

Onondaga County Industrial Development Agency



Project Summary

12/20/2021

| | | | |
|-------------------------|------------------------------|---------------------------|--------------------------------------|
| 1. Project | CVE US E14 North, LLC | 2. Project Number | 3101-21-16A |
| 3. Location | Manlius | 4. School District | Fayetteville-Manlius School District |
| 5. Tax Parcel(s) | 099.-01-03.0 | 6. Project Type | Solar new construction |

0

| | | | | |
|---|----|------------------|----------------------|---|
| 7.Total Project Cost | \$ | 3,450,000 | 8. Total Jobs | 0 |
| Land | \$ | 500,000 | 8A. Job Retention | 0 |
| Site Work | \$ | 1,000,000 | 8B: Job Creation | 0 |
| Building | \$ | | (Next 5 Years) | |
| Furniture & Fixtures | \$ | - | | |
| Equipment | \$ | 1,500,000 | | |
| Equipment Subject to NYS Production Exemption | \$ | - | | |
| Engineering/Architecture Fees | \$ | 250,000 | | |
| Financial Charges | \$ | 150,000 | | |
| Legal Fees | \$ | 50,000 | | |
| Other- Solar Installation Labor | \$ | - | | |

Cost Benefit Analysis

CVE US E14 North, LLC

Fiscal Impact (\$)

| | | |
|------------------------------|----|------------------|
| Abatement Cost | \$ | 158,700 |
| Sales Tax | \$ | 138,000 |
| Mortgage Tax | \$ | 20,700 |
| Property Tax Relief (PILOT) | \$ | - |
| New Investment | \$ | 5,299,250 |
| PILOT Payments | \$ | - |
| Project Wages (10 years) | \$ | - |
| Construction Wages | \$ | 1,813,750 |
| Employee Benefits (10 years) | \$ | - |
| Project Capital Investment | \$ | 3,450,000 |
| New Sales Tax Generated | | |
| Agency Fees | \$ | 35,500 |

Project Description

CVE USI4 Manlius West, LLC are proposing to construct a 1.5MW solar array on 20 acres of land in the Town of Manlius.

Benefit:Cost Ratio

33 :1

January 4th, 2022

Onondaga County IDA
333 W. Washington St, Suite 130
Syracuse, NY 13202

RE: OCIDA Benefits Application - Section VI: For Solar Projects Only

Dear OCIDA,

Please see the response from CVE US E14 Manlius North, LLC regarding Section VI: For Solar Projects Only of the OCIDA Application.

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]

Incentives from NYSEERDA for renewable energy projects have drastically dropped over the past few years and more recently construction costs have increased ~10%. The project needs financial assistance from the Agency or the viability of the project is in jeopardy. The project will bring Tremendous environmental benefits, including removing millions of pounds of carbon from the electricity grid. The project will deliver millions of dollars of energy savings for ~1,000 local residents over a 25 year period. The project will contribute 1.5MWac towards the State's goal of 6 GW of distributed solar by 2025. A Host Community Benefit Agreement for the Town of Manlius has been negotiated and approved.

2. Is the applicant leasing the property?

☐ Yes, please provide a copy of the lease

☒ No, purchased the property. Please provide documentation.

3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?

☒ Yes

☐ No

4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?

☐ Yes. Please provide copy.

☒ No: a 487 PILOT agreement between the project and the Town has been approved and will be executed.

5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
2. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at nancylowery@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete Application consists of the following 9 items:
 - This Application
 - Local Access Agreement
 - Employment Plan
 - Conflict of Interest
 - A feasibility statement indicating the need for the requested benefits
 - Description of Project, Site Plans/Sketches, and Maps
 - NYS Full Environmental Assessment Form
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500
9. This Application was adopted by the OCIDA Board on September 14, 2021.

It is the policy of the Agency that any project receiving benefits from the Onondaga County Industrial Development Agency will utilize 100% local contractors and local labor for the construction period of the project unless a waiver is granted in writing by the Agency.

Return to:

Onondaga County Industrial Development Agency
Attn: Nancy Lowery
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nancylowery@ongov.net

Section I: Applicant Information

Please answer all questions. Use “None”, “Not Applicable” and “See Attached” where necessary.

Submittal Date: _____

A) Applicant/Project Operator information (company receiving benefits):

Applicant/Project Operator: _____

Applicant/ Project Operator Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

Owner (if different from Applicant/Project Owner): _____

Owner Address: _____

Federal ID#: _____

State and Year of Incorporation/Organization: _____

List of stockholders, members, or partners of Owner:

B) Individual Completing Application:

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

C) Company Contact (if different from individual completing application):

Name: _____

Title: _____

Address: _____

Phone: _____ Cell Phone: _____

E-mail: _____

D) Company Counsel:

Name of Attorney: _____

Firm Name: _____

Address: _____

Phone: _____ Cell Phone: _____

E-mail: _____

E) Business Organization (check appropriate category):

☐ Corporation

☐ Partnership

☐ Public Corporation

☐ Joint Venture

☐ Sole Proprietorship

☐ Limited Liability Company

☐ Other (please specify): _____

Year Established: _____

State in which Organization is established: _____

F) List all stockholders, members, or partners with % of ownership greater than 5%:

Name

% of ownership

G) Applicant Business Description:

Please attach a description of your Company's background, products, customers, goods and services.

Estimated % of sales within Onondaga County: _____

Estimated % of sales outside Onondaga County but within New York State: _____

Estimated % of sales outside New York State but within the U.S.: _____

Estimated % of sales outside the U.S.: _____

(*Percentage to equal 100%)

H) Applicant History: If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation? ☐ Yes ☐ No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐ Yes ☐ No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy?
Please attach any explanations. ☐ Yes ☐ No

I) Has the Project Beneficiary received assistance from OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past? If yes please attach an explanation and please give year, project name, and description of benefits and address of project.

☐ Yes ☐ No

Section II: Project and Site Information

A) Project Location: Location where the investment will take place. If Company is moving, the new location should be entered here and the current location should be in Section I.

Address: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Current Assessed Value: _____ Footage of Existing Building: _____

Census Tract: _____

B) Type (Check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> New construction | <input type="checkbox"/> Purchase of machinery and/or equipment |
| <input type="checkbox"/> Expansion/Addition to current facilities | <input type="checkbox"/> Brownfield/Remediated Brownfield |
| <input type="checkbox"/> Renovation of existing facility | <input type="checkbox"/> LEED Certification |
| <input type="checkbox"/> Housing Project | <input type="checkbox"/> Demolition and Construction |
| <input type="checkbox"/> Renewable Energy Project | <input type="checkbox"/> Acquisition of existing facility/property |
| <input type="checkbox"/> Retail | <input type="checkbox"/> Other: |

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

* For a Retail Project (also see page 14)

* For a Renewable Energy Project (also see page 15)

* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to:

- ☐ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☐ (ii) the size of the lot upon which the Project sits or is to be constructed;
- ☐ (iii) the current use of the site and the intended use of the site upon completion of the Project;

- ☐ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site;
- ☐ (v) please describe your method for site control (Own, lease, other).

E) Select Project type for all end users at Project site (you may check more than one):

**Please check any and all end users as identified below

- | | |
|--|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Bank Office |
| <input type="checkbox"/> Acquisition of Existing Facility | <input type="checkbox"/> Retail (see page 14) |
| <input type="checkbox"/> Housing Project (see page 17) | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Equipment Purchase | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Multi-Use Tenant | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project (see page 15) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Commercial | |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) For the Agency to consider this Project, please provide the following information:

1. Does the Project consist of new construction or expansion or substantial renovation of an existing facility?
☐ Yes ☐ No
2. Will the Project create new employment opportunities or retain existing jobs that may otherwise be lost?
☐ Yes ☐ No
3. Does the Project beneficiary serve a customer base primarily outside of Onondaga County?
☐ Yes ☐ No

H) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☐ No

I) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?

☐ Yes. What is the status? ☐ No. When will the plans be submitted?

2. Has the project received site plan approval from the town or local planning board?

☐ Yes ☐ No

3. If no, what is the anticipated approval date? _____

4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)

5. Environmental Information

a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>

b. Have any environmental issues been identified on the property?

☐ Yes ☐ No

If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

| Description of Costs | Total Budget Amount | % of Total Budget to be Procured in Onondaga County | Total Private Expenditure (should be less than or equal to total budget amount) |
|------------------------------------|---------------------|---|---|
| Land Acquisition | | | |
| Site Work/Demo | | | |
| Building Construction & Renovation | | | |
| Furniture & Fixtures | | | |
| Equipment | | | |
| Engineering/Architect | | | |
| Financial Charges | | | |
| Legal | | | |
| Other | | | |
| Management/Developer Fees | | | |
| Total Project Cost | | | |

Note: Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.

B) TOTAL Capital Costs \$ _____

Project refinancing: estimated amount
(for refinancing of existing debt only) \$ _____

Sources of Funds for Project Costs:

1. Bank Financing \$ _____
2. Equity (excluding equity that is attributed to grants/tax credits) \$ _____
3. Tax Exempt Bond Issuance (if applicable) \$ _____
4. Taxable Bond Issuance (if applicable) \$ _____

5. Public Sources (Include sum total of all state and federal grants and tax credits) \$ _____

-Identify each state and federal grant/credit:

_____ \$ _____
 _____ \$ _____
 _____ \$ _____

6. Total Sources of Funds for Project Costs \$ _____

C) Employment and Payroll Information

*Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

1. Are there people currently employed at the project site?
☐ Yes ☐ No If yes, provide number of FTE jobs at the facility: _____

2. Complete the following:

| | |
|--|--|
| Estimate the number of FTE jobs to be retained as a result of this Project: | |
| Estimate the number of construction jobs to be created by this Project: | |
| Estimate the average length of construction jobs to be created (months): | |
| Current annual payroll at facility: | |
| Please list, if any, benefits that will be available to either full and/or part time employees: | |
| Average annual benefit paid by the company (\$ or % salary) per FTE job: | |
| Amount or percent of wage employees pay for benefits: | |
| Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs: | |

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.
- ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Please use this chart to illustrate the current employment:

| Job Title/Category | Current Annual Pay | Current Employment (FTE) |
|--------------------|--------------------|--------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

Please use this chart to illustrate the projected employment growth:

| Job Title/Category | Current Annual Pay | Jobs Created Year 1 | Jobs Created Year 2 | Jobs Created Year 3 |
|--------------------|--------------------|---------------------|---------------------|---------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the Project.

E) Financial Assistance sought (estimated values):

- ☐ Real Property Tax Abatement (PILOT): _____
- ☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): _____
- ☐ Sales and Use Tax Exemption (4% Local, 4% State): _____
- ☐ Tax Exempt Bond Financing (Amount Requested): _____
- ☐ Taxable Bond Financing (Amount Requested): _____

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/
bridge financing): \$ _____

Estimated Mortgage Recording Tax Exemption Benefit (product of
mortgage amount as indicated above, multiplied by .0075): \$ _____

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax – said amount to benefit from the Agency’s Sales and Use Tax exemption benefit:

\$ _____

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ _____

Section IV: Estimate of Real Property Tax Abatement Benefits

Section IV of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

A) PILOTS Estimate Table Worksheet

| | |
|---|--|
| OCIDA estimate of current value | |
| New construction and renovation costs | |
| OCIDA estimate of increase in value | |
| OCIDA estimated value of completed project | |
| OCIDA estimate of taxes that would have been collected if the project did not occur | |
| Scheduled PILOT payments | |

| PILOT Year | Exemption % | County PILOT Amount | Local PILOT Amount | School PILOT Amount | Total PILOT | Full Tax Payment w/o PILOT | Net Exemption |
|------------|-------------|---------------------|--------------------|---------------------|-------------|----------------------------|---------------|
| 1 | 100 | | | | | | |
| 2 | 90 | | | | | | |
| 3 | 80 | | | | | | |
| 4 | 70 | | | | | | |
| 5 | 60 | | | | | | |
| 6 | 50 | | | | | | |
| 7 | 40 | | | | | | |
| 8 | 30 | | | | | | |
| 9 | 20 | | | | | | |
| 10 | 10 | | | | | | |
| TOTAL | | | | | | | |

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff.

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?
☐Yes ☐No
2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) a poverty rate of a least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.
☐Yes ☐No
3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?
☐Yes ☐No
4. Is the predominate 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 Town, City, County or Village of where the Project will be located.
☐Yes ☐No

SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?
 - ☐ Yes, please provide a copy of the lease
 - ☐ No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - ☐ Yes
 - ☐ No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?
 - ☐ Yes. Please provide copy.
 - ☐ No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - ☐ Yes. Please provide copy.
 - ☐ No
6. Is the entire parcel being used for the solar project?
 - ☐ Yes
 - ☐ No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: _____
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - ☐ Yes, explain.
 - ☐ No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR BEST PRACTICES*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

Section VIII: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency.**

In consideration of the extension of financial assistance by the Agency CVE US E14 Manlius North LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 01/03/22 (date).

Company: CVE US E14 Manlius North LLC

Representative for Contract: David Froelich

Address: 109 W 27th St City: New York State: NY Zip: 10001

Phone: 914-847-0043 Email: david.froelich@cvegroup.com

Project Address: 8107 East Seneca Turnpike City: Manlius State: NY Zip: 13104

General Contractor: TBD

Contact Person: TBD

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Authorized Representative: David Froelich Title: Director of Business Development

Signature: David Froelich

Section IX: Agency Fee Schedule

- * Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

| ACTIVITY | FEES | COMMENTS |
|---|--|----------------------------|
| Non- refundable Application Fee | \$1,000 | Due at time of application |
| Legal Deposit | \$2,500 | Due at time of application |
| Minimum Fee of 1% of TPC | | |
| 1. Sales and Use Tax Exemption | .01 X TPC | Due at closing |
| 2. Mortgage Recording Tax | | |
| 3. PILOT is an additional fee | .0025 X TPC (total .0125) | |
| Bonds Bond refinancing and refunding | .0025 of TPC | Due at closing |
| Agency Legal Fees | | |
| Fee for first \$20 million | .0025 X of the project cost or bond amount | Due at closing |
| Fee for expenses above \$20 million | .00125 X of project cost or bond amount | |

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

Information to be Provided by Companies: Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.

Name of Applicant Company

CVE US EI4 Manlius North, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XI: Conflict of Interest

Agency Board Members

1. Patrick Hogan, Chairperson
2. Janice Herzog, Vice Chairperson
3. Steve Morgan, Director
4. Victor Ianno, Director
5. Sue Stanczyk, Director
6. Kevin Ryan, Director
7. Fanny Villarreal, Director

Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Nancy Lowery, Secretary
4. Karen Doster, Recording Secretary
5. Christopher Cox, Assistant Treasurer

Agency Legal Counsel & Auditor

1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company

CVE US E14 Manlius North, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XII: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (name of corporation or other entity) named in the attached Application (the “Applicant”), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will 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 plants or facilities of the project occupant within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, “Employment Reports”) that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.

- F. Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.
- G. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- H.** The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would 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 plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- I.** The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.
- J.** The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.
- K.** The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- L.** The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

- M. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- N. **Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, 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 Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company:

CVE US E14 Manlius North, LLC

Signature of Officer or Authorized Representative:

David Froelich

Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

STATE OF ~~NEW YORK~~ CONNECTICUT)

COUNTY OF ~~ONONDAGA~~ FAIRFIELD) ss.;

DAVID FROELICH

, being first duly sworn, deposes and says:

1. That I am the Director (Corporate Officer) of CVE US E14 MANLIUS ^{NORTH} LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant. DF
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of
perjury this 13th day of 1, 20 22.

(Notary Public)

End of Application

Rev 8.5.21

☐ Yes. Please provide copy.

☒ No: a 487 PILOT agreement between the project and the School District has been approved and will be executed.

6. Is the entire parcel being used for the solar project?

☐ Yes

☒ No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain:

A SUP of our proposed site plan and subdivision has been received from the Town of Manlius.

7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?

☒ Yes, explain. Yes, a decommissioning plan has been filed and approved by the Town of Manlius.

☐ No

Sincerely,
Carson Weinand
Senior Business Developer
Carson.weinand@cvegroup.com
239-784-8080

December 15th, 2021

Onondaga County IDA
333 W. Washington St, Suite 130
Syracuse, NY 13202

RE: OCIDA Benefits Application - Section VI: For Solar Projects Only

Dear OCIDA,

Please see the response from CVE US E14 Manlius North, LLC regarding Section VI: For Solar Projects Only of the OCIDA Application.

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]

Incentives from NYSEERDA for renewable energy projects have drastically dropped over the past few years. The project needs financial assistance from the Agency or the viability of the project is in jeopardy. The project will bring Tremendous environmental benefits, including removing millions of pounds of carbon from the electricity grid. The project will deliver millions of dollars of energy savings for ~1,000 local residents over a 25 year period. The project will contribute 5MWac towards the State's goal of 6 GW of distributed solar by 2025. A Host Community Benefit Agreement for the Town of Manlius has been negotiated and approved.

2. Is the applicant leasing the property?

☐ Yes, please provide a copy of the lease

☒ No, purchased the property. Please provide documentation.

3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?

☒ Yes

☐ No

4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?

☐ Yes. Please provide copy.

☒ No: a 487 PILOT agreement between the project and the Town has been approved and will be executed.

5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?

☐ Yes. Please provide copy.

☒ No: a 487 PILOT agreement between the project and the School District has been approved and will be executed.

6. Is the entire parcel being used for the solar project?

☐ Yes

☒ No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain:

A SUP of our proposed site plan and subdivision has been received from the Town of Manlius.

7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?

☒ Yes, explain. Yes, a decommissioning plan has been filed and approved by the Town of Manlius.

☐ No

Sincerely,
Carson Weinand
Senior Business Developer
Carson.weinand@cvegroup.com
239-784-8080

December 15th, 2021

Onondaga County IDA
333 W. Washington St, Suite 130
Syracuse, NY 13202

RE: OCIDA Benefits Application - Section II, D: Description of Project

Dear OCIDA,

Please see the response from CVE US E14 Manlius North, LLC regarding Section II, D: Description of Project of the OCIDA Application.

☒ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;

- 20 acres, 1.5MWac

☒ (ii) the size of the lot upon which the Project sits or is to be constructed;

- 50 acres (to be subdivided from existing 225 acre parcel)

☒ (iii) the current use of the site and the intended use of the site upon completion of the Project;

- Current use of the site is an agricultural farm. The intended use of the site is solar renewable energy facility.

☒ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site;

- The generation of solar electricity.

☐ (v) please describe your method for site control (Own, lease, other).

- Purchase and Sale Agreement.

Sincerely,
Carson Weinand
Senior Business Developer
Carson.weinand@cvegroup.com
239-784-8080

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

Agency Use Only [If applicable]

Project :
 Date :

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

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

Tips for completing Part 2:

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

| 1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> | | | | <input type="checkbox"/> NO | <input 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 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 checked="" 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) <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</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. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input checked="" 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) <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</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 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. | D2a, D2h | <input 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"/> |

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

| 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 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 development in a designated floodway. | E2i | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in development within a 100 year floodplain. | E2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in development within a 500 year floodplain. | E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in, or require, modification of existing drainage patterns. | D2b, D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may change flood water flows that contribute to flooding. | D2b, E2i, E2j, E2k | <input 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 type="checkbox"/> | <input type="checkbox"/> |

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

| 6. Impacts on Air The proposed action may include a state regulated air emission source. (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> | | | |
|---|--|--|--|
| | <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. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane | D2g D2g D2g D2g D2g D2h | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour. | D2f, D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour. | D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</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 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 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 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 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 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.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</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 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. | E1 a, 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 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. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource. | E3h | <input checked="" 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 checked="" 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 checked="" type="checkbox"/> <input checked="" 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 checked="" type="checkbox"/> <input checked="" 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input checked="" 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"/> |
| If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3: | | | |
| i. The proposed action may result in the destruction or alteration of all or part of the site or property. | E3e, E3g, E3f | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. The proposed action may result in the alteration of the property's setting or integrity. | E3e, E3f, E3g, E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting. | E3e, E3f, E3g, E3h, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |

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

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

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

☒ NO

☐ YES

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 type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action will degrade existing transit access. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may alter the present pattern of movement of people or goods. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ | | <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.
(See Part 1. D.2.k)

☒ NO

☐ YES

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

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action will require a new, or an upgrade to an existing, substation. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use. | D1f, D1q, D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. | D1g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other Impacts: _____ | | <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.
(See Part 1. D.2.m., n., and o.)

☒ NO

☐ YES

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

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

| | | | |
|---|----------|--------------------------|--------------------------|
| d. The proposed action may result in light shining onto adjoining properties. | D2n | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input 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 I.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 type="checkbox"/> | <input type="checkbox"/> |
| b. The site of the proposed action is currently undergoing remediation. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health. | D2t | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action involves construction or modification of a solid waste management facility. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may result in the unearthing of solid or hazardous waste. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. | D2r, D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste. | E1f, E1g E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures. | E1f, E1g | <input type="checkbox"/> | <input type="checkbox"/> |
| l. The proposed action may result in the release of contaminated leachate from the project site. | D2s, E1f, D2r | <input type="checkbox"/> | <input type="checkbox"/> |
| m. Other impacts: _____ _____ | | <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.)

☒ NO

☐ YES

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

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s). | C2, C3, D1a E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%. | C2 | <input 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)

☐ NO

☒ YES

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

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

PRINT FULL FORM

Project : Date :

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.

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 _____ 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:

Name of Lead Agency:

Town of Marlton

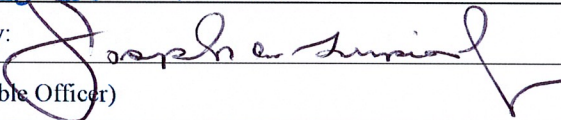
Name of Responsible Officer in Lead Agency:

Joseph Lupia

Title of Responsible Officer:

Planning Board Chairman

Signature of Responsible Officer in Lead Agency:



Date: 10-25-21

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

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>

PRINT FULL FORM

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
October 25, 2021**

APPROVED

The Town of Manlius Planning Board hybrid meeting in-person and virtual live streaming with Chairperson Joseph Lupia presiding and the following members present: Fred Gilbert, Ann Kelly, Mike LeRoy, Arnie Poltenson, Richard Rossetti and Valerie Beecher. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

Also, Present: Carson Weinand, William T. Adams, E. Merriam, Jeff Miller and Craig Polhamus, Matt Napierala, Michael Pettinato, Ed Keplinger, Gerry Gould and Dave Stoner.

The Pledge of Allegiance was recited.

Minutes

Member LeRoy made a motion, seconded by Member Rossetti and carried unanimously to approve the minutes of September 27, 2021.

Harrington Homes - 3848 Henneberry Road, Jamesville, NY 13078

2nd Presentation - 34 Lot Subdivision & Site Plan – Harrington Homes at

Brandywine - Brandywine off of Henneberry Road

Tax Map # 109.-02-07.1

Matt Napierala and Michael Pettinato were present, and Dave Stoner was virtual to discuss the application. Mr. Napierala explained to the Board that this is a 34-Lot Subdivision. Last time they were in front of the Planning Board the Board was concerned with the water supply and the well water service, there were several issues and concerns. Mr. Napierala showed a power point presentation. He stated that test wells were drilled and Mr. Stoner over saw the project.

Conversation ensued regarding wells, sewers, water supply and where the water is going to be discharged.

Mr. Stoner spoke in regards to the pumping tests; the water supply is adequate and should not be an issue. The wells will be more than appropriate for individual homes.

Mr. Gerry Gould, Hydrologist, spoke about the background of the bedrock in the area; he is concerned about the wells/depths. (*memo on file in the Planning and Development Office*). Concerns about protection of the water.

Member Rossetti asked if this subdivision is approved and half-way through development, the lots are dry and when drilling the well, no water is there, what is done

then? Mr. Gould said you could possibly drill deeper, but if you dig deeper you could run into sulfur, you could treat that water.

Chairman Lupia stated that the Board is still missing a few items needed to keep the project moving. They are as follows: The final sewer approval from the County and the final SWPPP. Mr. Napierala said that they were hoping to get direction from the Board about the well source and water; the engineering plans need to be caught up, as far as stormwater; the plans need to be cleaned up a bit as far as, grading plan, the road profiles did not change.

Per the Applicant, the Board tabled the application until November 22, 2021, to give them more time to complete information regarding the project.

Keplinger Freeman Associates - 6320 Fly Road, East Syracuse, NY 13057
2nd Presentation – Site Plan and Subdivision – New Dental Office – 8195
Cazenovia Road, Manlius, NY 13104 Tax Map # 114.00-01-15.10

Ed Keplinger and Craig Polhamus were present to discuss the application. Mr. Keplinger explained to the Board that since the last meeting more parking has been added to the plan. Lot A will have 57 parking spaces and Lot B will have 20 parking spaces.

Jeff Miller, owner of the Millstone Building, spoke about the number of cars on a daily basis at the Millstone Building. He stated that there are about 18 cars per day on average. Conversation ensued regarding cars and parking.

Mr. Keplinger stated that he received a memo (*on file in the Planning and Development Office*) from Engineer Doug Miller regarding the new dental office earlier in the day and would like to go over it with the Board tonight.

Member Rossetti asked Engineer Miller if there was a need to do a SWPPP for each lot. Engineer Miller said that it was his recommendation to do a joint SWPPP for both lots.

The Board tabled the application until the November 8, 2021, meeting.

William T. Adams – 7145 Ferstler Road, Kirkville, NY 13082
Initial Presentation – 2 Lot Subdivision – 7063 Ferstler Road, Kirkville, 13082
Tax Map # 042.-01-21.1

William Adams was present to discuss his project. Mr. Adams told the Board that he would like to subdivide the 2 lots that he bought at auction.

Chairman Lupia stated that in order to meet the Town Code for Road Frontage. Mr. Adams said yes, he was already informed that he would have to go to the ZBA for variances.

Chairman Lupia stated that Lot 1 will need a Road Frontage Variance and a Lot Area variance. Lot 2 will need a Road Frontage variance.

The Board sent the Applicant to the Zoning Board of Appeals for 3 variances.

CVE North America, Inc. 109 W. 27th Street, New York, NY 10001

Discussion - Subdivision/Site Plan/Special Use Permit

Solar Array - Duquid Road, Manlius, NY 13104

Tax Map # 099.-01-03

Carson Weinand was present to discuss the project.

Chairman Lupia stated that in the Town of Manlius there is a statute relative to saturation, it's the 1-mile radius from any existing Solar Array.

Member Rossetti made a motion, seconded by Member Poltenson and carried. Member Rossetti said that these 3 solar arrays are so well hidden that the 1-mile radius should not be an issue and the solar arrays will not adversely affect the character of the community. Member Kelly recused herself.

Attorney Sutphen reviewed Part 2 of the EAF with the Board and the Board agreed that the action would have no, or a small impact on the environment. The EAF was filled out accordingly. Conversation ensued regarding the animals and wildlife in the area, like the brown bat. Member Kelly recused herself.

Member Poltenson made a motion, seconded by Member Beecher and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF. Member Kelly recused herself.

Member Rossetti is concerned about what the Town will get out of these solar projects, the PILOT Agreement (payment in lieu of taxes) and the Community Host Agreement are ways for the Town to get money. He asked why the Planning Board was approving these projects before the Board knew what the agreements dictated. The answer was it was none of his business, its between the Town Board and the Applicant. Member Poltenson stated that the Town Board has decided that the PILOT will be negotiated by OSIDA, and we have nothing to do with setting the rates or terms, it's out of the Planning Boards hands. Chairman Lupia said that he has been informed by the Town Board Attorney that there is an agreement in place, and they have come to terms, the agreement is extremely favorable to the Town of Manlius and although we don't know the details, it is none of the Boards business.

Lot 1 – is not affected by this application.

Lot 2 is as follows: Attorney Sutphen reviewed the Special Permit Criteria with the Board. Will the project have an adverse effect on adjacent lands, the immediate neighborhood or on the character of the community is the ultimate question and these are the questions the Board must answer:

1. Is the community protected from traffic congestion conflicts, flooding and

- excessive soil erosion? The Board said yes.
2. Is the community protected from unnecessary noise, lighting and odors? The Board said yes.
 3. Does this plan protect the community from inappropriate design and other matters of significance? The Board said yes.
 4. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes.
 5. Can any adverse impact be mitigated with compliance with reasonable conditions? The Board said yes.
 6. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Member Beecher made a motion, seconded by Member Poltenson and carried to approve the Special Use Permit with the following conditions: The Special Use Permit is good for 15 years to expire October 25, 2036; The applicant has 1 year to pull a building permit; the project must be completed 2 years from the date of the issuance of the building permit. Member Kelly recused herself.

Lot 3 is as follows: Attorney Sutphen reviewed the Special Permit Criteria with the Board. Will the project have an adverse effect on adjacent lands, the immediate neighborhood or on the character of the community is the ultimate question and these are the questions the Board must answer:

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion? The Board said yes.
2. Is the community protected from unnecessary noise, lighting and odors? The Board said yes.
3. Does this plan protect the community from inappropriate design and other matters of significance? The Board said yes.
4. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes.
5. Can any adverse impact be mitigated with compliance with reasonable conditions? The Board said yes.
6. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Member Rossetti made a motion, seconded by Member Beecher and carried to approve the Special Use Permit with the following conditions: The Special Use Permit is good for 15 years to expire October 25, 2036; The applicant has 1 year to pull a building permit; the project must be completed 2 years from the date of the issuance of the building

permit. Member Kelly recused herself.

Lot 4 is as follows: Attorney Sutphen reviewed the Special Permit Criteria with the Board. Will the project have an adverse effect on adjacent lands, the immediate neighborhood or on the character of the community is the ultimate question and these are the questions the Board must answer:

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion? The Board said yes.
2. Is the community protected from unnecessary noise, lighting and odors? The Board said yes.
3. Does this plan protect the community from inappropriate design and other matters of significance? The Board said yes.
4. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes.
5. Can any adverse impact be mitigated with compliance with reasonable conditions? The Board said yes.
6. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Member LeRoy made a motion, seconded by Member Rossetti and carried to approve the Special Use Permit with the following conditions: The Special Use Permit is good for 15 years to expire October 25, 2036; The applicant has 1 year to pull a building permit; the project must be completed 2 years from the date of the issuance of the building permit. Member Kelly recused herself.

Member Poltenson made a motion, seconded by Member Rossetti and carried to approve the Subdivision Map date April 23, 2021 (*please see the resolution attached*) for Lots 2, 3 and 4. Member Kelly recused herself.

Member LeRoy made a motion, seconded by Member Gilbert and carried to approve the Site Plan (*please see the resolution attached*) for Lots 2, 3, and 4. Member Kelly recused herself.

Other Business

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 8:46 pm.

Respectfully submitted,
Lisa Beeman, Clerk

**IN THE MATTER application of CVE US E15
MANLIUS, LLC, CVE US E16 MANLIUS WEST, LLC,
and CVE US E14 MANLIUS NORTH, LLC**

For

**Site Plan Approval and Special Permit Pursuant
to Chapter 155, Section 155-12 and 155-27 of the
Town of Manlius Code and Subdivision pursuant
to Chapter 127 of the Town of Manlius Code**

**Resolution for recommendation
on Special Permit, Site Plan
Approval and Subdivision
Approval**

The PLANNING BOARD OF THE **TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 25th day of October at 6:30 p.m. and the following were present, namely:

Joseph Lupia, Chairperson

Fred Gilbert, Member

Ann Kelly, Member

Valerie Beecher, Member

Mike LeRoy, Member

Richard Rossetti, Member

Arnie Poltenson, Member

The following resolutions were moved, seconded and adopted with the following vote:

yes Joseph Lupia, Chairperson

yes Fred Gilbert, Member

recusal Ann Kelly, Member

yes Valerie Beecher, Member

yes Mike LeRoy, Member

yes Richard Rossetti, Member

yes Arnie Poltenson, Member

WHEREAS, CVE US E15 MANLIUS, LLC, CVE US E16 MANLIUS WEST, LLC, and CVE US E14 MANLIUS NORTH, LLC (collectively the “Applicants” or the “Companies”), have applied to the to construct a 15 MW (AC) ground-mounted solar energy system on 89.2 acres of a vacant 240.8-acre parcel in a Restricted Agriculture (RA) zoning district requiring Special Permit, Site Plan Approval and Subdivision Approval for division of the parcel into four new lots. There will be three proposed solar array areas, one each on proposed Lots 2, 3, and 4 and each enclosed by a chain with the entire solar energy system will have 35,256 panels and provide 15 MW of energy. The three separate Solar arrays on land intended to be subdivided into separate off of tax map number 99-1-3 being 240+/- total acres in the Town, and as more particularly described in the Application of the Applicant dated February 10, 2021, and as thereafter modified and supplemented (collectively all three solar farms hereinafter referred to as the “Project”).

WHEREAS, the Planning Board has been reviewing the Project and has held public hearings on both the Site Plan Application, Special Permit Application and Subdivision Application, and said Public Hearings have been completed and Closed;

WHEREAS, there was a delay in processing the Applications while the Town Board considered a moratorium on the construction of solar farms in the Town;

WHEREAS, the Town Board ultimately determined not to impose a moratorium and indicated that the Planning Board was in the best position to determine the size, scope and

placement of solar farms in the Town under the existing Solar Photovoltaic Energy Systems Law (the "Solar Farm Law");

WHEREAS, this Board determined at its October 11, 2021 Planning Board meeting that the Project does, in fact, consist of 3 separate Solar arrays, and

WHEREAS, this Board made a SEQRA determination with respect to this Project dated October 25, 2021, and determined that the Project had no significant negative environmental impacts, and therefore issued a negative declaration, and

WHEREAS, in order to make determinations on Site Plan, Special Use Permit and Subdivision, this Board, must as a threshold matter, make a determination as to whether the concerning the saturation of the solar arrays pursuant to Solar Farm Law, Section 155-27.2D.3.b.[19] which states:

Saturation. In considering whether to issue a special use permit, the Planning Board shall consider the proximity of similar large solar energy systems to the one being proposed. In no event shall an LSES be placed within one mile of an existing LSES, without specific findings by the Planning Board that such placement does not adversely affect the community character of the surrounding properties.

NOW THEREFORE This Board make the following findings and determinations:

SOLAR ARRAY SATURATION:

Findings:

The Project consists of three nominally separate solar farms that are within one mile of each other;

1. This Board has carefully considered the "Saturation" issue and for the reasons and findings set forth below and in its SEQRA determination, is of the opinion that the close proximity of the three solar farms to each other does not adversely affect the community character of the surrounding properties, and, in fact, their placement together will have less of an environmental impact than if they were separate project being a mile separated from one another;
2. The development of solar/renewable energy in the Town is a high priority of the Town Board without data and should be encouraged by the Planning Board and is based on the Town Board's recent decision to forego a moratorium on solar farms, it being the strong policy of the Town to encourage the development of renewable energy in the Town, under the right circumstances and the proper environmental review;

3. The three separate solar arrays which are part of this Project are nominally three separate projects and therefore, per Town Code and are required to be one mile apart unless the Board determines with findings that such one-mile separate is not required. In this case, they are owned by common ownership, will be developed by the same contractor, will be operated as one 11.5-megawatt operation and from all appearances will look like one large solar farm;
4. The purpose of the Saturation provision in the Town Code is to ensure, as best as possible, that solar farms do not dominate one neighborhood by being placed at intervals that are too close together and are viewed on both sides of residential developments;
5. The Project site is largely rural or institutional (F-M School) with no residential properties that will be visually impacted by the Project;
6. The fact that the Project is consolidated into one area is actually a positive environmental consideration in this case since if all three solar farms were spread out it would have the potential of impacting more residential neighborhoods;
7. The natural woodland surrounding the Project site provides natural screening to the neighboring properties and the conditions set forth in the site plan will reduce any impacts on the neighborhood, and in fact, the arrays are for all intents and purposes invisible to nearby properties.
8. Based on these findings, the Planning Board has determined that the community character of the neighborhood will not change by the Project and the goals of the Town to encourage renewable energy development will be met by the Project.
9. Through a Payment in Lieu of Taxes and through a Host Community Agreement, the Companies will provide much needed revenue to the Town that would not be provided had the properties remained vacant and undeveloped.
10. NYSERDA has determined that it supports the three separate arrays as, for community solar, 5 megawatts is the largest an array can be, but where several are in close proximity the goal of the community solar is achieved.

Determination:

NOW, THEREFORE BE IT RESOLVED, that the Planning Board hereby determines that:

The close proximity of the three solar farms to each other does not adversely affect the community character of the surrounding properties, and, in fact, their placement together will have less of an environmental impact than if they were separate projects being a mile separated from one another. Further, for the same reasons as set forth above, the proximity of

the Townsend/North Eagle Village solar array project does not demonstrate that is project adversely affects the character of the Community.

SPECIAL USE PERMIT:

Findings:

Whereas, the solar arrays on each of lots 2, 3 and 4 require its own Special Permit, the Special use criterion as set forth in the Town Code is hereby reviewed and as to each of the Lots it is determined as follows, and

Whereas, this Board has reviewed the OCPB determination of May 12, 2021, with respect to the Project;

Whereas, this Board issued a negative SEQRA declaration for the Project;

Whereas each and every finding and determination heretofore set forth in this resolution is incorporated herein;

Whereas the Special use criterion as set forth in the Town Code is hereby reviewed and as to each of the Lots it is determined as follows:

Lot 2:

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution? YES.
2. Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance? YES
3. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? YES
4. Can any adverse impact be mitigated with compliance with reasonable conditions? YES, conditions are set forth in this approval.
5. Does the project conform with the Towns Planning Objective? Yes, This supports the Town Board objective of supporting renewable energy in a responsible way.

Determination:

Considering the within findings, this Board finds that Solar array as proposed on Lot 2 will not have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community, and the Special Permit is therefore Granted, with the following conditions:

- a. All conditions of the Subdivision Approval granted as part of this application are complied with;
- b. The applicant shall fulfill all requirements of Site Plan approval as herein granted;
- c. The Special Permit and use allowed pursuant thereto shall be for a term of fifteen (15) years from the date the Certificate of Completion is issued from the Town for the Project. Nothing herein shall in any manner limit the Town's right to enforce any condition at any time in the case of Non-compliance.
- d. Applicant shall have one year from the date hereof to pull building/construction permit from the Town, and the applicant shall complete the project within two years after pulling the permit, at which time the Certificate of Completion is issued.
- e. The applicant shall comply with all requirements of the Host Community Agreement as entered into between the Town Board and the Applicant.
- f. This Board accepts the modification of the OCPB referral of May 12, 2021, as a condition of this approval as follows: the applicant must contact the New York State Department of Transportation to coordinate requirements for the existing driveway on East Seneca Turnpike, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the state right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Department for review and any mitigation required shall be complied with.
- g. The decommissioning plan for the array shall be approved by the Town Attorney and a cash deposit for the decommissioning shall be deposited by the Applicant with the Town.

Lot 3

- 1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution? YES.
- 2. Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance? YES
- 3. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? YES
- 4. Can any adverse impact be mitigated with compliance with reasonable conditions? YES, conditions are set forth in this approval.
- 5. Does the project conform with the Towns Planning Objective? Yes, This supports the Town Board objective of supporting renewable energy in a responsible way.

Determination:

Considering the within findings, this Board finds that Solar array as proposed on Lot 3 will not have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community, and the Special Permit is therefore Granted, with the following conditions:

- a. All conditions of the Subdivision Approval granted as part of this application are complied with;
- b. The applicant shall fulfill all requirements of Site Plan approval as herein granted;
- c. The Special Permit and use allowed pursuant thereto shall be for a term of fifteen (15) years from the date the Certificate of Completion is issued from the Town for the Project. Nothing herein shall in any manner limit the Town's right to enforce any condition at any time in the case of Non-compliance.
- d. Applicant shall have one year from the date hereof to pull building/construction permit from the Town, and the applicant shall complete the project within two years after pulling the permit, at which time the Certificate of Completion is issued.
- e. The applicant shall comply with all requirements of the Host Community Agreement as entered into between the Town Board and the Applicant.
- f. This Board accepts the modification of the OCPB referral of May 12, 2021, as a condition of this approval as follows: the applicant must contact the New York State Department of Transportation to coordinate requirements for the existing driveway on East Seneca Turnpike, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the state right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Department for review and any mitigation required shall be complied with.
- g. The decommissioning plan for the array shall be approved by the Town Attorney and a cash deposit for the decommissioning shall be deposited by the Applicant with the Town.

Lot 4

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution? YES.
2. Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance? YES
3. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? YES

4. Can any adverse impact be mitigated with compliance with reasonable conditions? YES, conditions are set forth in this approval.
5. Does the project conform with the Towns Planning Objective? Yes, This supports the Town Board objective of supporting renewable energy in a responsible way.

Determination:

Considering the within findings, this Board finds that Solar array as proposed on Lot 4 will not have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community, and the Special Permit is therefore Granted, with the following conditions:

- a. All conditions of the Subdivision Approval granted as part of this application are complied with;
- b. The applicant shall fulfill all requirements of Site Plan approval as herein granted;
- c. The Special Permit and use allowed pursuant thereto shall be for a term of fifteen (15) years from the date the Certificate of Completion is issued from the Town for the Project. Nothing herein shall in any manner limit the Town's right to enforce any condition at any time in the case of Non-compliance.
- d. Applicant shall have one year from the date hereof to pull building/construction permit from the Town, and the applicant shall complete the project within two years after pulling the permit, at which time the Certificate of Completion is issued.
- e. The applicant shall comply with all requirements of the Host Community Agreement as entered into between the Town Board and the Applicant.
- f. This Board accepts the modification of the OCPB referral of May 12, 2021, as a condition of this approval as follows: the applicant must contact the New York State Department of Transportation to coordinate requirements for the existing driveway on East Seneca Turnpike, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the state right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Department for review and any mitigation required shall be complied with.
- g. The decommissioning plan for the array shall be approved by the Town Attorney and a cash deposit for the decommissioning shall be deposited by the Applicant with the Town

SITE PLAN:

Whereas each and every finding and determination heretofore set forth in this resolution is incorporated herein;

Now therefore,

As to each of Lots 2, 3 and 4, the Site Plans are approved with the condition that the Special Use Permit conditions are fulfilled and that all conditions of Subdivision approval are complied with,

SUBDIVISION:

Whereas each and every finding and determination heretofore set forth in this resolution is incorporated herein;

Whereas, this Board has reviewed OCPB referral of May 12, 2021, which found no significant adverse inter-community or county-wide implications;

The Subdivision Plan dated 4/23/2021, as presented, is approved with the following conditions:

The final cross access and easement agreements relating to each of the lots shall be approved by the Planning Board Attorney and shall be filed with Onondaga County Clerk simultaneously with the filing of the subdivision map;


Applicant must file the subdivision map in the Onondaga County Clerk's Office in accordance with the rules of Onondaga County and provide a copy of the stamped filed map with the Town of Manlius Department of Planning and Zoning

I, LISA BEEMAN, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Planning Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 25th day of October, 2021; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 25th day of October, 2021.

DATED: October 25, 2021
 Fayetteville, New York



LISA BEEMAN
Planning Board Clerk of the Town
of Manlius