,992	\$41,363,542	9.85%

*As defined in NYS Labor Law 224-a, user-entered.

Public Hearing
Maplevale Farms Inc.
Mina-Findley Lake Community Center
2883 North Road
Findley Lake
August 1, 2025
9:00 AM



County of Chautauqua Industrial Development Agency

Public Hearing Attendance Sheet

Project: Maplevale Farms Inc.

Public Hearing Location: 2883 North Road, Mina-Findley Lake Community Center, Findley Lake, NY

Public Hearing Date and Time: August 1, 2025 – 9:00 AM

Full Name (Please Print)

Signature

Affiliation

1. REBECCA N. BRUNAGIN Rebecca N. Brunagin TOWN OF MINA
2. Bernie Elchynski BERNIE ELCHYNSKI
3. GREG PETERSON GREG PETERSON Phillips Little
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
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 9:00a.m. We are at 2883 North Road, Mina-Findley Lake Community Center, Findley Lake, County of Chautauqua, New York.

MAPLEVALE FARMS, INC., a corporation duly organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Maplevale Farms, Inc. 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 194 acre parcel of land known as 3196 Route 426, Findley Lake, Town of Mina, County of Chautauqua, New York (Tax Map Parcel ID Nos. 342.00-1-1) (the “Land”), (2) the construction of an approximately 144,405 square foot building on the Land, together with related improvements to the Land (the “Building”), and (3) the acquisition of certain furniture, fixtures, machinery, equipment and building materials necessary for the completion thereof (collectively, the “Equipment”, and together with the Land and the Building, the “Facility”), all of the foregoing for use by the Applicant as a refrigerated food warehouse and distribution 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 sales and use taxes, mortgage recording taxes and real property 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.

Notice of this public hearing was published in *The Post Journal* on July 16, 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 15, 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?

MS. STRANDBURG: It is now 9:04 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: 9:04 a.m.)