

PROJECT AUTHORIZING RESOLUTION
(TTM Technologies, Inc. Project)

A regular meeting of the Onondaga County Industrial Development Agency was convened on Thursday, April 11, 2024, at 8:00 a.m.

The following Resolution was duly offered by Susan Stanczyk and seconded by Kevin Ryan, to wit:

Resolution No. 2024

RESOLUTION OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (1) APPOINTING TTM TECHNOLOGIES, INC OR AN ENTITY FORMED OR TO BE FORMED BY IT OR ON ITS BEHALF (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW); (2) AUTHORIZING THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, AND RELATED DOCUMENTS WITH THE COMPANY WITH RESPECT TO THE PROJECT; (3) AUTHORIZING FINANCIAL ASSISTANCE THE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT, AND (C) AN EXEMPTION FROM MORTGAGE RECORDING TAXES AS PERMITTED BY NEW YORK LAW; AND (4) AUTHORIZING THE EXECUTION OF A MORTGAGE AND RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 435 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, the Act authorizes the Agency (1) to promote the economic welfare, recreational opportunities and prosperity of the inhabitants of the Onondaga County, and (2) to promote, attract, encourage and develop recreation and economically sound commerce and industry through governmental action for the purpose of preventing unemployment and economic deterioration; and

WHEREAS, **TTM TECHNOLOGIES, INC.**, a Delaware corporation authorized to do business in the State of New York, for itself or on behalf of an entity formed or to be formed by it or on its behalf (collectively, the "Company"), previously submitted an application (the

"Application") to the Agency requesting that the Agency undertake a certain project (the "Project") consisting of: (A) the Agency taking title to or a leasehold (or other) interest in (1) the Company's existing facility located at 6635 Kirkville Road, in the Town of DeWitt, Onondaga County, being more particularly identified as tax map numbers 039.-07-06.0; 039.-07-06.0/01; 037.-10-04.4; 037.-10-05.1 (the "Kirkville Road Land") and (2) approximately 22.78 acres of land located at 6457, 6473, 6485 and 6493 Fly Road in the Town of DeWitt, Onondaga County, being more particularly identified as tax map numbers 037.-10-04.1, 037.-10-03.1, 037.-10-02.1, and 037.-10-01.1 (the "Fly Road Land"; and, together with the Kirkville Road Land, the "Land"); (B) the removal of certain existing residential structures located on the Fly Road Land; (C) the construction on the Land of an approximately 214,770 square-foot precision manufacturing facility for the semiconductor, aerospace and defense industries consisting of (a) an approximately 117,940 square-foot ground floor, of which approximately 60,000 square feet will be used for manufacturing of integrated circuit boards and state-of-the-art automated manufacturing of ultra high-density interconnected (HDI) printed circuit boards, approximately 20,000 square feet will be used for small reception/office areas, conference rooms, an IT server room, restrooms and corridors, and approximately 40,000 square feet will remain unfinished for future expansion, (b) an approximately 62,860 square-foot second floor of unfinished space for future expansion, (c) an approximately 33,970 square-foot adjacent mechanical annex building to house process treatment systems, mechanical/electrical equipment rooms, loading dock areas, shipping/receiving and engineering support systems, and (d) approximately 316 parking spaces for employees, customers and visitors (together, the "Fly Road Land Improvements"); (D) the corresponding renovation of the existing 164,215 square foot facility on the Kirkville Road Land (collectively, the "Kirkville Road Improvements"; and, together with the Fly Road Land Improvements, the "Improvements"); and (E) the acquisition and installation by the Company in and around the Land and the Improvements of items of equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to a resolution adopted by the Agency on February 8, 2024 (the "Resolution") the Agency (i) accepted the Application of the Company, (ii) authorized a public hearing (the "Public Hearing") to be held in connection with the Project and the Financial Assistance (as defined in the Resolution) being contemplated by the Agency with respect to the Project, and (iii) described the forms of Financial Assistance being contemplated for the benefit of the Company by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, on February 28, 2024, at 9:30 a.m., local time, at DeWitt Town Hall, 5400 Butternut Drive, East Syracuse, New York 13057, the Agency held the Public Hearing with respect to the Project and the proposed Financial Assistance being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views. A copy of the Notice of Public Hearing, Notice Letter, Affidavit of Publication of *The Post-Standard* and Minutes of Public Hearing are attached hereto as **Exhibit A**; and

WHEREAS, the Agency desires to provide financial assistance (the "Financial Assistance") to the Company in the form of (i) an exemption from sales and use taxes otherwise payable upon the purchase or lease of materials, furnishings, fixtures and equipment, and other taxable personal property, (ii) a partial real property tax abatement, and (ii) an exemption from

mortgage recording taxes in connection with the acquisition financing, construction financing and/or permanent financing or any subsequent refinancing of the costs of the acquisition, construction, renovation, reconstruction, refurbishing and equipping of the Facility as permitted by New York State law, as set forth in the Application; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, the Town of Dewitt Planning Board (the "Planning Board"), as lead agency, conducted a coordinated review of the Project pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), which resulted in the issuance of a negative declaration by the Planning Board on April 9, 2024 (the "Negative Declaration") attached hereto as **Exhibit B**, concluding the SEQRA process; and

WHEREAS, a Project Agreement, Lease Agreement, Leaseback Agreement, PILOT Agreement and PILOT Mortgage, each dated as of April 1, 2024 (or such other date acceptable to Chair or the Executive Director of the Agency) and related documents (collectively, the "Agency Documents") have been or will be negotiated and the Agency desires to authorize the undertaking of the Project.

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

Section 1. The Planning Board has conducted a review of the Project pursuant to SEQRA. In addition to classifying the Project as a Type I Action pursuant to SEQRA, the Planning Board issued a Negative Declaration on April 9, 2024, determining that the Project does not pose a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, including, but not limited to, the Full Environmental Assessment Form, dated January 22, 2024, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Planning Board pursuant to 6 N.Y.C.R.R. § 617.7.

Section 2. The Agency is hereby authorized to provide the Company with the Financial Assistance.

Section 3. Based upon representations and warranties made by the Company in the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project, that would otherwise be subject to New York State and local sales and use tax in an amount up to **\$56,250,000**, which result in New York State and local sales and use tax exemption benefits ("Sales and Use Tax Exemption Benefits") in an amount not to exceed **\$4,500,000**. The Agency agrees to consider any requests by the Company for increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency

upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 4. Pursuant to Section 875(3) of the Act, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any Sales and Use Tax Exemption Benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the Sales and Use Tax Exemption Benefits; (ii) the Sales and Use Tax Exemption Benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the Sales and Use Tax Exemption Benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the Sales and Use Tax Exemption Benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent to receiving Sales and Use Tax Exemption Benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any Sales and Use Tax Exemption Benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 5. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of a liability insurance policy for the Facility satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the undertaking of the Facility and hereby appoints the Company as the true and lawful agent of the Agency, pursuant to the provisions of the Project Agreement: (i) to construct, reconstruct, renovate, refurbish and equip the Facility; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Facility, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the Company's status as agent of the Agency and related sales tax exemption letter shall expire on **December 31, 2025** (unless extended for good cause by the Executive Director or other authorized representative of the Agency).

Section 6. Based upon representations and warranties made by the Company in the Application, the Agency hereby authorizes the grant of Financial Assistance in the form of: (1) a sales and use tax exemption for purchases and rentals related to the Project, (2) a partial real property tax abatement structured under a PILOT Agreement; and (3) exemptions from mortgage recording taxes to the extent permitted by applicable law in connection with any mortgage

necessary to undertake the Facility and/or finance or re-finance acquisition and Project costs, equipment and other personal property and related transactional costs.

Section 7. (a) The Chair or the Executive Director of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents (consistent with the schedule of PILOT payments and corresponding real property tax abatements presented to and hereby approved by the Agency and attached to and made a part of these Resolutions as Exhibit C), in the forms acceptable to the Chair or Executive Director of the Agency. The execution of the Agency Documents by the Agency shall constitute conclusive evidence of such approval.

(b) The Chair or the Executive Director are further hereby authorized, on behalf of the Agency, to designate any additional authorized representatives of the Agency.

Section 8. The Chair and the Executive Director of the Agency are hereby further authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project and/or finance or re-finance acquisition and Project costs, equipment and other personal property and related transactional costs (the "Lender Documents"; and together, with the Agency Documents, the "Project Documents") and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Project Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chair or the Executive Director of the Agency shall approve, the execution thereof by the Chair or the Executive Director of the Agency to constitute conclusive evidence of such approval; provided, in all events, recourse against the Agency is limited to the Agency's interest in the Project.

Section 9. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver the Project Documents and all such certificates, instruments 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, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the Project Documents executed for and on behalf of the Agency.

Section 10. Due to the complex nature of this transaction, the Agency hereby authorizes its Chair or Executive Director to approve, execute and deliver such further agreements, documents and certificates as the Agency may be advised by counsel to the Agency to be necessary or desirable to effectuate the foregoing, such approval to be conclusively evidenced by the execution of any such agreements, documents or certificates by the Chair or the Executive Director of the Agency.

Section 11. 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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Patrick Hogan, Chair	X			
Janice Herzog, Vice Chair			X	
Susan Stanczyk	X			
Kevin Ryan	X			
Fanny Villarreal	X			
Cydney Johnson	X			
Elizabeth Dreyfuss	X			

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CERTIFICATION
(TTM Technologies, Inc. Project)

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

I, the undersigned Executive Director of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Onondaga County Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on April 11, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 15th day of April 2024.



Robert M. Petrovich, Executive Director

EXHIBIT A

Notice Documents with respect to Public Hearing held on February 28, 2024

[Attached hereto]

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the Onondaga County Industrial Development Agency (the "Agency") on February 28, 2024, at 9:30 a.m., local time, at DeWitt Town Hall, 5400 Butternut Drive, East Syracuse, New York 13057, in connection with the following matter:

TTM TECHNOLOGIES, INC., a Delaware corporation authorized to do business in the State of New York, having an office for the transaction of business located at 6635 Kirkville Road, East Syracuse, New York 10357, for itself or on behalf of an entity formed or to be formed by it or on its behalf (collectively, the "Company") has submitted an application (the "Application") to the Agency requesting that the Agency undertake a certain project (the "Project") for the benefit of the Company (or entity to be formed by it or on its behalf) consisting of: (A) the Agency taking title to or a leasehold (or other) interest in (1) the Company's existing facility located at 6635 Kirkville Road, in the Town of DeWitt, Onondaga County, being more particularly identified as tax map numbers 039.-07-06.0; 039.-07-06.0/01; 037.-10-04.4; 037.-10-05.1 (the "Kirkville Road Land") and (2) approximately 22.78 acres of land located at 6457, 6473, 6485 and 6493 Fly Road in the Town of DeWitt, Onondaga County, being more particularly identified as tax map numbers 037.-10-04.1, 037.-10-03.1, 037.-10-02.1, and 037.-10-01.1 (the "Fly Road Land"; and, together with the Kirkville Road Land, the "Land"); (B) the removal of certain existing residential structures located on the Fly Road Land; (C) the construction on the Land of an approximately 214,770 square-foot precision manufacturing facility for the semiconductor, aerospace and defense industries consisting of (a) an approximately 117,940 square-foot ground floor, of which approximately 60,000 square feet will be used for manufacturing of integrated circuit boards and state-of-the-art automated manufacturing of ultra high-density interconnected (HDI) printed circuit boards, approximately 20,000 square feet will be used for small reception/office areas, conference rooms, an IT server room, restrooms and corridors, and approximately 40,000 square feet will remain unfinished for future expansion, (b) an approximately 62,860 square-foot second floor of unfinished space for future expansion, (c) an approximately 33,970 square-foot adjacent mechanical annex building to house process treatment systems, mechanical/electrical equipment rooms, loading dock areas, shipping/receiving and engineering support systems, and (d) approximately 316 parking spaces for employees, customers and visitors (together, the "Fly Road Land Improvements"); (D) the corresponding renovation of the existing 164,215 square foot facility on the Kirkville Road Land (collectively, the "Kirkville Road Improvements"; and, together with the Fly Road Land Improvements, the "Improvements"); and (E) the acquisition and installation by the Company in and around the Land and the Improvements of items of equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of (i) exemptions from sales and use taxes otherwise payable upon the

purchase or lease of materials, furnishings, fixtures and equipment, and other taxable personal property, (ii) a partial real property tax abatement structured through a payment-in-lieu-of-tax agreement, and (iii) exemptions from mortgage recording taxes in connection with the acquisition financing, construction financing and/or permanent financing or any subsequent refinancing of the costs of the acquisition, construction, renovation, reconstruction, refurbishing and equipping of the Facility as permitted by New York State law.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

The Agency will provide additional access to the public hearing by broadcasting the public hearing in real time online at <https://us02web.zoom.us/j/81889282347>.

Furthermore, the public is encouraged to offer its comments in writing to the Agency by e-mail at economicdevelopment@ongov.net or via USPS mail sent to: Onondaga County Industrial Development Agency (Attn: Svetlana Dyer), 335 Montgomery Street, Floor 2M, Syracuse, New York 13202, no later than February 26, 2024.

Dated: February 18, 2024

ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

EXHIBIT B

Negative Declaration of the Town of Dewitt Planning Board
Issued on March 28, 2024

[Attached hereto]

SEQRA DeWitt Landing Subdivision and Site Plan

Dated: April 9, 2024

Decision of Planning Board of the Town of Dewitt issued pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review Act “SEQRA”) of the Environmental Conservation Law of the State of New York for Actions known as DeWitt Landing, LLC Subdivision and DeWitt Landing, LLC Site Plan.

Background:

The DeWitt Landing, LLC Subdivision is a request to combine four tax parcels (37.-10-01.1; 37.-10-02.1; 37.-10-03.1 and 37.-10-04.1) into one new lot for a total of 22.776 +/- acres, in order to facilitate the construction of a high-tech manufacturing and office facility.

The DeWitt Landing, LLC Site Plan is a request of the new construction of a 214,000 square foot building on the combined parcels of land. The proposed use is a high-tech manufacturing office facility with an expected 400 employees within five years. Construction includes a parking lot, truck loading area, landscaping utilities and stormwater control areas.

The Town of DeWitt Planning Board (“Planning Board”) declared these related actions TYPE 1 pursuant to SEQRA at its January 25, 2024, regularly held Planning Board meeting and also declared its intent to act as Lead Agency for these actions. The Full EAF which is applicable to the Action and all other information presented by the Applicant is on file with the Town of DeWitt and is available from the Contact person named below. After the declaration of lead agency, all Interested and Involved Agencies were served Notice and given 30 days within which to respond to this declaration of Lead Agency status. All agencies notified either, did not respond within the 30 days of Notice, or executed a written consent for the Town of DeWitt Planning Board to act as Lead Agency. The NYS Department of Environmental Conservation (DEC) is the only agency which delivered comments, dated February 28, 2024, with their consent for the Planning Board to act as Lead Agency and those comments are further addressed below. On March 14, 2024, a combined public hearing was held pursuant to the subdivision and site plan regulations of the Town of DeWitt, at which time environmental matters which are the subject of SEQRA were also entertained. The Public Hearing was held open and continued to the March 28, 2024, meeting of the Planning Board. The Public Hearing was closed at the March 28, 2024, meeting of the Planning Board.

The Board reviewed the FEAF submitted by the Applicant dated January 22, 2024, all Site plan and subdivision documents, as well as supplement information supplied by the applicant including the following:

1. A copy of a document summarizing the applicants conversations with DEC and justification for a determination of non-jurisdiction.
2. A copy of an August 7, 2023, Wetland Report by EDI which includes lands owned by TTM to the south of the project site. The lands to the south of the project site ARE NOT part of the current project area.
3. A copy of a July 19, 2021 Wetland Delineation Report by EDI for only the lands that are the current project area.
4. Figure 4 from the August 2023 Delineation showing the mapped DEC resource and the 500' Check Zone Area for the larger area including applicant owned lands to the south.
5. Figure 4 from the July 2021 Delineation showing the mapped DEC resource and the 500' Check Zone for the current project site showing none of the mapped resource or the 500' check zone are on the project site so none of the project work encroaches on the mapped resource.
6. A map that overlays the Delineated Wetland areas outlined in blue and the drainage easement areas shaded in red for the larger site.
7. A map that overlays the Delineated Wetland areas outlined in blue and the drainage easement areas shaded in red for the project site.
8. NYS Department of Environment Conservation correspondence dated February 28, 2024

These two Actions were considered jointly for this SEQRA determination.

Findings:

The Planning Board **SEQRA Findings** are as follows:

The Planning Board examined and addressed each of the 18 potential environmental impacts as set forth in the Full Environmental Assessment Form (FEAF) Part 2. The conclusions in the FEAF Part 2 were determined after full review of the site plan, subdivision, consultation with the Full EAF Workbook, consultation and advice of the Planning Board Engineer, and further inquiry with the DEC. This Board has further reviewed the detailed site plans of the applicant. While full site plan approval

has not yet been granted by this Board, the Applicant and Planning Board have engaged in months long process of review of matters of storm water, grading, drainage site layout which are reflected in the written comments of the Planning Board and the responses and site plans of the Applicant. all which are part of this record, and which mitigate any potential environmental impacts of the Actions. Accordingly, the Planning Board answers each of the Impacts in the Part 2 FEAF as “No small impact may occur” with the exception of the items noted herein. The executed full Part 2 SEQRA is attached hereto and made a part hereof.

The Board identified two specific matters that may have a “moderate to large impact may occur” which required specific scrutiny under the SEQRA process.

First: Part 2 Item 6.c.: Impacts on Air – The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour or may include a heat source capable of producing more than 10 million AABTUU’s per hour.

The applicant has preliminarily explained the processes that are intended to take place within the facility. The processes do not appear at this time to create the release of air pollutants that would rise to the level of required DEC permitting. This Board considers that the DEC requires air pollution permits and registrations pursuant to its regulations where air pollution may be released. It is under control of the applicant and DEC for the appropriate information to be provided to the DEC regarding information on the facility’s emissions and processes. And any permitting is within the control of the DEC. The Board has received information from conversation with the DEC and the Director of Planning and Development further confirming that the DEC will require registration, and at that time will evaluate the type of permitting and then mitigation measure, if any that would be required in order for the facility to be permitted to function. Accordingly, because any emissions can and will be mitigated for this facility to be allowed to function, this Board finds this potential moderate to large impact to be adequately addressed.

Second: Part 2 Item 3.d.: Impacts on Surface Water – The proposed action may involve construction within or adjoining a freshwater or tidal wetland or water body.

There has been significant discussion regarding the extent of and location of both State and Federal Wetlands on this site. The applicant has provided wetland delineations according to the best available information at this time and information as to the potentially non-jurisdictional nature of the wetlands. This Board is aware that State wetlands have a 100-foot adjacent area surrounding the wetland where impacts also are not allowed. The applicant would be enjoined from development

in the wetland area and no stormwater systems are allowed in state wetlands or their adjacent area. The Army Corp of Engineers allows mitigation of federal wetlands through the purchase of mitigation credits. Because of the nature of the appearance of some of the land, there is a concern as to the ultimate delineation of the wetlands area. This Board has reviewed the available information and delineations and further consulted with the Town Engineer and Planning Board engineer, and further reliable representations of the applicant, all of which are part of the public documents which are part of this record, and is assured that should the wetlands delineations be determined to be greater than is currently presented, the plans for development can be; and will be required to be reasonably reconfigured to mitigate any potential negative impacts on the wetlands. Because any impacts to wetlands can be mitigated, this Board finds this potential moderate to large impact to be adequately addressed.

Conclusion:

The Planning Board of the Town DeWitt has taken a hard look at all environmental issues as required by SEQRA, and hereby determines that the Actions herein shall be granted a Negative SEQRA declaration, finding that the Actions will cause no significant environmental impacts.

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

Agency Use Only [If applicable]	
Project :	DeWitt Landing, LLC
Date :	March 11, 2024

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

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

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

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

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

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

13. Impact on Transportation

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

☐ NO

☒ YES

(See Part 1. D.2.j)

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

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

14. Impact on Energy

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

☐ NO

☒ YES

(See Part 1. D.2.k)

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

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

15. Impact on Noise, Odor, and Light

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

☐ NO

☒ YES

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

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

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

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☒ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

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

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts

and

Determination of Significance

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

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

Reasons Supporting This Determination:

To complete this section:

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

Reasons in support of the determination of significance are included in the resolution of the Decision of Planning Board of the Town of DeWitt issued pursuant to Part 617of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review Act "SEQRA") of the Environmental Conservation Law of the State of New York for Actions known as DeWitt Landing, LLC Subdivision and DeWitt Landing, LLC Site Plan.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

☒ Type 1
☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information

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

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

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

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

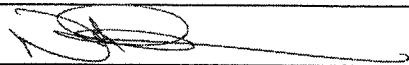
☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration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

Name of Action: DeWitt Landing, LLC Subdivision and DeWitt Landing , LLC Site Plan

Name of Lead Agency: Town of DeWitt Planning Board

Name of Responsible Officer in Lead Agency: Nathan Brown

Title of Responsible Officer: Planning Board Chairperson

Signature of Responsible Officer in Lead Agency: 

Date: 10 Apr 2024

Signature of Preparer (if different from Responsible Officer) Jamie L. Sutphen, Esq.

Date: 4/9/2024

For Further Information:

Contact Person: Jamie L. Sutphen, Esq.

Address: Baldwin & Sutphen, PLLC 126 N. Salina St. Suite 400 Syracuse, NY 13202

Telephone Number: (315) 477-0100

E-mail: jsutphen@bsfattomeys.com

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

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

Other involved agencies (if any)

Applicant (if any)

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

EXHIBIT C

[Proposed PILOT Schedule]

PILOT YEAR	Exemption %	County PILOT Amount	Town	School District	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 41,500.38	\$ 52,082.08	\$ 241,288.57	\$ 334,871.02	\$ 656,647.44	\$ 321,776.43
2	100%	\$ 42,330.38	\$ 53,123.72	\$ 246,114.34	\$ 341,568.44	\$ 669,780.39	\$ 328,211.95
3	100%	\$ 43,176.99	\$ 54,186.19	\$ 251,036.63	\$ 348,399.81	\$ 683,176.00	\$ 334,776.19
4	100%	\$ 44,040.53	\$ 55,269.92	\$ 256,057.36	\$ 355,367.80	\$ 696,839.52	\$ 341,471.72
5	100%	\$ 44,921.34	\$ 56,375.31	\$ 261,178.50	\$ 362,475.16	\$ 710,776.31	\$ 348,301.15
6	100%	\$ 45,819.77	\$ 57,502.82	\$ 266,402.07	\$ 369,724.66	\$ 724,991.84	\$ 355,267.17
7	100%	\$ 46,736.16	\$ 58,652.88	\$ 271,730.12	\$ 377,119.16	\$ 739,491.67	\$ 362,372.52
8	100%	\$ 47,670.89	\$ 59,825.94	\$ 277,164.72	\$ 384,661.54	\$ 754,281.51	\$ 369,619.97
9	100%	\$ 48,624.30	\$ 61,022.45	\$ 282,708.01	\$ 392,354.77	\$ 769,367.14	\$ 377,012.37
10	100%	\$ 49,596.79	\$ 62,242.90	\$ 288,362.17	\$ 400,201.87	\$ 784,754.48	\$ 384,552.61
11	100%	\$ 50,588.73	\$ 63,487.76	\$ 294,129.42	\$ 408,205.90	\$ 800,449.57	\$ 392,243.67
12	100%	\$ 51,600.50	\$ 64,757.52	\$ 300,012.01	\$ 416,370.02	\$ 816,458.56	\$ 400,088.54
13	100%	\$ 52,632.51	\$ 66,052.67	\$ 306,012.25	\$ 424,697.42	\$ 832,787.73	\$ 408,090.31
14	100%	\$ 53,685.16	\$ 67,373.72	\$ 312,132.49	\$ 433,191.37	\$ 849,443.49	\$ 416,252.12
15	100%	\$ 54,758.86	\$ 68,721.19	\$ 318,375.14	\$ 441,855.20	\$ 866,432.36	\$ 424,577.16
16	100%	\$ 55,854.04	\$ 70,095.62	\$ 324,742.64	\$ 450,692.30	\$ 883,761.01	\$ 433,068.70
17	100%	\$ 56,971.12	\$ 71,497.53	\$ 331,237.50	\$ 459,706.15	\$ 901,436.23	\$ 441,730.08
18	100%	\$ 58,110.54	\$ 72,927.48	\$ 337,862.25	\$ 468,900.27	\$ 919,464.95	\$ 450,564.68
19	100%	\$ 59,272.76	\$ 74,386.03	\$ 344,619.49	\$ 478,278.28	\$ 937,854.25	\$ 459,575.97
20	100%	\$ 60,458.21	\$ 75,873.75	\$ 351,511.88	\$ 487,843.84	\$ 956,611.33	\$ 468,767.49
21	100%	\$ 61,667.38	\$ 77,391.23	\$ 358,542.12	\$ 497,600.72	\$ 975,743.56	\$ 478,142.84
22	90%	\$ 68,944.83	\$ 86,524.28	\$ 400,854.19	\$ 556,323.30	\$ 995,258.43	\$ 438,935.13
23	80%	\$ 76,488.72	\$ 95,991.69	\$ 444,715.34	\$ 617,195.75	\$ 1,015,163.60	\$ 397,967.85
24	70%	\$ 84,306.79	\$ 105,803.20	\$ 490,170.58	\$ 680,280.57	\$ 1,035,466.87	\$ 355,186.31
25	60%	\$ 92,406.98	\$ 115,968.76	\$ 537,266.15	\$ 745,641.90	\$ 1,056,176.21	\$ 310,534.31
26	50%	\$ 100,797.46	\$ 126,498.63	\$ 586,049.48	\$ 813,345.57	\$ 1,077,299.73	\$ 263,954.17
27	40%	\$ 109,486.59	\$ 137,403.31	\$ 636,569.23	\$ 883,459.13	\$ 1,098,845.73	\$ 215,386.60
28	30%	\$ 118,482.97	\$ 148,693.57	\$ 688,875.35	\$ 956,051.89	\$ 1,120,822.64	\$ 164,770.75
29	20%	\$ 127,795.41	\$ 160,380.48	\$ 743,019.09	\$ 1,031,194.99	\$ 1,143,239.10	\$ 112,044.11
30	10%	\$ 137,432.96	\$ 172,475.40	\$ 799,053.03	\$ 1,108,961.38	\$ 1,166,103.88	\$ 57,142.50
TOTAL		\$ 1,986,160.05	\$ 2,492,588.03	\$ 11,547,792.11	\$ 16,026,540.19	\$ 26,638,925.55	\$ 10,612,385.36