

There will be a **Joint Meeting**

of the

**Seneca County IDA  
Seneca County EDC  
Seneca County FC**

as follows:

**Thursday**

**March 23, 2023**

**@**

**12:00 P.M.**

**Heroes Conference Room**

One DiPronio Drive

Waterloo NY 13165

The Meeting will also be livestreamed on IDA website at:

<https://www.senecacountyida.org/livestream>

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LOCAL VALUES. FORWARD VISION.

SENECA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

Thursday March 23, 2023  
12:00 P.M

Heroes Conference Room  
One DiPronio Drive  
Waterloo NY 13165.

Agenda

- 1. Approval of IDA Meeting Minutes of February 2, 2023 V \_\_\_\_\_
- 2. Review | Approval of 2022 IDA Annual Audit, IDA Single Audit, Management Letter and Posting to PARIS R \_\_\_\_\_
- 3. Review of Long Term Forecast V \_\_\_\_\_
- 4. Approval of ABO Measurement Report V \_\_\_\_\_
- 5. Discussion and Proposed Approval of IDA Resolution No 2023-10 | Lodi PV LLC Solar Project | Inducement R \_\_\_\_\_
- 6. Discussion and Proposed Approval of IDA Resolution No 2023-11 | Lodi II PV LLC Solar Project | Inducement R \_\_\_\_\_
- 7. Standing Item – Update / Seneca County Chamber of Commerce– Jeff Shipley
- 8. Standing Item – Update / Seneca County Board of Supervisors – Ernie Brownell
- 9. Other Business
- 10. Consideration of Executive Session
- 11. Discussion | Proposed Approval of IDA Resolution No 2023-12 | Acceptance of Willard RFP for Highest and Best Use Study R \_\_\_\_\_

SENECA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY  
MEETING MINUTES

Regular Meeting  
Thursday, February 2, 2023  
12:00 Noon / Heroes Conference Room  
Waterloo, NY 13165

**Attendance:**

Board Members Present: Steven Brusso, Chairman; Bruce Murray; Ernie Brownell; Ralph Lott; Ben Guthrie and Jeff Shipley  
Board Members Absent: Tom Kime and Tom Murray  
Staff Attending: Sarah Davis, Kelly Kline, David Hewitt  
Others Attending: Robert Kernan, CFO; Rob Halpin, The Halpin Law Firm

**Call to Order:**

Chairman Brusso called the meeting to order at 12:04 p.m. A quorum of the Agency's members was present.

**Approval of IDA Meeting Minutes of January 5, 2023**

The minutes of the Agency's meeting of January 5, 2023 had been sent to Board members prior to the meeting. A motion was made by Mr. Bruce Murray to approve the meeting minutes. Seconded by Mr. Guthrie. Motion carried.

**Review of Un-Audited IDA Financial Statements thru December 2022:**

The December 2022 financial statements had been mailed to board members prior to the meeting. Mr. Kernan provided a summary of the financials. It was noted that these financials are un-audited, and approval is not needed as the annual audit of the IDA is in process.

**Committee Appointments for 2023:**

**IDA Governance**

Steve Brusso, Chair  
Thomas Kime  
Bruce Murray  
Tom Murray

**IDA Audit**

Steve Brusso, Chair  
Thomas Kime  
Ben Guthrie

**IDA Finance**

Steve Brusso, Chair  
Thomas Kime  
Ben Guthrie

**Discussion / Approval of IDA Resolution No, 2023-8 / 5S Development LLC Project / Final Resolution:**

The proposed resolution was provided to board members prior to the meeting. 5S Development is seeking approval of a PILOT plus sales and mortgage recording tax exemptions to aid in the transition of ownership and expansion of the business. The estimated total value of the exemptions is \$230,432 over a 15-year period. A cost-benefit analysis for the project showed \$146.21 in benefit to the public for every \$1 in incentives to the company. This project is expected to retain 20 jobs and create 6 direct jobs. IDA staff held a public hearing for the project and no verbal or written comments were received. This resolution was presented as follows:

**RESOLUTION AUTHORIZING THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") TO (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF 5S DEVELOPMENT, LLC (THE "COMPANY"), (ii) NEGOTIATE, EXECUTE AND DELIVER A LEASE AGREEMENT, LEASEBACK AGREEMENT, AGENT AGREEMENT, PAYMENT IN LIEU OF TAX AGREEMENT, AND RELATED DOCUMENTS, (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (a) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (b) A PARTIAL REAL PROPERTY TAX ABATEMENT UNDER A PAYMENT IN LIEU OF TAX AGREEMENT, AND (c) A MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT**

A motion was made by Mr. Guthrie approving Resolution No. 2023-8. Seconded by Mr. Lott. Members Brusso, Brownell, Guthrie, Lott, B. Murray, and Shipley voted "yea". Mr. Kime and Mr. T. Murray were absent. Motion carried.

**Discussion / Approval of IDA Resolution No. 2023-9 / Kanagy Solar Farm LLC Project / Final Resolution:**

The proposed resolution was provided to board members prior to the meeting. Kanagy Solar Farm is a 3MW proposed solar field development in the Town of Romulus. Staff held a public hearing for the project. A copy of the public hearing minutes with comments is made part of the resolution and are attached to these minutes. The cost-benefit analysis for this project showed \$11.08 in benefit to the public for every \$1 in assistance to the company. Approval of the resolution will constitute final IDA approval of the proposed PILOT, sales and mortgage recording tax exemptions (valued at approximately \$618,008). The resolution was presented as follows:

**RESOLUTION AUTHORIZING THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") TO (i) UNDERTAKE A CERTAIN PROJECT (AS DEFINED BELOW) FOR THE BENEFIT OF KANAGY SOLAR FARM LLC (THE "COMPANY"), (ii) NEGOTIATE, EXECUTE AND DELIVER A LEASE AGREEMENT, LEASEBACK AGREEMENT, AGENT AGREEMENT, PAYMENT IN LIEU OF TAX AGREEMENT, AND RELATED DOCUMENTS, (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (a) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (b) A PARTIAL REAL PROPERTY TAX ABATEMENT UNDER A PAYMENT IN LIEU OF TAX AGREEMENT, AND (c) A MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT**

A motion was made by Mr. Lott approving Resolution No. 2023-9. Seconded by Mr. B. Murray. Members Brusso, Brownell, Guthrie, Lott, B. Murray, and Shipley voted "yea". Mr. Kime and Mr. T. Murray were absent. Motion carried.

**Standing Item – Update / Seneca County Chamber of Commerce – Jeff Shipley:**

The Chamber is continuing to help facilitate the One Seneca initiative with weekly meetings every Thursday. The group meets to continue to push the implementation of the Strategic Economic Development Plan. Mr. Shipley noted that the Chamber has an opportunity for a local county property to be featured on NY State's winter TV ad, which would be a great thing for the county. The Chamber is also in the process of redesigning the County's visitors guide. The Annual Chamber dinner was held in February and was a great event. Some items to note are: del Lago was named Business of the Year, The United Way in Seneca County was chosen for a community improvement project, and Casey Galloway owner of CAFÉ 19 was named Business Person of the Year.

**Standing Item – Update / Seneca County Board of Supervisors – Ernie Brownell:**

Town of Waterloo Supervisor, Michael Enslow, was named Chairman of the Board of Supervisors for 2023. He is currently in the process of setting up committee appointments for 2023.

**Other Business:**

**Update on Willard:**

Ms. Davis noted that the deadline for the IDA's RFP request for Highest and Best proposals was Friday January 20<sup>th</sup> and five responses were received. These will be reviewed by the IDA Governance Committee, who will determine which firms we would like to bring in for interviews and any follow up questions. The goal is to have a firm to recommend to the board for approval at our March 23rd meeting.

Also, The Landmark Society of Western New York named Willard as one of its "Five to Revive". While there is no funding specifically tied to that designation, it does lend some credibility and legitimacy which could help in applying for grant funding or other sources of support .

**Executive Session:**

Chairman Brusso requested a motion to enter into Executive Session to discuss the financial, credit or employment history of a particular corporation, or matters leading to the approval of a contract for a particular corporation. A motion was made by Mr. Guthrie at 12:33 pm to enter into executive session. Seconded by Mr. Lott. Motion carried. A motion to come out of executive session at 1:40 pm was made by Mr. Shipley. Seconded by Mr. Brownell. Motion carried.

**Adjournment:**

A motion to adjourn the meeting was made by Mr. Lott at 1:41 pm. Seconded by Mr. B. Murray. Motion carried. The meeting adjourned at 1:41 pm.

The next regular scheduled meeting will be held on **March 23, 2023 at 12:00 Noon**. Respectfully submitted,

Bruce Murray  
Secretary

pc: Amanda Vavra, Clerk to the Board of Supervisors

## New York State Local Public Authority Mission Statement and Measurement Report

**Local Public Authority Name:** Seneca County Industrial Development Agency

**Fiscal Year:** January 1, 2022– December 31, 2022

**Enabling Legislation** (enables Local Public Authority Mission Statement): Industrial development agencies (“IDAs”) are formed under Article 18-A of New York State General Municipal Law, as public benefit corporations. IDAs were created to actively promote, encourage, attract and develop job and recreational opportunities and economically-sound commerce and industry in cities, towns, villages and counties throughout New York State (the “State”). IDAs are empowered to provide financial assistance to private entities through tax incentives in order to promote the economic welfare, prosperity and recreational opportunities for residents of a municipality (“Benefited Municipality”).

**Mission Statement:** Pursuant to the Authority granted by the State of New York, it is the mission of the Seneca County Industrial Development Agency to advance the job opportunities and economic welfare of the people of Seneca County, by actively promoting, encouraging and attracting economically sound commerce, industry and recreational opportunities. The Seneca County Industrial Development Agency will achieve this mission by utilizing the powers granted to it by New York State that provide financial assistance to qualified projects. This assistance can include conduit bond financing, lease/leasebacks, and exemptions from taxation, and support to other organizations with similar missions. The Board and staff of the Seneca County Industrial Development Agency will carry out this mission guided by the tenets of transparency, integrity and accountability.

### **2022 Measurements:**

- 1 Number of projects supported with private capital leveraged**
- 2 Local jobs supported, retained and created**

**Authority Stakeholder(s):** Seneca County Board of Supervisors, Members of the IDA, Seneca County and all municipalities, school districts, businesses, residents and property owners within the County.

**Authority Beneficiaries:** Seneca County and all municipalities and school districts within the County as well as residents and property owners

**Authority Customers:** Owners, Operators and Developers of Industrial, Manufacturing, Warehousing, Commercial, Research and Recreation Facilities.

### **Authority self-evaluation of prior year performance:**

In calendar year 2022 the Seneca County IDA supported 27 active projects, which have leveraged \$590,938,914 of private investment. These projects retained 2,213.26 FTE jobs and 18.50 FTE Construction jobs, of which 836.26 were created as a result of public support leveraging private investment. Job creation is significantly understated due to employee leasing by some employers, and the inability to accurately track the number of jobs at the Waterloo Outlet mall.

## **Governance Certification:**

1. Have the board members acknowledged that they have read and understood the mission of the public authority?

Board of Directors Response: **Yes**

2. Who has the power to appoint management of the public authority?

Board of Directors Response: **Board**

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority.

Board of Directors Response: **The Governance Committee annually reviews management and recommends appointment by the full board of directors.**

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

Board of Directors Response: **The Board of Directors provides oversight and sets strategy, while management performs day-to-day responsibilities to implement the agency's mission.**

5. Has the Board acknowledged that they have read and understood the response to each of these questions?

Board of Directors Response: **Yes**

## **INDUCEMENT RESOLUTION**

*(Lodi PV, LLC Project)*

A meeting of the Seneca County Industrial Development Agency was convened on March 23, 2023.

The following resolution was duly offered and seconded, to wit:

### **Resolution No. 2023 - 10**

**RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF LODI PV, LLC (THE "COMPANY") DATED MARCH 8, 2023 WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) NAMING ITSELF AS LEAD AGENCY UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT, (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH RESPECT TO THE PROJECT, AND (v) AUTHORIZING THE NEGOTIATION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS**

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **LODI PV, LLC**, a New York limited liability company, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of approximately thirty (30) acres of vacant land located at 8999 State Route 414, Town of Lodi (the "Land"), (ii) of solar modules and supportive racking, inverters, transformers and associated wiring and other components necessary for the generation of approximately 5 MWac of electricity for interconnection with the existing NYSEG electric grid, with related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, it is contemplated that the Agency will hold a public hearing and (i) negotiate and enter into an agent agreement, pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement"), and an agreement providing for a partial real property tax abatement (the "PILOT Agreement"), (iii) take a leasehold interest in the Land, the Improvements and personal property constituting the Facility (once the Agent Agreement, Lease Agreement, Leaseback Agreement and PILOT Agreement have been



negotiated), and (iv) provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a partial real property tax abatement structured within the PILOT Agreement, and (c) a mortgage recording tax exemption for financing related to the Project (collectively, the "Financial Assistance"); and

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

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution (i) describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project and (ii) naming the Agency as "lead agency" for purposes of SEQRA review of the Project.

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

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's Application and other materials provided by the Company to the Agency, and in furtherance of the foregoing recitals, which are hereby incorporated, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) The Agency has the authority to take the actions contemplated herein under the Act; and

(C) The action to be taken by the Agency will facilitate the undertaking of the Project, thereby enabling the Company's development of the Project, thereby increasing employment opportunities in Seneca County, New York, and otherwise furthering the purposes of the Agency as set forth in the Act; and

(D) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(E) The Project will promote and maintain the job opportunities, general prosperity and

economic welfare of the citizens of the County of Seneca and State of New York, improve their standard of living, and prevent economic deterioration in Seneca County. The Agency therefore determines that the Project constitutes a "commercial" facility as contemplated by the Act, and that the Agency's grant of assistance to the Project will thereby serve the public purposes of the Act.

Section 2. The Agency is hereby authorized to prepare or cause to be prepared a cost-benefit analysis with respect to the Project prior to the Agency making its final determination with respect to the Project. The Agency is hereby authorized to negotiate the terms of the Lease Agreement, Leaseback Agreement, PILOT Agreement and Agent Agreement, and other such contracts and agreements as may be necessary in connection with the contemplated Financial Assistance.

Section 3. The Agency is hereby authorized to conduct a public hearing (the "Public Hearing") in compliance with the Act.

Section 4. The Agency further finds and determines that:

- (A) The Agency's involvement in the Project will require SEQRA review.
- (B) The Agency declares itself as lead agency for purposes of SEQRA review.

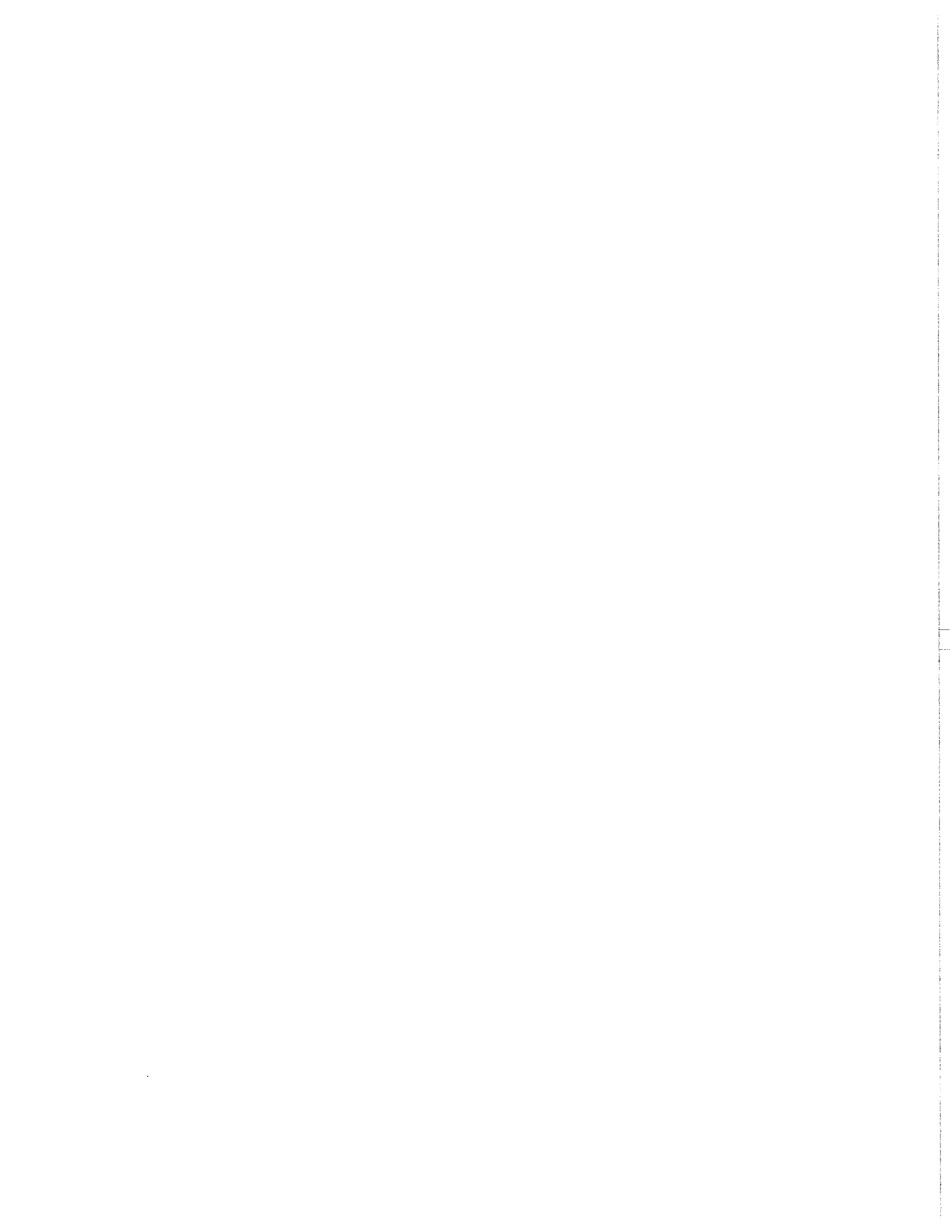
Section 5. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 6. These Resolutions shall take effect immediately.

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

	Yea	Nay	Abstain	Absent
Steven Brusso				
Thomas L. Kime				
C. Ernest Brownell				
Bruce Murray				
Jeffrey Shipley				
Thomas Murray				
Benjamin Guthrie				
Ralph Lott				

The Resolutions were thereupon duly adopted.



If a corporation, partnership, limited liability company/partnership:

What is the date of establishment January 18, 2023  
Place of organization Delaware  
and, if a foreign organization, is the Applicant authorized to do business in the State of New York?  Yes  No

APPLICANT'S COUNSEL:

Name: Henry A. Zomerfeld, Hodgson Russ LLP  
Address: 140 Pearl Street, Buffalo, NY 14202  
Phone No: 716-848-1370 Email: hzomerfe@hodgsonruss.com  
Fax No: \_\_\_\_\_

**II. PROJECT INFORMATION**

Project Address: 8999 Route 414 - North, Lodi, NY 14860  
\_\_\_\_\_

Block(s) & Lot(s): 12-1-28.2

A) Are Utilities on Site? (Yes/No)  
Water No Electric No Gas No Sanitary/Storm Sewer No

B) Present legal owner of the site: Robert Stack and Suzanne Stack  
*If other than Applicant, by what means will the site be acquired for this project:*  
Applicant has an option to lease the site

C) Zoning of Project Site: Current: None Proposed: None

D) Are any variances needed: No

E) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):  
Lodi Solar is a 5 MW AC community solar project to be constructed on approximately 30 acres of land. This project is being developed in accordance with NYSERDA guidelines under the Community Distributed Generation program.

Location of Project: 8999 Route 414, Lodi, NY 14860

Purpose of Project: A community solar project produces renewable power for local residents to purchase such that they can use solar power without installing solar panels on their roofs or properties.

Desired Closing Date:  
December 1, 2023

Estimated Construction Start and End Date: April 2024 - October 2024

F) Principal Use of Project upon completion: Producing renewable energy for purchase by local customers through a community solar provider.

G) Estimated Project Costs, including

Value of property to be acquired: \$ N/A

Cost of Construction/Reconstruction: \$ 1,107,653

Value of equipment to be purchased: \$ 5,182,960

Estimated cost of engineering/architectural services: \$ 100,000

Other: \$ 1,785,359

Total Capital Costs: \$ 8,175,972

Project refinancing; estimated amount  
(for refinancing of existing debt only) \$ 0

*Sources of Funds for Project Costs:*

Bank Financing: \$ 2,452,792

Equity (excluding equity that is attributed to grants/tax credits) \$ 5,723,180

Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_

Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_

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

Identify each state and federal grant/credit:

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Total Sources of Funds for Project Costs: \$ 8,175,972

The Agency will collect 1% origination fee on the total capital costs at the time of closing

H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or  No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or  No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or  No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: \_\_\_\_\_

**FINANCIAL ASSISTANCE BEING REQUESTED**

A) Benefits Requested:

Sales and Use Tax Exemption ( [ 8]%)

IRB

Mortgage Recording Tax Exemption(.0075%)

Real Property Exemption and Tax Agreement

B.) Value of Incentives:

Real Property Tax Exemption and Tax Agreement: Agency staff will calculate the estimated value of a requested real property tax exemption and tax agreement based on estimated Project costs as contained herein and current tax rates and assessed valuation, and the annual tax agreement payment amounts for each year of the tax agreement. This calculation is set forth on the addendum to this Application entitled "Real Property Tax Benefits (Detailed)," which addendum is incorporated herein by reference.

Estimated duration of Real Property Tax exemption: 25 years

**Sales and Use Tax:**

Estimated value of Sales Tax exemption for facility construction: \$ 88,612.24

Estimated Sales Tax exemption for fixtures and equipment: \$ 414,636.80

Estimated duration of Sales Tax exemption: Two years from PILOT closing.

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage Recording Tax exemption: \$ 42,923.85

IRB Benefit:

IRB inducement amount, if requested: \$ \_\_\_\_\_

Is a purchaser for the Bonds in place?

Yes or  No

Percentage of Project Costs financed from Public Sector sources:

Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above under the heading "Estimated Project Costs" (Section II(G)) of the Application.

**C.) Likelihood of Undertaking Project without Receiving Financial Assistance:**

Is there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or  No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

The project would not be feasible without Financial Assistance provided by the Agency.  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

III. EMPLOYMENT PLAN

	1	2	3	4	5
	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be CREATED:	IF FINANCIAL ASSISTANCE IS GRANTED – project the number Construction Jobs to be CREATED:	Estimate number of residents of the *Labor Market Area that will fill the jobs described
<b>*Full Time</b>	<b>0</b>	<b>0</b>	Year 1: <u>0</u> Year 2: <u>0</u> Year 3: <u>0</u>	<b>0</b>	<b>0</b>
<b>*Part Time</b>  <i>Calculated as .5 for every 1 part time Job</i>	<b>0</b>	<b>0</b>	Year 1: <u>1</u> Year 2: <u>0</u> Year 3: <u>0</u>	<b>30</b>	<b>1</b>
<b>Total</b>	0	0	1	30	1

**\*GUIDANCE ON JOB REPORTING**

A Full-Time Employee shall work at least 35 hours per week. A part-time employee will count as a fraction of a Full-Time Employee (an employee working at least 17.5 hours per week will count as .5). A seasonal employee will also count as a fraction of a Full-Time Employee based on the number of full months worked in a year (an employee hired to work only for three months in a year will count as .25).

\*\* The Labor Market Area is defined as Seneca County, Ontario County, Wayne County, Cayuga County, Schuyler County and Tompkins County, New York.

Salary and Fringe Benefits for Jobs to be Retained and/or Created:

Average Estimated Annual Salary of Jobs to be Created (at current market rates)	\$ <u>90,000</u> to \$ <u>100,000</u>
Annualized Salary Range of Jobs to be Created	\$ <u>100,000</u>
Estimated Average Annual Salary of Jobs to be Retained (at current market rates)	\$ _____



#### IV. REPRESENTATIONS AND COVENANTS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A) **Job Listings:** In accordance with Section 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, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) **First Consideration for Employment:** In accordance with Section 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 JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) **Annual Sales Tax Filings:** In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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) **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E) **Compliance with N.Y. GML Sec. 862(1):** Applicant certifies 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.

- F) **Compliance with Applicable Laws:** 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.
- G) **False and Misleading Information:** 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 the Project.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- E) **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, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Applicant, except as hereinafter described:

STATE OF NEW YORK )  
 COUNTY OF Richmond ) ss.:

Jonathan Payne, being first duly sworn, deposes and says:

1. That I am the CEO (Corporate Office) of Loji PV, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the 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]  
 (Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 8 day of May 2023

[Signature]  
 (Notary Public)



This Application should be submitted with a \$350.00 Application fee to Seneca County Industrial Development Agency, One DiPronio Drive, Waterloo, New York 13165-1681 (Attn.: Sarah Davis, Executive Director).

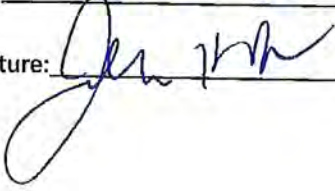
**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from and 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 (i) 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, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete. If, for any reason, 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 Applicant are unable to reach final agreement with the 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 agent or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Applicant: Lodi PV, LLC

By: Jonathan H. Rappe  
(Print Name)

Title: CEO of solar number, PV Development, LLC

Signature: 

### Local Labor Policy

The Company hereby covenants that it will use at least 70% (as a percentage of total labor costs) Local Labor for the construction, renovation, and/or expansion activities related to the project described in this application. "Local Labor" is defined as persons residing in Seneca, Ontario, Wayne, Yates, Cayuga, Schuyler, Monroe, or Tompkins Counties. The Company may request a waiver of the Local Labor requirement from the Agency for projects requiring specialty contractors or if lack of availability of Local Labor will materially delay or otherwise hinder the project. Requests for waivers shall be made prior to commencement of the work to which the requested waiver applies, and shall be supported by such documentation/information as the Agency shall require to evaluate the request. Decisions on waivers are at the sole discretion of the Agency.

Labor Policy Monitoring Fee: The Agency shall retain a contractor to monitor compliance with the Local Labor Policy. All fees and costs of the contractor shall be borne by the Company. At closing of the Agency's assistance package, the Company shall deposit funds with the Agency, which shall be held by the Agency as a deposit to be applied towards the costs of the contractor. These funds will be held by the Agency in a non-interest-bearing escrow account and will fund any costs related to the ongoing audit of Local Labor Policy compliance throughout construction. Any unused funds on deposit with the Agency will be returned to the Company upon project completion. The Company shall pay any shortfall in the deposit to the Agency within ten days following the Agency's demand therefor. The local labor monitoring fee is based on project costs:

#### **Monthly fee per project:**

##### **Tier 1 (<\$5M):**

o Monthly Reporting Fee:	\$ 230
o One Time Setup Fee:	\$ 650
o Inspection Fee:	\$ 150

##### **Tier 2 (>\$5M - <\$25M):**

o Monthly Reporting Fee:	\$ 460
o One Time Setup Fee:	\$ 950
o Inspection Fee:	\$ 225

##### **Tier 3 (>\$25M):**

o Monthly Reporting Fee:	\$ 690
o One Time Setup Fee:	\$ 1250
o Inspection Fee:	\$ 325

### **Prevailing Rate Policy**

Per NYS Labor Law 224-a, project with a total “project cost” of \$5 million or more that receive a benefit package valued at 30% or more of the total project cost (a “covered project”) are subject to prevailing wage requirements. Following the Agency’s review of this application the Agency will notify the Company if the project is a covered project subject to prevailing wage requirements. The Company hereby covenants that it will comply with all requirements provided for in NYS Labor Law 224-a to the extent applicable.

See NYS Labor Law 224-a for definitions of public funds and exemptions to covered projects.

For the purposes of this policy, project cost is defined as the sum of the “Cost of Construction/Reconstruction,” “Estimated Cost of Engineering/Architectural Services,” and “Other” as outlined on page 3 of the application.

**Prevailing Rate Policy Monitoring Fee:** The Agency shall retain a contractor to monitor compliance with the Prevailing Rate Policy. All fees and costs of the contractor shall be borne by the Company. At closing of the Agency’s assistance package, the Company shall deposit funds with the Agency, which shall be held by the Agency as a deposit to be applied towards the costs of the contractor. These funds will be held by the Agency in a non-interest-bearing escrow account and will fund any costs related to the ongoing audit of Prevailing Rate Policy compliance throughout construction. Any unused funds on deposit with the Agency will be returned to the Company upon project completion. The Company shall pay any shortfall in the deposit to the Agency within ten days following the Agency’s demand therefor. The prevailing rate monitoring fee is based on project costs:

#### **Monthly Reviewing, Reporting & Inspection Fee**

- **Tier 1** <5 Million \$ 1,115.00
- **Tier 2** >5 Million <25 Million \$ 1,755.00
- **Tier 3** >25 Million \$ 3,405.00

#### **One-Time Fees Tiered based on Project Size**

- **Project Set Up/Per Project**
  - Tier 1 \$ 1,400.00
  - Tier 2 \$ 2,100.00
  - Tier 3 \$ 3,200.00
- **Closeout Fee**
  - Tier 1 \$ 575.00
  - Tier 2 \$ 800.00
  - Tier 3 \$ 1,500.00

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
UNIFORM PROJECT EVALUATION POLICY**

Pursuant to and in accordance with Section 859-a(5) of the General Municipal Law ("GML"), the Seneca County Industrial Development Agency (the "Agency") hereby establishes a Uniform Project Evaluation Policy for the evaluation and selection for all qualifying categories of projects for which the Agency may provide "Financial Assistance" (as defined herein). "Financial Assistance" shall include any of the following: (i) the issuance by the Agency of tax- exempt bonds; (ii) sales and use tax exemption; (iii) mortgage recording tax exemption; and (iv) real property tax exemption (with or without a related agreement for payments in lieu of taxes).

For each Application for Financial Assistance received by the Agency, the following must occur prior to authorizing the provision of Financial Assistance:

- 1) The Agency shall undertake an assessment of all material information included in connection with the Application for Financial Assistance as necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for a project. Such information may include, without limitation, qualification of the proposed project under the GML (including any retail analysis, as applicable), the applicant's financial history, project pro-formas, and consideration of local development priorities.
- 2) A written cost-benefit analysis shall be utilized by the Agency that identifies the extent to which a project will create or retain permanent, private sector jobs, the estimated value of any tax exemptions to be provided; the amount of private sector investment generated or likely to be generated by the proposed project; the likelihood of accomplishing the proposed project in a timely fashion; and the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts; and any other public benefits that might occur as a result of the project, taking into account the economic condition of the area at the time of the application, the effect of the proposed project upon the environment and surrounding property, and the extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.
- 3) The Agency's Application for Financial Assistance shall include a statement by the applicant that the project, as of the date of the application, is in substantial compliance with all provisions of GML Article 18-A, including, but not limited to, the provisions of GML Section 859-a(5) and 862(1); and
- 4) If the proposed project involves the removal or abandonment of a facility or plant within the State of New York, the Agency shall notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located of the Agency's receipt of an application for Financial Assistance.

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
PROJECT REVIEW AND RECAPTURE POLICY**

The Seneca County Industrial Development Agency (the "IDA") reserves the right to review the performance of projects for which the IDA's financial assistance has been granted (a "Project") to determine if a Project has met the obligations and conditions set forth in the IDA approvals and agreements related to the Project (the "Project Documents"). The terms and conditions of the Project Documents (the "Material Factors") will serve as the benchmark for determining a Project's compliance.

Material Factors should be explicit and measurable and may include items such as investment, job creation, retention or other factors as determined by the board. Material Factors may vary from Project to Project.

**Non-Compliance Review Process:**

If a Project is found to be non-compliant with the Material Factors, the IDA shall undertake the following:

1. The IDA shall notify the Project owner/operator (the "Company") in writing that, in the IDA's determination, the Company has violated a Material Factor.
2. The Company shall be given an opportunity to remedy the violation.
3. If the Company is unable or unwilling to remedy the violation, the IDA shall seek additional information/explanation from the company as to why a Material Factor was not achieved. These may include economic or natural factors that led to the violation. These factors should be discussed and predetermined to the extent possible by the Board and may include items such as, natural disaster, industry dynamics, unfair competition or economic events that were outside the control of the Company.
4. The Company shall be provided the opportunity to present to the IDA any information as outlined above regarding why the Material Factor was not achieved.

**Board Actions:**

Following completion of the Non-Compliance Review Process described above, the IDA Board will consider whether to keep benefits in place, reduce, terminate, and/or recapture financial assistance. The following options will be reviewed and considered by the IDA Board:

1. Upon a review of the facts the Board may determine that the non-compliance was justified and/or adequately explained and may consider the matter closed without further action, or set a specific time period for the Company to achieve compliance. This may also be accompanied by a period of increased reporting or such other conditions as the IDA Board may reasonably impose. (e.g., review violated Material Factor(s) quarterly until remedied.)
2. In the event of non-compliance with a Material Factor that is not, in the IDA Board's determination, justified by factors outside the Company's control and/or otherwise adequately explained, the IDA Board may determine that such non-compliance will

result in the reduction, suspension, termination and/or recapture of financial assistance, as provided below.

Reduction of Financial Assistance: The IDA Board may determine that a reduction in financial assistance is appropriate, which reduction may include, without limitation, increased required payments under an agreement for payments in lieu of taxes.

Termination of Financial Assistance: The IDA Board may elect to terminate any ongoing financial assistance to a Company. Reasons for termination should be explicit and may include, without limitation, continued violation of the Material Factors or failure to comply with ongoing reporting or compliance requirements of the IDA.

Recapture of Financial Assistance: An IDA Board may require that all or part of the financial assistance for a Project be returned, including all or part of the amount of any tax exemptions. Events justifying recapture may include, without limitation, a Company knowingly providing false information on an application or a compliance/monitoring report; a finding that the Company did not make a good faith effort or have any intention of meeting a Material Factor; a company ceases operations and/or relocates; material non-compliance with state and/or local laws or regulations; and material shortfalls in job creation and retention projections.

In the event an IDA is successful in recapturing financial assistance, such funds shall be returned to the appropriate affected taxing jurisdictions on a pro rata basis unless otherwise agreed upon by the local taxing jurisdiction.

#### **Annual Review**

The IDA shall annually assess the progress of each Project for which bonds or notes remain outstanding or straight-lease transactions have not been terminated, or which continue to receive financial assistance or are otherwise active, toward achieving the investment, job retention or creation, or other objectives of the Project indicated in the Project applications. Such assessments shall be provided to the IDA Board.



**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE**

Cost Benefit Analysis<sup>1</sup>

**To be completed/calculated by the AGENCY**

<b>Costs = Financial Assistance</b>	
Estimated Property Tax Exemption	\$ _____
Estimated Sales Tax Exemption	\$ _____
Estimated Mortgage Recording Tax Exemption	\$ _____
Estimated Interest Savings (Bonds)	\$ _____
Other (Public Grants Awarded, etc.)	\$ _____
<b>TOTAL COSTS</b>	\$ _____
<b>Benefits = Economic Development</b>	
Estimated Ongoing Payroll*	\$ _____
Total Capital Costs	\$ _____
Estimated Property Tax Revenue (PILOT Payments)	\$ _____
Temporary Sales Tax Revenue <sup>1</sup>	\$ _____
IDA Agency Fee	\$ _____
Other (Host Community Agreement, etc.)	\$ _____
<b>TOTAL BENEFITS</b>	\$ _____
<b>Benefit to Cost Ratio</b>	\$ _____

**Additional Considerations**

Project is likely to be accomplished within 3 years.

Project contributes to NY State's renewable energy goals and emission reduction targets as adopted pursuant to section 6-104 of the energy law.

\*Ongoing Payroll Calculator:

Total Payroll	=	Total FTEs Created & Retained	x	Average Salary	x	PILOT Duration
\$ _____		_____		\$ _____		_____

Estimated value of goods and services to be exempt from sales and use tax. (to be used on NYS ST-60)      \$ \_\_\_\_\_

<sup>^</sup> This Cost Benefit Analysis was conducted in accordance with NYS GMU 859a.

<sup>1</sup> Temporary Sales Tax Revenue includes any construction/one-time costs that are not exempt from sales tax.

**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE**  
**Real Property Tax Benefits (Detailed):**

\*\* This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

Tax Agreement Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property *	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
TOTAL							

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



LODI SOLAR  
8999 ROUTE 414  
LODI, NY 14818

SITE PLAN APPROVAL



# RIC ENERGY

## LODI SOLAR 8999 ROUTE 414 LODI, NY 14818

### SITE PLAN APPROVAL DOCUMENTS MARCH 2023

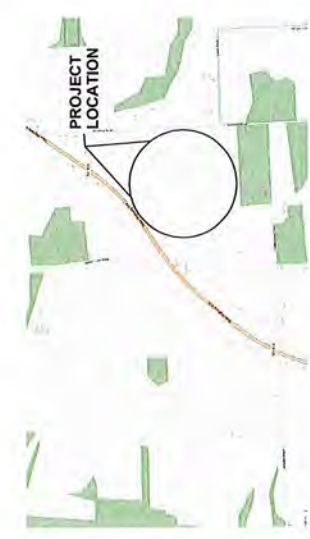


1 PROJECT LOCATION MAP



Centerpointe Corporate Park  
375 Essjay Road, Suite 200  
Williamsville, NY 14221  
www.wendelcompanies.com  
p: 716.688.0766 f: 716.625.6625

Wendel Project No. 007123



2 PROJECT LOCATION MAP

DRAWING NUMBER	DRAWING TITLE
0001	COVER SHEET
0001	EXISTING CONDITIONS PLAN
0001	SITE LAYOUT PLAN
0001	INTRODUCTION PLAN

COVERSHEET

SCALE	AS SHOWN	DATE	03/23
DESIGNED BY	MM	DRAWN BY	EC
CHECKED BY	MM	DATE	03/23
DATE	03/23	SCALE	AS SHOWN

G001



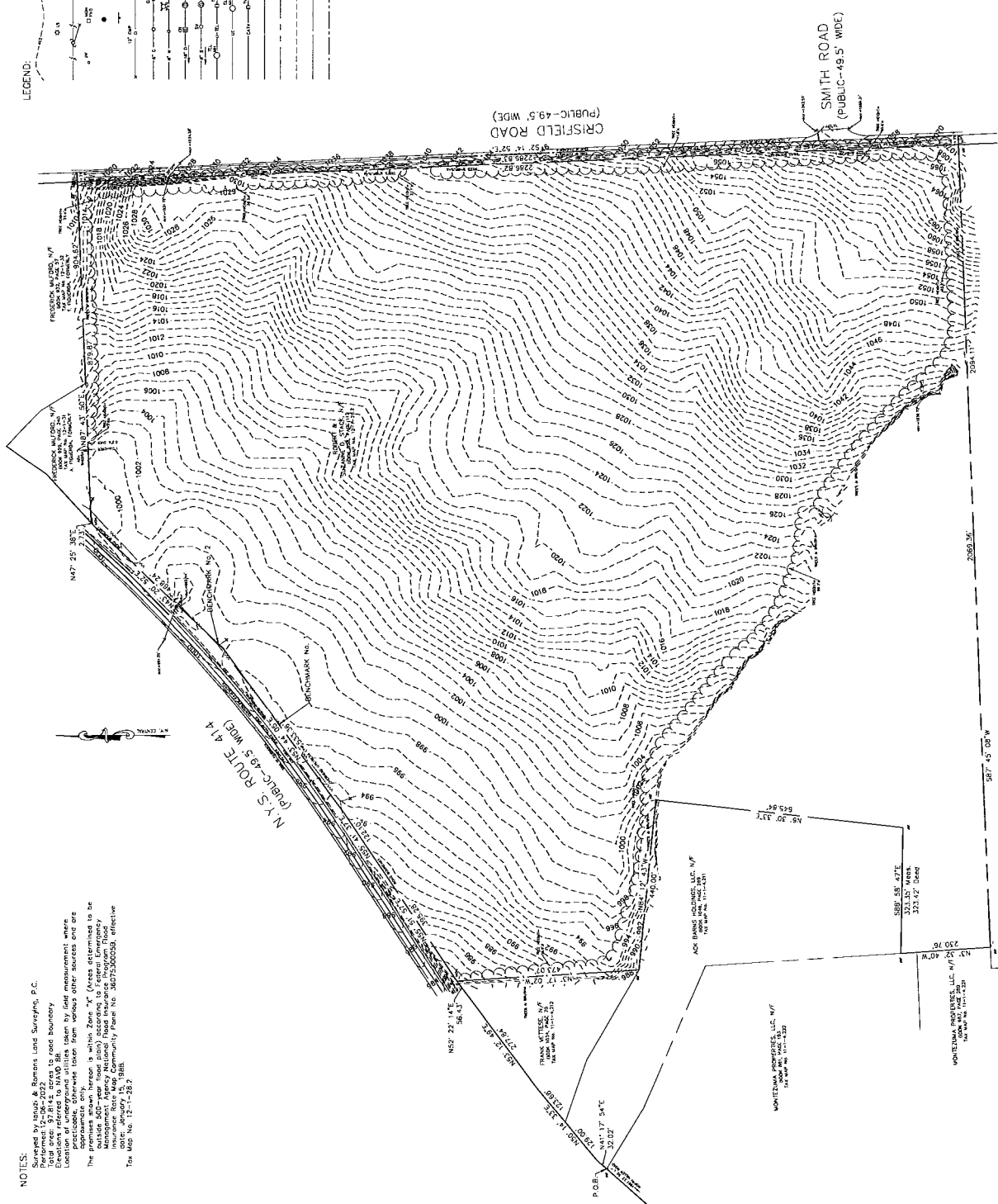
NO.	DATE	DESCRIPTION
1	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
2	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
3	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
4	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
5	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
6	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
7	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
8	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
9	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY
10	08/11/11	ISSUED FOR PERMITTING PURPOSES ONLY

**EXISTING CONDITIONS**

DATE	SCALE	BY	CHK.
08/11/11	AS SHOWN	WEND	CC1
08/11/11	AS SHOWN	WEND	CC1

**C101**

- LEGEND:**
- indicates original grade
  - indicates light stands
  - indicates utility pole, anchor & overhead lines
  - indicates iron pipe and/or monument found
  - indicates bollards
  - indicates sign
  - indicates storm culvert
  - indicates gas main, gas valve & gas line marker
  - indicates water main, water valve & hydrant
  - indicates storm sewer, catch basin & manhole
  - indicates sanitary sewer, sewer vent & manhole
  - indicates underground telephone line, manhole & box
  - indicates underground television cable & box
  - indicates underground electric line & manhole
  - indicates boundary line
  - indicates adjacent parcel line
  - indicates old/original parcel line
  - indicates easement line
  - indicates centerline road



**NOTES:**  
 Surveyed by Jason A. Bowers, Land Surveyor, P.C.  
 Total area: 37.8144 acres to road boundary  
 Location of underground utilities taken by field measurement where practicable otherwise taken from various other sources and are not guaranteed.  
 The premises shown herein is within Zone "X" (Areas determined to be in a flood hazard area by the Federal Emergency Management Agency National Flood Insurance Program Flood Insurance Rate Study, dated 08/01/08, and Community Panel No. 36075-30025U, effective 08/01/08).  
 Tax Map No. 12-1-28-2

**EXISTING CONDITIONS PLAN**  
 1  
 08/11/11



THIS DRAWING IS THE PROPERTY OF WEND ENGINEERING CORPORATION AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WEND ENGINEERING CORPORATION.

NO.	DATE	DESCRIPTION
1	08/11/2015	ISSUED FOR PERMITTING PURPOSES ONLY

**SITE LAYOUT PLAN**

DATE	08/11/2015
DRAWN BY	CC1
CHECKED BY	CC1
SCALE	AS SHOWN

**C201**

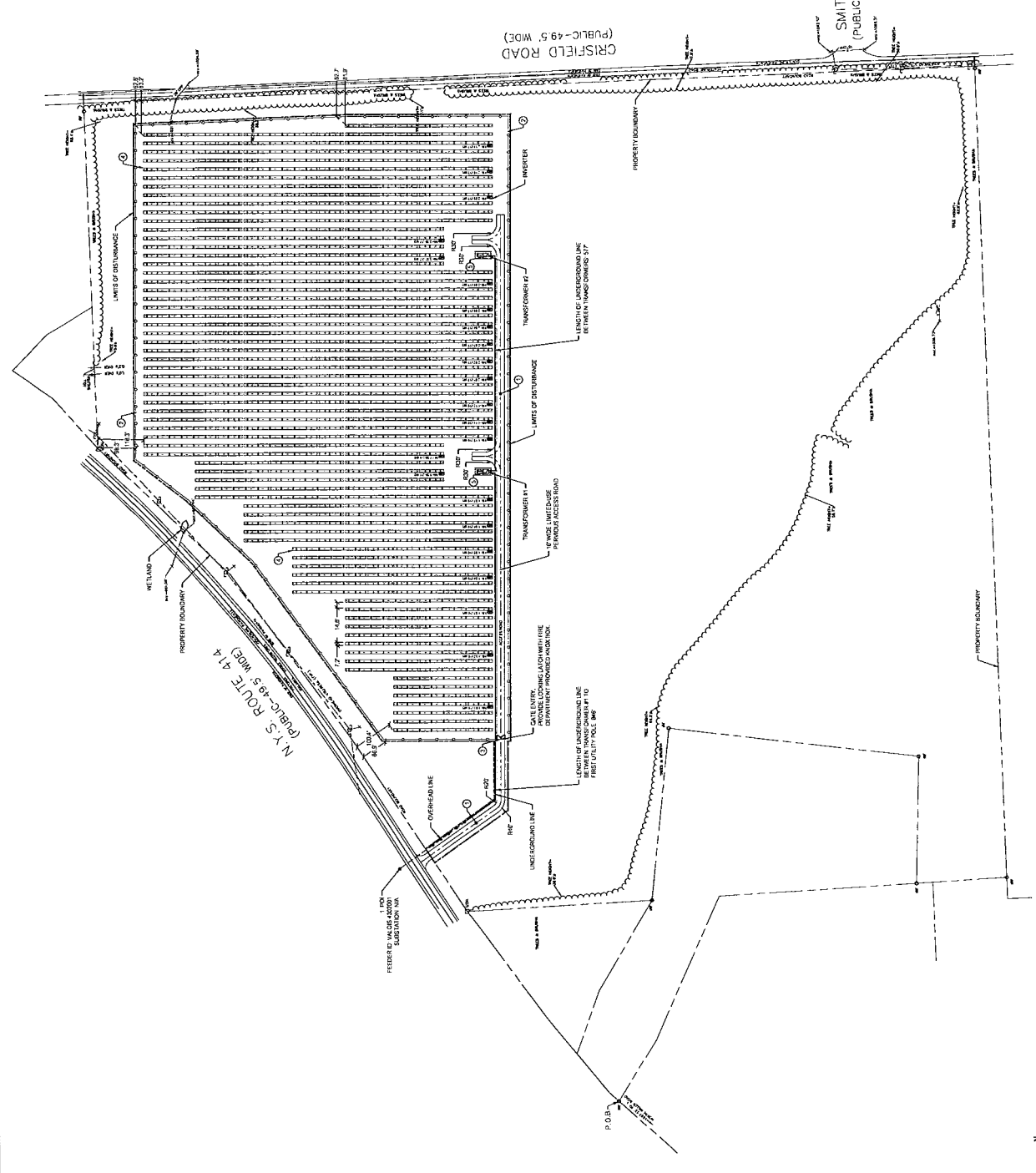
**LEGEND**

LAT	42.587788
LONG	-76.848730
LR	L4
SYSTEM SIZE (DC KW)	7000
SYSTEM VOLTAGE (V)	750
MODULE TYPE	CS7N426MAG (60W)
QUANTITY	10,612 (39 STRINGS)
MODULES PER STRING	28
INVERTER	Sungrow SC2000HX
SOLAR TRACKER TYPE	Tracker 1P
DIMENSIONS OF THE TRACKER	(A) 389.7' x 7'-10" x 6'-7" (B) 389.7' x 7'-10" x 6'-7" (C) 389.7' x 7'-10" x 6'-7"
TRACKER PITCH	22°
TILT ANGLE	28°
TRACKER WIDTH	32.81%
TRACKER LENGTH	4,861'
ACCESS ROAD LENGTH	1,948'
TOTAL WALK LENGTH	1,728'
TOTAL AREA OF DISTURBANCE	28,102.0k
ADDRESS	899 Route 414, Lodi, NY 14818

- LEGEND:**
- LIMIT TO USE PREVIOUS ACCESS ROAD
  - PROPERTY LINE
  - EDGE OF WIDE DRIVEWAYS
  - LIMITS OF DISTURBANCE
  - PROPOSED CHAIN LINK FENCE
  - CONTRIBUTION OF ROAD

- SITE IMPROVEMENT NOTES:**
- LIMIT TO USE PREVIOUS ACCESS ROAD
  - CHAIN LINK FENCE
  - CHAIN LINK GATE
  - SOLAR ARRAY MODULE, TYP
  - TRANSFORMER PAD

- GENERAL NOTES:**
- SEE DRAWING C202 FOR INTERCONNECTION DETAILS AND LAYOUT.
  - ACCESS DRIVE ALIGNMENTS AND DIMENSIONS SHOWN WERE OBTAINED FROM AERIAL PHOTOGRAPHS APPROXIMATELY 2010. APPROXIMATE APPROXIMATE ACCESS ROAD CURBLINE.





THIS DOCUMENT IS THE PROPERTY OF WENDEL CONSULTING CORPORATION. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WENDEL CONSULTING CORPORATION.

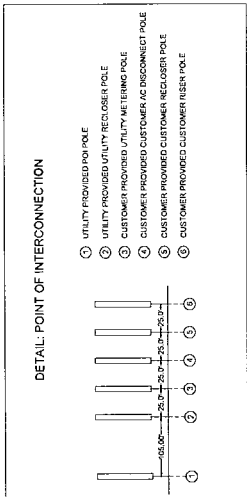
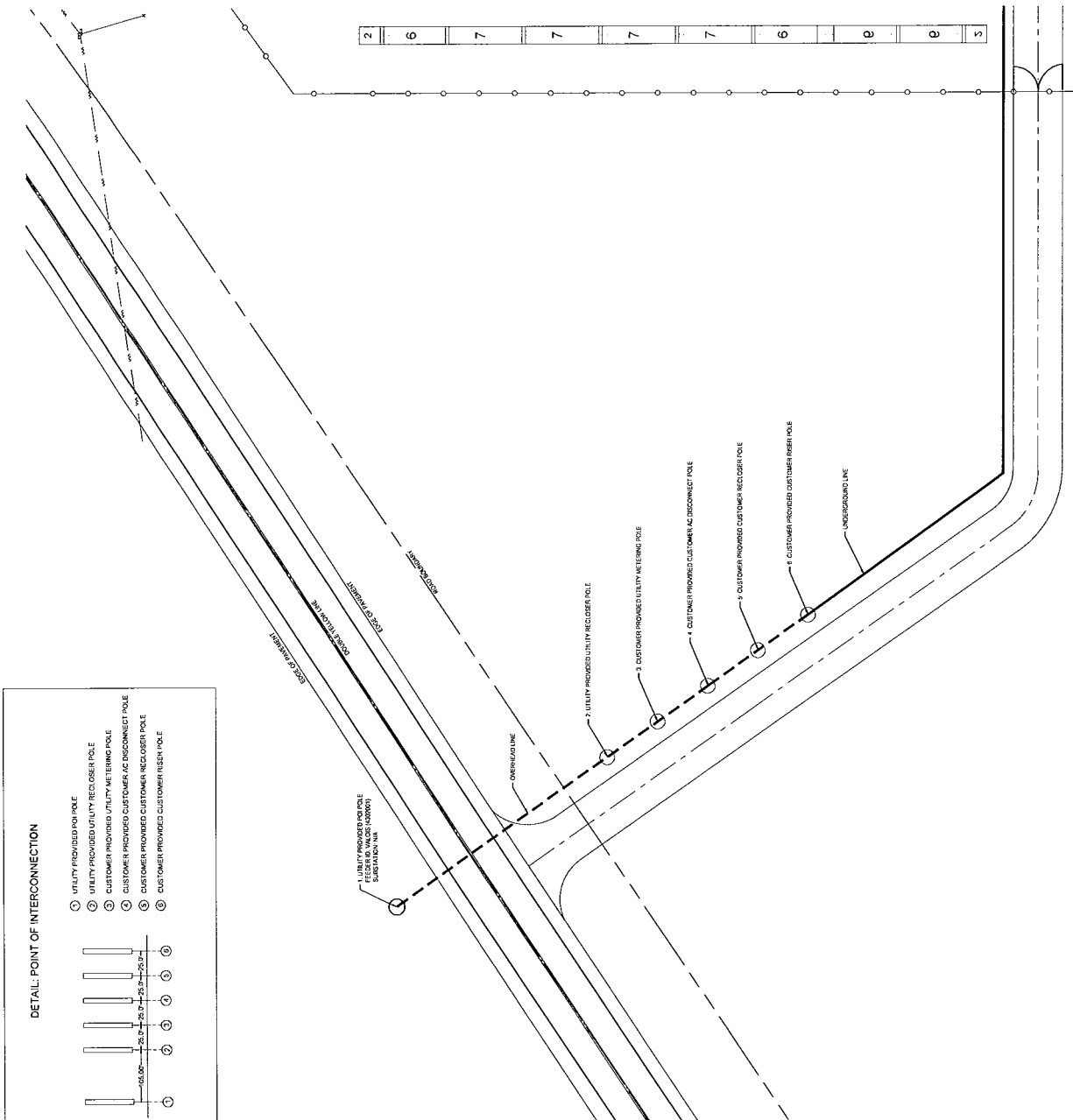
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING PURPOSES	03/20/23
2	FOR CONSTRUCTION	03/20/23

**INTERCONNECTION PLAN**

**GENERAL NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA 72).
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA 72).
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA 72).

DATE: 03/20/23  
 DRAWN BY: JAC/STJ  
 CHECKED BY: JAC/STJ  
 PROJECT NO: 23-001



Accession	Quantity	Material	Quantity	Material	Quantity	Material
HW-1.01	16	255.08	225	211		
HW-1.02	16	255.08	225	211		
HW-1.03	16	255.08	225	211		
HW-1.04	16	255.08	225	211		
HW-1.05	16	255.08	225	211		
HW-1.06	16	255.08	225	211		
HW-1.07	16	255.08	225	211		
HW-1.08	16	255.08	225	211		
HW-1.09	16	255.08	225	211		
HW-1.10	16	255.08	225	211		
HW-1.11	16	255.08	225	211		
HW-1.12	16	255.08	225	211		
HW-1.13	16	255.08	225	211		
HW-1.14	17	314.16	225	224		
HW-1.15	17	314.16	225	224		
HW-1.16	17	314.16	225	224		
HW-1.17	17	314.16	225	224		
HW-1.18	17	314.16	225	224		
HW-1.19	17	314.16	225	224		
HW-1.20	17	314.16	225	224		
HW-1.21	17	314.16	225	224		

- LEGEND:**
- LIMITED USE PERVIOUS ACCESS ROAD
  - ACCESS ROAD CENTERLINE
  - PROPOSED UNDERGROUND LINE
  - PROPOSED OVERHEAD LINE
  - EXISTING OVERHEAD LINE
  - PROPERTY LINE
  - PROPOSED FENCE LINE

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Lodi Solar		
Project Location (describe, and attach a general location map): Route 414 Lodi, NY (between #8933 and #9085) Parcel 12-1-28.2		
Brief Description of Proposed Action (include purpose or need): Lodi PV, LLC is proposing to develop and build a new DG facility - Solar PV generation plant. The proposed project is located along Route 414 in Lodi NY. The project, as designed will have a nameplate capacity of 5,000 kW. The proposed project is a standalone ground-mounted system mounted on a single-axis steel structure. The system will include 23 inverters SUNGROW SF250HX. The inverters will be connected to two transformers. The total planned DC capacity of the plant is 7,004 kW. The applicant is proposing to interconnect the project to the 34.5 KV Valois circuit. An new access road with connection to Route 414 will be constructed. The entire facility will be enclosed within a fence.		
Name of Applicant/Sponsor: Lodi PV, LLC, c/o RIC Development		Telephone: 917-463-0421
		E-Mail: itomchev@ric.energy
Address: 85 Broad St., 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Project Contact (if not same as sponsor; give name and title/role): Ivo Tomchev, Project Development Director, RIC Development		Telephone:
		E-Mail: itomchev@ric.energy
Address: 85 Broad St, 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Property Owner (if not same as sponsor): Robert and Suzanne Stack		Telephone:
		E-Mail:
Address: 1546 Oatland Lake Rd		
City/PO: Pawley's Island	State: SC	Zip Code: 29585

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Seneca County Electrical Permit, GML Section 239I-m review, Seneca County IDA PILOT	March 2023
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC, NYSEERDA, NYDAM, NYSDOT	March 2023
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE; wetland jurisdictional determination	March 2023
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 \_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services**

a. In what school district is the project site located? South Seneca Central School

b. What police or other public protection forces serve the project site?  
Seneca County Sheriff Department

c. Which fire protection and emergency medical services serve the project site?  
Lodi Volunteer Fire Company

d. What parks serve the project site?  
Finger Lakes National Forest

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Solar facility (generally regarded as either industrial or commercial)

b. a. Total acreage of the site of the proposed action? 92.6 acres  
 b. Total acreage to be physically disturbed? 29.82 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 92.6 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Commercial division of property into two areas  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? 2  
 iv. Minimum and maximum proposed lot sizes? Minimum 29.82 Maximum 44.2

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase I (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 10,612

ii. Dimensions (in feet) of largest proposed structure: 10-12 height; 6-8 width; and 3-5 length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
\_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
\_\_\_\_\_  
\_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ 0.01 acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ 90.06 acres (parcel size)

ii. Describe types of new point sources. No new point sources  
\_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 Temporary construction runoff will be controlled on-site by stormwater and sediment/erosion control best management practices. Sheet flow from solar panels will infiltrate ground surface or be controlled prior to existing site via wetland, existing drainage, and/or swale areas. No increase in runoff.

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
N/A
- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 Vehicles for occasional maintenance of equipment and equipment for mowing. \_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 None \_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 None \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: \_\_\_\_\_ 7 AM - 7 PM \_\_\_\_\_
- Saturday: \_\_\_\_\_ 7 AM - 7 PM (if needed) \_\_\_\_\_
- Sunday: \_\_\_\_\_ NA \_\_\_\_\_
- Holidays: \_\_\_\_\_ NA \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_ Dawn to Dusk \_\_\_\_\_
- Saturday: \_\_\_\_\_ Dawn to Dusk \_\_\_\_\_
- Sunday: \_\_\_\_\_ \_\_\_\_\_
- Holidays: \_\_\_\_\_ \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:  
 Noise levels will increase due to equipment used during the construction period within the hours of 7AM - 7 PM) Monday to Friday and Saturday when necessary.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ 300 tons per \_\_\_\_\_ Year (unit of time)
- Operation : \_\_\_\_\_ 0 tons per \_\_\_\_\_ Year (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Waste generated during construction, largely due to packaging materials (pallets and cardboard). Approximately 70% of materials will be recyclable.
- Operation: N/A

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Recyclable materials will be recycled. Remaining waste will be disposed of in a NYSDEC-approved landfill.
- Operation: N/A

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

\_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

\_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

\_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

\_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

\_\_\_\_\_

### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

\_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00	0.01	+0.01
• Forested	5.69	5.69	0.00
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.00	0.00	0.00
• Agricultural (includes active orchards, field, greenhouse etc.)	84.37	54.55	-28.82
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.00	0.00	0.00
• Wetlands (freshwater or tidal)	0.00	0.00	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: <u>Solar Project</u>	0.00	29.81	+29.81

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_



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

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

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 6.56 feet

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

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

CsB, Conesus gravelly silt loam	_____	55.5 %
LsB, Lansing gravelly silt loam	_____	18.3 %
AoB, Appleton gravelly silt loam, 3-8	_____	15.3 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 2.37 feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	_____	18.3 % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	_____	55.5 % of site
somehow <input type="checkbox"/> Poorly Drained	_____	26.2 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	_____	100 % of site
<input type="checkbox"/> 10-15%:	_____	% of site
<input type="checkbox"/> 15% or greater:	_____	% of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

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

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

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

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Wetland A \_\_\_\_\_ Approximate Size 0.01 acres
- Wetland No. (if regulated by DEC) \_\_\_\_\_

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

---

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:

i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site:		
White-tailed deer	Song birds / Raptors	Wild turkey
Various rodents (squirrels, mice, moles,)	Coyote	
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Describe the habitat/community (composition, function, and basis for designation): _____		
ii. Source(s) of description or evaluation: _____		
iii. Extent of community/habitat:		
• Currently: _____ acres		
• Following completion of project as proposed: _____ acres		
• Gain or loss (indicate + or -): _____ acres		
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
If Yes:		
i. Species and listing (endangered or threatened): _____		
Short-eared Owl (State-endangered), Northern Harrier (State-threatened)		
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Species and listing: _____		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If yes, give a brief description of how the proposed action may affect that use: _____		
<b>E.3. <u>Designated Public Resources On or Near Project Site</u></b>		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
If Yes, provide county plus district name/number: SENE012		
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
i. If Yes: acreage(s) on project site? 22.2 acres		
ii. Source(s) of soil rating(s): USDA NRCS Web Soil Survey - Farmland Classification		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature		
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. CEA name: _____		
ii. Basis for designation: _____		
iii. Designating agency and date: _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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? If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: <u>Finger Lakes National Forest</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>United States Forest Service National Forest</u> iii. Distance between project and resource: _____ <u>0.25</u> miles.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Lodi PV, LLC / Jonathan H. Rappe Date March 9, 2023

Signature  Title Signatory of sole member, RIC Development, LLC



**RIC ENERGY**

**Lodi Solar**

**Supplemental Information**  
**Full Environmental Assessment Form**

**Part I**

Route 414, Lodi NY (between #8933 and #9085)

Parcel 12-1-28.2

**March 2023**

Submitted by:  
Lodi II Solar PV, LLC  
c/o RIC Development, LLC  
85 Broad St, 28th Floor  
New York, NY 10004

## Lodi Solar Project

The following information supplements Part I of the Full Environmental Assessment Form (FEAF) for use by the Lead Agency in completing the FEAF Parts 2 and 3 for a State Environmental Quality Review Act (SEQRA) Determination of Significance relative to the Lodi Solar Facility.

### **Project Description and Action**

Lodi PV, LLC is proposing to DG develop and build a new facility - Solar PV generation plant. The proposed project is located along Route 414 in Lodi NY. The project, as designed will have a nameplate capacity of 5,000 kW. The proposed project is a standalone ground-mounted system mounted on a single-axis steel structure. The system will include 23 inverters connected to two transformers. The applicant is proposing to interconnect the project to the 34.5 KV Valois circuit. A new access road with connection to Route 414 will be constructed. The entire facility will be enclosed within a fence.

The below narrative expands upon questions found within the FEAF Part 1, submitted to the Lead Agency for review:

### **Agricultural Resources:**

Seneca County has a rich legacy of farming as reflected in its Agricultural and Farmland Protection Plan, which spells out the value of farming. The site in question is located within an Agricultural District and has historically and even currently been used for farming. However, the landowner is not interested in continuing farming on this property indefinitely, nor in selling the land to another area farmer. They do, however, wish to keep the rural character of their property, and exercise their right to use the property in a manner that generates income without adversely affecting the environment. Their intent is to do this by selecting a development option that will not generate waste, noise, odors or other adverse impacts, expenses or drain on community services.

The field in question has been used for this past season for production of corn and soybean. Within the proposed solar facility, a low-growing, native pollinator-friendly meadow seed mix will be planted to continue a meadow environment under and around the panels. After the useful life of the project, upon completion of the lease term, the Site will be returned through decommissioning to a condition that can again be farmed, should that be the desire of the landowner. This ability to maintain the property in condition for future desired uses is an advantage of the solar industry--Soils are depleted of nutrients when land is continuously farmed, requiring fertilizers to be applied, frequently along with herbicides and pesticides intended to maximize crop yield through continuous heavy labor working the ground. By contrast, solar allows for a period of rest and recovery whereby organic matter is retained awaiting a new future use after decommissioning. Construction and decommissioning are conducted in accordance with the NYS Department of Agriculture recommendations and standards for construction of solar within an agricultural area.

### **Groundwater Resources:**

The project is in an area with groundwater averaging less than three feet below the ground. This depth to groundwater is a threshold referenced within the FEAF (Part 2) that suggests additional thought should be given to the nature of the development relative to its impacts on groundwater.

The Lodi Solar proposal does not present a risk to groundwater. No contaminants or pollutants are stored or used on site. There is no battery storage at this site, and no discharge of any waste. Herbicides are not proposed in the future maintenance of vegetation on site. If anything, the cessation of fertilizer or pesticide application during the period in solar production will be beneficial to underlying groundwater resources. Construction is entirely above ground, with the exception of small-diameter posts driven in to support panel racking, and areas of underground wiring installed through trenching.

### **Plants and Animals:**

The Project Site is indicated by agency data to be within the vicinity of past sightings of the northern harrier and short eared owl. These bird species are known to winter in New York, and are listed as state-threatened and state-endangered, respectively. There is no known nesting by these species on the site. An weekly on-site raptor survey was suggested by the NYSDEC and has been underway since November 2023. To date, a single sighting of both species has occurred, with the bird flying over and through a portion of the property. Total time over the site was less than one minute. Survey completion is scheduled for the end of March, with results evaluated by the NYSDEC for a final conclusion relative to cause for concern. Thus far, survey results—one sighting—are not cause for concern. Final results and the conclusion of NYSDEC on the subject are expected in April. A worst case scenario would be the need by the applicant to perform some form of habitat mitigation to be determined by the NYSDEC. Examples may include placement of a conservation easement on comparable property in the vicinity, or perhaps habitat enhancement in the form of promoting grassland vegetative species.

### **Publicly Accessible Federal, State or Local Scenic or Aesthetic Resource:**

The Project Site is within proximity to the Finger Lakes National Park, the closest point being approximately 0.25 miles distant. From the Park land, the solar facility will be obscured by trees. The area closest to the proposed solar facility does not contain hiking trails or frequent visitors. As such, the scenic or aesthetic resources associated with the federal park land are not assumed to be at risk.

**INDUCEMENT RESOLUTION**  
*(Lodi II PV, LLC Project)*

A meeting of the Seneca County Industrial Development Agency was convened on March 23, 2023.

The following resolution was duly offered and seconded, to wit:

**Resolution No. 2023 - 11**

**RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF LODI PV, LLC (THE "COMPANY") DATED MARCH 8, 2023 WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) NAMING ITSELF AS LEAD AGENCY UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT, (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH RESPECT TO THE PROJECT, AND (v) AUTHORIZING THE NEGOTIATION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS**

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **LODI II PV, LLC**, a New York limited liability company, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of approximately thirty (30) acres of vacant land located at 8999 State Route 414, Town of Lodi (the "Land"), (ii) of solar modules and supportive racking, inverters, transformers and associated wiring and other components necessary for the generation of approximately 5 MWac of electricity for interconnection with the existing NYSEG electric grid, with related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, it is contemplated that the Agency will hold a public hearing and (i) negotiate and enter into an agent agreement, pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement"), and an agreement providing for a partial real property tax abatement (the "PILOT Agreement"), (iii) take a leasehold interest in the Land, the Improvements and personal property constituting the Facility (once

the Agent Agreement, Lease Agreement, Leaseback Agreement and PILOT Agreement have been negotiated), and (iv) provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a partial real property tax abatement structured within the PILOT Agreement, and (c) a mortgage recording tax exemption for financing related to the Project (collectively, the "Financial Assistance"); and

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

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution (i) describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project and (ii) naming the Agency as "lead agency" for purposes of SEQRA review of the Project.

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

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's Application and other materials provided by the Company to the Agency, and in furtherance of the foregoing recitals, which are hereby incorporated, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) The Agency has the authority to take the actions contemplated herein under the Act; and

(C) The action to be taken by the Agency will facilitate the undertaking of the Project, thereby enabling the Company's development of the Project, thereby increasing employment opportunities in Seneca County, New York, and otherwise furthering the purposes of the Agency as set forth in the Act; and

(D) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and



(E) The Project will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of the County of Seneca and State of New York, improve their standard of living, and prevent economic deterioration in Seneca County. The Agency therefore determines that the Project constitutes a "commercial" facility as contemplated by the Act, and that the Agency's grant of assistance to the Project will thereby serve the public purposes of the Act.

Section 2. The Agency is hereby authorized to prepare or cause to be prepared a cost-benefit analysis with respect to the Project prior to the Agency making its final determination with respect to the Project. The Agency is hereby authorized to negotiate the terms of the Lease Agreement, Leaseback Agreement, PILOT Agreement and Agent Agreement, and other such contracts and agreements as may be necessary in connection with the contemplated Financial Assistance.

Section 3. The Agency is hereby authorized to conduct a public hearing (the "Public Hearing") in compliance with the Act.

Section 4. The Agency further finds and determines that:

- (A) The Agency's involvement in the Project will require SEQRA review.
- (B) The Agency declares itself as lead agency for purposes of SEQRA review.

Section 5. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 6. These Resolutions shall take effect immediately.

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

	Yea	Nay	Abstain	Absent
Steven Brusso				
Thomas L. Kime				
C. Ernest Brownell				
Bruce Murray				
Jeffrey Shipley				
Thomas Murray				
Benjamin Guthrie				
Ralph Lott				

The Resolutions were thereupon duly adopted.



LOCAL VALUES. FORWARD VISION.

APPLICATION TO
SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION:

Company Name: Lodi II PV, LLC

Address: 85 Broad St., 28th Floor, New York, NY 10004

Phone No.: 917 819-2345 Email: pmcauliffe@ric.energy

Fax No.:

Fed I.D. No.: 92-2329419

Contact Person: Peter McAuliffe - Associate Director of Project Development

Principal Owners/Officers/Directors:
(List owners with 15% or more in equity holdings with percentage ownership)

Renewable Investment Corporation 100%

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)

Form of Entity:

- Corporation
Partnership (General or Limited; Number of General Partners and, if applicable, Number of Limited Partners)
Limited Liability Company/Partnership (number of members)
Sole Proprietorship

If a corporation, partnership, limited liability company/partnership:

What is the date of establishment February 2, 2023

Place of organization Delaware

and, If a foreign organization, is the Applicant authorized to do business in the State of New York?  Yes  No

APPLICANT'S COUNSEL:

Name: Henry A. Zomerfeld, Hodgson Russ LLP

Address: 140 Pearl Street, Buffalo, NY 14202

Phone No: 716-848-1370 Email: hzomerfe@hodgsonruss.com

Fax No: \_\_\_\_\_

**II. PROJECT INFORMATION**

Project Address: 8999 Route 414 - South, Lodi, NY 14860

Block(s) & Lot(s): 12-1-28.2

A) Are Utilities on Site? (Yes/No)

Water No Electric No Gas No Sanitary/Storm Sewer No

B) Present legal owner of the site: Robert Stack and Suzanne Stack

*If other than Applicant, by what means will the site be acquired for this project:*

Applicant has an option to lease the site

C) Zoning of Project Site: Current: None Proposed: None

D) Are any variances needed: No

E) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):

Lodi II Solar is a 5 MW AC community solar project to be constructed on approximately 30 acres of land. This project is being developed in accordance with NYSEDA guidelines under the Community Distributed Generation program.

Location of Project: 8999 Route 414, Lodi, NY 14860

Purpose of Project: A community solar project produces renewable power for local residents to purchase such that they

can use solar power without installing solar panels on their roofs or properties.

Desired Closing Date: \_\_\_\_\_

December 1, 2023

Estimated Construction Start and End Date: April 2024 - October 2024

F) Principal Use of Project upon completion: Producing renewable energy for purchase by local customers through a community solar provider.

G) Estimated Project Costs, including

Value of property to be acquired: \$ N/A

Cost of Construction/Reconstruction: \$ 1,107,653

Value of equipment to be purchased: \$ 5,182,960

Estimated cost of engineering/architectural services: \$ 100,000

Other: \$ 1,785,359

Total Capital Costs: \$ 8,175,972

Project refinancing; estimated amount  
(for refinancing of existing debt only) \$ 0

*Sources of Funds for Project Costs:*

Bank Financing: \$ 2,452,792

Equity (excluding equity that is attributed to grants/tax credits) \$ 5,723,180

Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_

Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_

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

Identify each state and federal grant/credit:

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Total Sources of Funds for Project Costs: \$ 8,175,972

The Agency will collect 1% origination fee on the total capital costs at the time of closing

H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or  No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or  No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or  No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FINANCIAL ASSISTANCE BEING REQUESTED**

A) Benefits Requested:

Sales and Use Tax Exemption ( [ 8]%)

IRB

Mortgage Recording Tax Exemption(.0075%)

Real Property Exemption and Tax Agreement

B.) Value of Incentives:

Real Property Tax Exemption and Tax Agreement: Agency staff will calculate the estimated value of a requested real property tax exemption and tax agreement based on estimated Project costs as contained herein and current tax rates and assessed valuation, and the annual tax agreement payment amounts for each year of the tax agreement. This calculation is set forth on the addendum to this Application entitled "Real Property Tax Benefits (Detailed)," which addendum is incorporated herein by reference.

Estimated duration of Real Property Tax exemption: 25 years

**Sales and Use Tax:**

Estimated value of Sales Tax exemption for facility construction: \$ 88,612.24

Estimated Sales Tax exemption for fixtures and equipment: \$ 414,636.80

Estimated duration of Sales Tax exemption: Two years from PILOT closing.

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage Recording Tax exemption: \$ 42,923.85

IRB Benefit:

IRB inducement amount, if requested: \$ \_\_\_\_\_

Is a purchaser for the Bonds in place?

Yes or  No

Percentage of Project Costs financed from Public Sector sources:

Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above under the heading "Estimated Project Costs" (Section II(G)) of the Application.

**C.) Likelihood of Undertaking Project without Receiving Financial Assistance:**

Is there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or  No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

The project would not be feasible without Financial Assistance provided by the Agency.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. EMPLOYMENT PLAN

	1	2	3	4	5
	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be CREATED:	IF FINANCIAL ASSISTANCE IS GRANTED – project the number Construction Jobs to be CREATED:	Estimate number of residents of the *Labor Market Area that will fill the jobs described
<b>*Full Time</b>	<b>0</b>	<b>0</b>	Year 1: <u>0</u> Year 2: <u>0</u> Year 3: <u>0</u>	<b>0</b>	<b>0</b>
<b>*Part Time</b> <i>Calculated as .5 for every 1 part time Job</i>	<b>0</b>	<b>0</b>	Year 1: <u>1</u> Year 2: <u>0</u> Year 3: <u>0</u>	<b>30</b>	<b>1</b>
<b>Total</b>	0	0	1	30	1

**\*GUIDANCE ON JOB REPORTING**

A Full-Time Employee shall work at least 35 hours per week. A part-time employee will count as a fraction of a Full-Time Employee (an employee working at least 17.5 hours per week will count as .5). A seasonal employee will also count as a fraction of a Full-Time Employee based on the number of full months worked in a year (an employee hired to work only for three months in a year will count as .25).

\*\* The Labor Market Area is defined as Seneca County, Ontario County, Wayne County, Cayuga County, Schuyler County and Tompkins County, New York.

Salary and Fringe Benefits for Jobs to be Retained and/or Created:

Average Estimated Annual Salary of Jobs to be Created (at current market rates)	\$ <u>\$90,000</u> to \$ <u>\$100,000</u>
Annualized Salary Range of Jobs to be Created	\$ <u>100,000</u>
Estimated Average Annual Salary of Jobs to be Retained (at current market rates)	\$ _____

#### IV. REPRESENTATIONS AND COVENANTS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A) **Job Listings:** In accordance with Section 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, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) **First Consideration for Employment:** In accordance with Section 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 JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) **Annual Sales Tax Filings:** In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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) **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E) **Compliance with N.Y. GML Sec. 862(1):** Applicant certifies 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.



- F) **Compliance with Applicable Laws:** 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.
- G) **False and Misleading Information:** 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 the Project.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- E) **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, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Applicant, except as hereinafter described:

STATE OF NEW YORK )  
 COUNTY OF Richmond ) ss.:

Jonathan Rappe, being first duly sworn, deposes and says:

1. That I am the CEO (Corporate Office) of Lodi II PU, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the 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]  
 (Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 8 day of March 2023

[Signature]  
 (Notary Public)



This Application should be submitted with a \$350.00 Application fee to Seneca County Industrial Development Agency, One DiPronio Drive, Waterloo, New York 13165-1681 (Attn.: Sarah Davis, Executive Director).

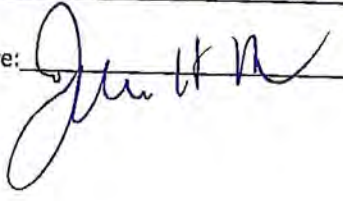
**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from and 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 (i) 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, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete. If, for any reason, 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 Applicant are unable to reach final agreement with the 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 agent or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Applicant: Lodi II PU, LLC

By: Jonathan H. Rappe  
(Print Name)

Title: CEO of sole member, RIC Development, LLC

Signature: 

### Local Labor Policy

The Company hereby covenants that it will use at least 70% (as a percentage of total labor costs) Local Labor for the construction, renovation, and/or expansion activities related to the project described in this application. "Local Labor" is defined as persons residing in Seneca, Ontario, Wayne, Yates, Cayuga, Schuyler, Monroe, or Tompkins Counties. The Company may request a waiver of the Local Labor requirement from the Agency for projects requiring specialty contractors or if lack of availability of Local Labor will materially delay or otherwise hinder the project. Requests for waivers shall be made prior to commencement of the work to which the requested waiver applies, and shall be supported by such documentation/information as the Agency shall require to evaluate the request. Decisions on waivers are at the sole discretion of the Agency.

Labor Policy Monitoring Fee: The Agency shall retain a contractor to monitor compliance with the Local Labor Policy. All fees and costs of the contractor shall be borne by the Company. At closing of the Agency's assistance package, the Company shall deposit funds with the Agency, which shall be held by the Agency as a deposit to be applied towards the costs of the contractor. These funds will be held by the Agency in a non-interest-bearing escrow account and will fund any costs related to the ongoing audit of Local Labor Policy compliance throughout construction. Any unused funds on deposit with the Agency will be returned to the Company upon project completion. The Company shall pay any shortfall in the deposit to the Agency within ten days following the Agency's demand therefor. The local labor monitoring fee is based on project costs:

#### **Monthly fee per project:**

##### **Tier 1 (<\$5M):**

o Monthly Reporting Fee:	\$ 230
o One Time Setup Fee:	\$ 650
o Inspection Fee:	\$ 150

##### **Tier 2 (>\$5M - <\$25M):**

o Monthly Reporting Fee:	\$ 460
o One Time Setup Fee:	\$ 950
o Inspection Fee:	\$ 225

##### **Tier 3 (>\$25M):**

o Monthly Reporting Fee:	\$ 690
o One Time Setup Fee:	\$ 1250
o Inspection Fee:	\$ 325

### Prevailing Rate Policy

Per NYS Labor Law 224-a, project with a total “project cost” of \$5 million or more that receive a benefit package valued at 30% or more of the total project cost (a “covered project”) are subject to prevailing wage requirements. Following the Agency’s review of this application the Agency will notify the Company if the project is a covered project subject to prevailing wage requirements. The Company hereby covenants that it will comply with all requirements provided for in NYS Labor Law 224-a to the extent applicable.

See NYS Labor Law 224-a for definitions of public funds and exemptions to covered projects.

For the purposes of this policy, project cost is defined as the sum of the “Cost of Construction/Reconstruction,” “Estimated Cost of Engineering/Architectural Services,” and “Other” as outlined on page 3 of the application.

Prevailing Rate Policy Monitoring Fee: The Agency shall retain a contractor to monitor compliance with the Prevailing Rate Policy. All fees and costs of the contractor shall be borne by the Company. At closing of the Agency’s assistance package, the Company shall deposit funds with the Agency, which shall be held by the Agency as a deposit to be applied towards the costs of the contractor. These funds will be held by the Agency in a non-interest-bearing escrow account and will fund any costs related to the ongoing audit of Prevailing Rate Policy compliance throughout construction. Any unused funds on deposit with the Agency will be returned to the Company upon project completion. The Company shall pay any shortfall in the deposit to the Agency within ten days following the Agency’s demand therefor. The prevailing rate monitoring fee is based on project costs:

#### **Monthly Reviewing, Reporting & Inspection Fee**

- Tier 1 <5 Million \$ 1,115.00
- Tier 2 >5 Million <25 Million \$ 1,755.00
- Tier 3 >25 Million \$ 3,405.00

#### **One-Time Fees Tiered based on Project Size**

- Project Set Up/Per Project
  - Tier 1 \$ 1,400.00
  - Tier 2 \$ 2,100.00
  - Tier 3 \$ 3,200.00
- Closeout Fee
  - Tier 1 \$ 575.00
  - Tier 2 \$ 800.00
  - Tier 3 \$ 1,500.00

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
UNIFORM PROJECT EVALUATION POLICY**

Pursuant to and in accordance with Section 859-a(5) of the General Municipal Law ("GML"), the Seneca County Industrial Development Agency (the "Agency") hereby establishes a Uniform Project Evaluation Policy for the evaluation and selection for all qualifying categories of projects for which the Agency may provide "Financial Assistance" (as defined herein). "Financial Assistance" shall include any of the following: (i) the issuance by the Agency of tax- exempt bonds; (ii) sales and use tax exemption; (iii) mortgage recording tax exemption; and (iv) real property tax exemption (with or without a related agreement for payments in lieu of taxes).

For each Application for Financial Assistance received by the Agency, the following must occur prior to authorizing the provision of Financial Assistance:

- 1) The Agency shall undertake an assessment of all material information included in connection with the Application for Financial Assistance as necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for a project. Such information may include, without limitation, qualification of the proposed project under the GML (including any retail analysis, as applicable), the applicant's financial history, project pro-formas, and consideration of local development priorities.
- 2) A written cost-benefit analysis shall be utilized by the Agency that identifies the extent to which a project will create or retain permanent, private sector jobs, the estimated value of any tax exemptions to be provided; the amount of private sector investment generated or likely to be generated by the proposed project; the likelihood of accomplishing the proposed project in a timely fashion; and the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts; and any other public benefits that might occur as a result of the project, taking into account the economic condition of the area at the time of the application, the effect of the proposed project upon the environment and surrounding property, and the extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.
- 3) The Agency's Application for Financial Assistance shall include a statement by the applicant that the project, as of the date of the application, is in substantial compliance with all provisions of GML Article 18-A, including, but not limited to, the provisions of GML Section 859-a(5) and 862(1); and
- 4) If the proposed project involves the removal or abandonment of a facility or plant within the State of New York, the Agency shall notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located of the Agency's receipt of an application for Financial Assistance.

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
PROJECT REVIEW AND RECAPTURE POLICY**

The Seneca County Industrial Development Agency (the "IDA") reserves the right to review the performance of projects for which the IDA's financial assistance has been granted (a "Project") to determine if a Project has met the obligations and conditions set forth in the IDA approvals and agreements related to the Project (the "Project Documents"). The terms and conditions of the Project Documents (the "Material Factors") will serve as the benchmark for determining a Project's compliance.

Material Factors should be explicit and measurable and may include items such as investment, job creation, retention or other factors as determined by the board. Material Factors may vary from Project to Project.

**Non-Compliance Review Process:**

If a Project is found to be non-compliant with the Material Factors, the IDA shall undertake the following:

1. The IDA shall notify the Project owner/operator (the "Company") in writing that, in the IDA's determination, the Company has violated a Material Factor.
2. The Company shall be given an opportunity to remedy the violation.
3. If the Company is unable or unwilling to remedy the violation, the IDA shall seek additional information/explanation from the company as to why a Material Factor was not achieved. These may include economic or natural factors that led to the violation. These factors should be discussed and predetermined to the extent possible by the Board and may include items such as, natural disaster, industry dynamics, unfair competition or economic events that were outside the control of the Company.
4. The Company shall be provided the opportunity to present to the IDA any information as outlined above regarding why the Material Factor was not achieved.

**Board Actions:**

Following completion of the Non-Compliance Review Process described above, the IDA Board will consider whether to keep benefits in place, reduce, terminate, and/or recapture financial assistance. The following options will be reviewed and considered by the IDA Board:

1. Upon a review of the facts the Board may determine that the non-compliance was justified and/or adequately explained and may consider the matter closed without further action, or set a specific time period for the Company to achieve compliance. This may also be accompanied by a period of increased reporting or such other conditions as the IDA Board may reasonably impose. (e.g., review violated Material Factor(s) quarterly until remedied.)
2. In the event of non-compliance with a Material Factor that is not, in the IDA Board's determination, justified by factors outside the Company's control and/or otherwise adequately explained, the IDA Board may determine that such non-compliance will

result in the reduction, suspension, termination and/or recapture of financial assistance, as provided below.

Reduction of Financial Assistance: The IDA Board may determine that a reduction in financial assistance is appropriate, which reduction may include, without limitation, increased required payments under an agreement for payments in lieu of taxes.

Termination of Financial Assistance: The IDA Board may elect to terminate any ongoing financial assistance to a Company. Reasons for termination should be explicit and may include, without limitation, continued violation of the Material Factors or failure to comply with ongoing reporting or compliance requirements of the IDA.

Recapture of Financial Assistance: An IDA Board may require that all or part of the financial assistance for a Project be returned, including all or part of the amount of any tax exemptions. Events justifying recapture may include, without limitation, a Company knowingly providing false information on an application or a compliance/monitoring report; a finding that the Company did not make a good faith effort or have any intention of meeting a Material Factor; a company ceases operations and/or relocates; material non-compliance with state and/or local laws or regulations; and material shortfalls in job creation and retention projections.

In the event an IDA is successful in recapturing financial assistance, such funds shall be returned to the appropriate affected taxing jurisdictions on a pro rata basis unless otherwise agreed upon by the local taxing jurisdiction.

**Annual Review**

The IDA shall annually assess the progress of each Project for which bonds or notes remain outstanding or straight-lease transactions have not been terminated, or which continue to receive financial assistance or are otherwise active, toward achieving the investment, job retention or creation, or other objectives of the Project indicated in the Project applications. Such assessments shall be provided to the IDA Board.

**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE**

Cost Benefit Analysis<sup>1</sup>

**To be completed/calculated by the AGENCY**

<b><u>Costs = Financial Assistance</u></b>	
Estimated Property Tax Exemption	\$ _____
Estimated Sales Tax Exemption	\$ _____
Estimated Mortgage Recording Tax Exemption	\$ _____
Estimated Interest Savings (Bonds)	\$ _____
Other (Public Grants Awarded, etc.)	\$ _____
<b><u>TOTAL COSTS</u></b>	<b>\$ _____</b>
<b><u>Benefits = Economic Development</u></b>	
Estimated Ongoing Payroll*	\$ _____
Total Capital Costs	\$ _____
Estimated Property Tax Revenue (PILOT Payments)	\$ _____
Temporary Sales Tax Revenue <sup>!</sup>	\$ _____
IDA Agency Fee	\$ _____
Other (Host Community Agreement, etc.)	\$ _____
<b><u>TOTAL BENEFITS</u></b>	<b>\$ _____</b>
<b><u>Benefit to Cost Ratio</u></b>	<b>\$ _____</b>

**Additional Considerations**

Project is likely to be accomplished within 3 years.

Project contributes to NY State's renewable energy goals and emission reduction targets as adopted pursuant to section 6-104 of the energy law.

\*Ongoing Payroll Calculator:

Total Payroll		Total FTEs Created & Retained		Average Salary		PILOT Duration
\$ _____	=	_____	x	\$ _____	x	_____

Estimated value of goods and services to be exempt from sales and use tax. (to be used on NYS ST-60) **\$** \_\_\_\_\_

<sup>^</sup> This Cost Benefit Analysis was conducted in accordance with NYS GMU 859a.

<sup>!</sup> Temporary Sales Tax Revenue includes any construction/one-time costs that are not exempt from sales tax.



**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE**

Real Property Tax Benefits (Detailed):

\*\* This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

Tax Agreement Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property *	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
TOTAL							

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



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DRAWING NUMBER	DRAWING TITLE
0001	COVER SHEET
0101	EXISTING CONDITIONS PLAN
0201	SITE LAYOUT PLAN
0301	PHOTOPROSECUTION PLAN

**COVERSHEET**

DATE	BY	CHK.	CRK.
AS NOTED			
08/23/23			

**G001**

# RIC ENERGY

## LODI II SOLAR

8999 ROUTE 414  
 LODI, NY 14818

### SITE PLAN APPROVAL DOCUMENTS MARCH 2023



1 PROJECT LOCATION MAP



Centerpointe Corporate Park  
 375 Essjay Road, Suite 200  
 Williamsville, NY 14221  
 www.wendelcompanies.com  
 p:716.688.0766 | f:716.625.8825

Wendel Project No. 607123



2 PROJECT LOCATION MAP

DRAWING NUMBER	DRAWING TITLE
0001	COVER SHEET
0101	EXISTING CONDITIONS PLAN
0201	SITE LAYOUT PLAN
0301	PHOTOPROSECUTION PLAN



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NO.	DESCRIPTION	DATE
1	PRELIMINARY	06/2017
2	REVISION	06/2017
3	REVISION	06/2017
4	REVISION	06/2017
5	REVISION	06/2017
6	REVISION	06/2017
7	REVISION	06/2017
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100	REVISION	06/2017

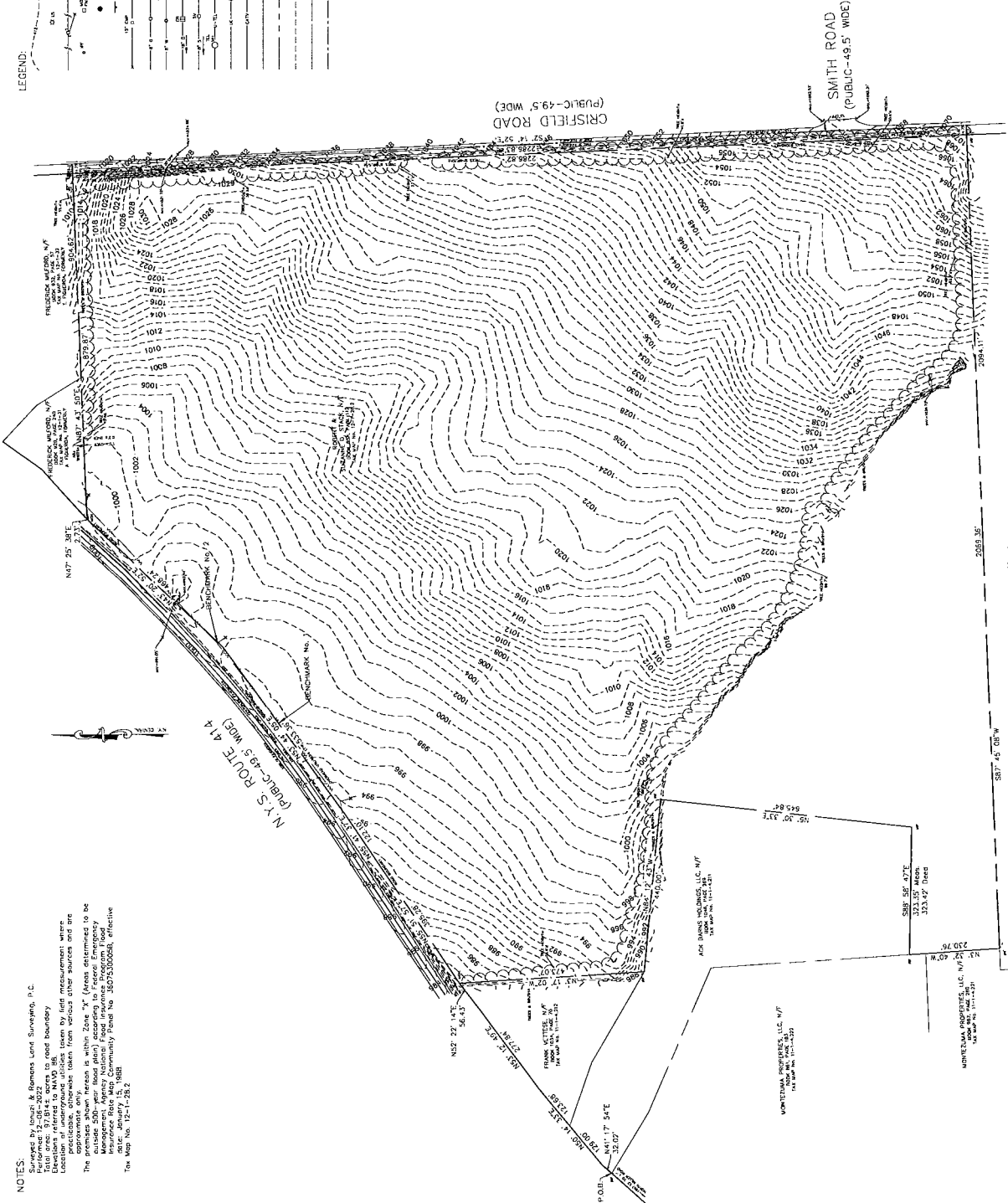
**EXISTING CONDITIONS**

**CONSTRUCTION PLAN**  
 1" = 100' (VERTICAL SCALE)  
 1" = 100' (HORIZONTAL SCALE)  
 DATE: 06/2017  
 DRAWN BY: J.S.B.  
 CHECKED BY: J.S.B.  
 SCALE: AS SHOWN  
 SHEET NO.: 001/03  
 DATE: 06/2017

**C101**

**LEGEND:**

- indicates original grade
- indicates light steel
- indicates utility pole, anchor & overhead lines
- indicates iron pipe and/or manhole
- indicates lighting
- indicates sign
- indicates storm culvert
- indicates gas main, gas valve & gas line marker
- indicates water main, water valve & hydrant
- indicates storm sewer, catch basin & manhole
- indicates sanitary sewer, sewer vent & manhole
- indicates underground telephone line, manhole & box
- indicates underground electric line & manhole
- indicates underground television cable & box
- indicates boundary line
- indicates adjacent parcel line
- indicates sidewalk/parade line
- indicates easement line
- indicates centerline road



**NOTES:**  
 Surveyed by Louis J. Blevins Land Surveyor, P.C.  
 Total area: 97.8141 acres to road boundary  
 Location of monument utilities taken by field measurement where appropriate only  
 The premises shown herein is within "Zone X" (area determines to be insurance rate Map No. 38573300561, Effective Insurance Rate Map No. 38573300561, Effective Ten Map No. 12-1-28.2



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING PURPOSES	01/15/2024	JL

**SITE LAYOUT PLAN**

PROJECT INFORMATION	
DATE	01/15/2024
SCALE	AS SHOWN
DRAWN BY	JL
CHECKED BY	CM
DATE	01/15/2024

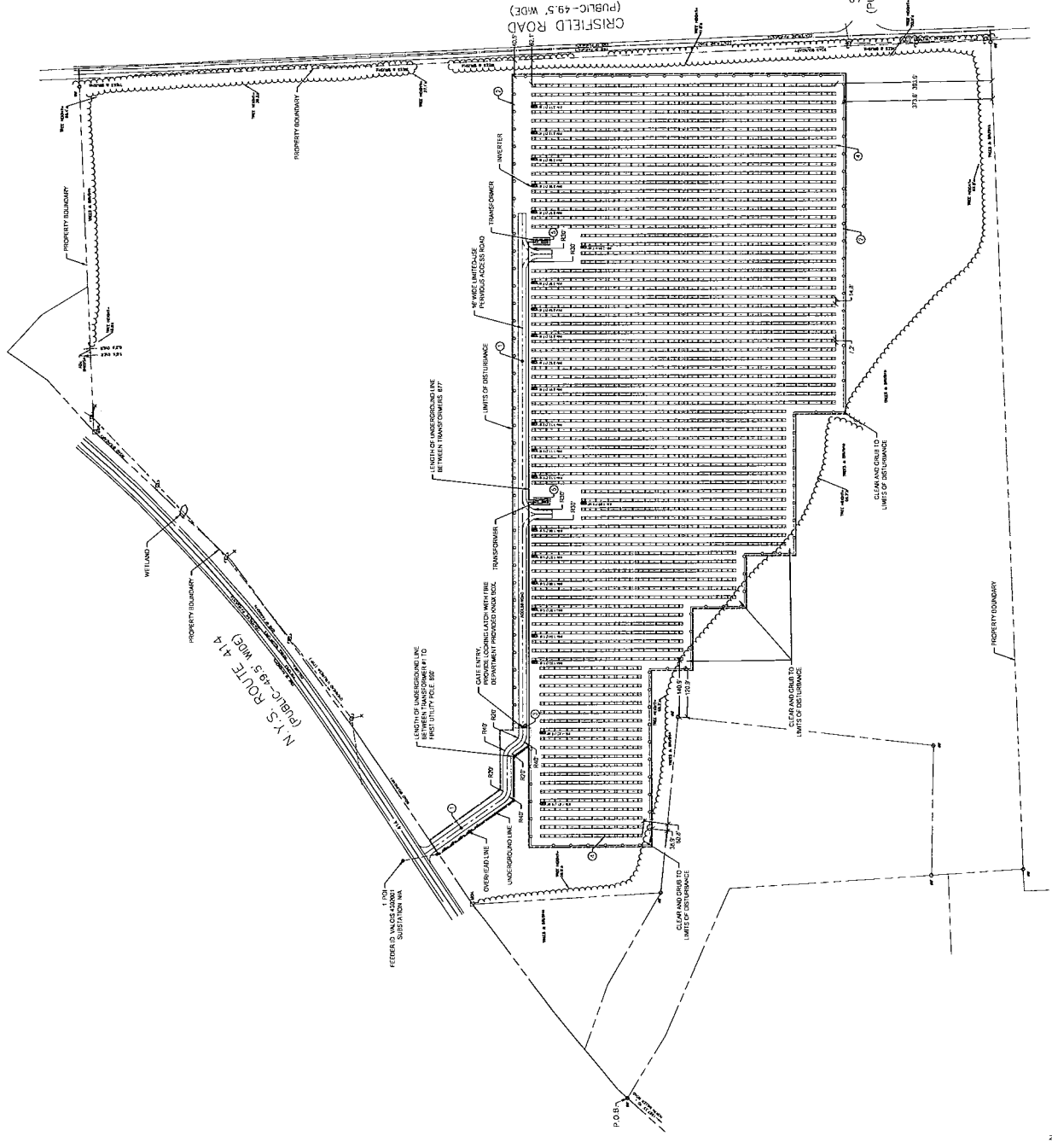
**C201**

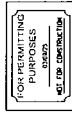
LEGEND	
LAT	42.587788
LONG	-78.948730
AREA	7.7
SYSTEM	MONOCRYSTALLINE
SYSTEM SPEC (AC/WV)	5.000
MODULE TYPE	CSTN-660M5P4C (660W)
QUANTITY	10,510 (78 strings)
MODULES PER STRING	78
STRING LENGTH	250.50X
QUANTITY	73
SOLAR TRACKER TYPE	Tracker TP
DIMENSIONS OF THE TRACKER	(3x) 389.7' x 7'-10" x 6.7'
(3 strings & 2 strings)(LxWxH)	250.5' x 7'-10" x 5.7'
TILT ANGLE	±60°
AZIMUTH	±2°
GCR	32.81%
FENCE LENGTH	5.485'
ACCESS ROAD LENGTH	1.999'
TOTAL TRACKER LENGTH	7.778'
TOTAL TRACKER AREA	77.08
TOTAL AREA OF DISTURBANCE	25.05 AC
ADDRESS	8999 Route 414, Lot 1, NY 14818

- LEGEND:**
- LIMITED USE PERVIOUS ACCESS ROAD
  - PROPERTY LINE
  - EDGE OF VEGETATION
  - LIMITS OF DISTURBANCE
  - PROPOSED CHAIN LINK FENCE
  - CENTERLINE OF ROAD

**○ SITE IMPROVEMENT NOTES:**

1. LIMITED USE PERVIOUS ACCESS ROAD
  2. CHAIN LINK FENCE
  3. CHAIN LINK GATE
  4. SOLAR ARRAY MODULE, TYP
  5. TRANSFORMER PAD
1. SEE DRAWING FOR INTERCONNECTION DETAILS AND LAYOUT.
  2. ACCESS DRIVE ALIGNMENT AND TURNAROUND LAYOUT WERE DESIGNED IN ACCORDANCE WITH THE APPROPRIATE APPENDIX OF THE APPROPRIATE ACCESS ROAD GUIDELINES.





**FOR PERMITTING PURPOSES ONLY**  
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NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	11/15/2024
2	ISSUED FOR PERMITTING	11/15/2024

**INTERCONNECTION PLAN**

**GENERAL NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS FROM THE APPLICABLE OWNERS.

4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

5. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE APPLICABLE AGENCIES.

6. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE INTERCONNECTION AGREEMENT.

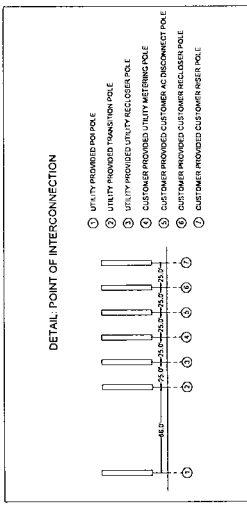
7. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE INTERCONNECTION PLAN.

8. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE INTERCONNECTION PLAN.

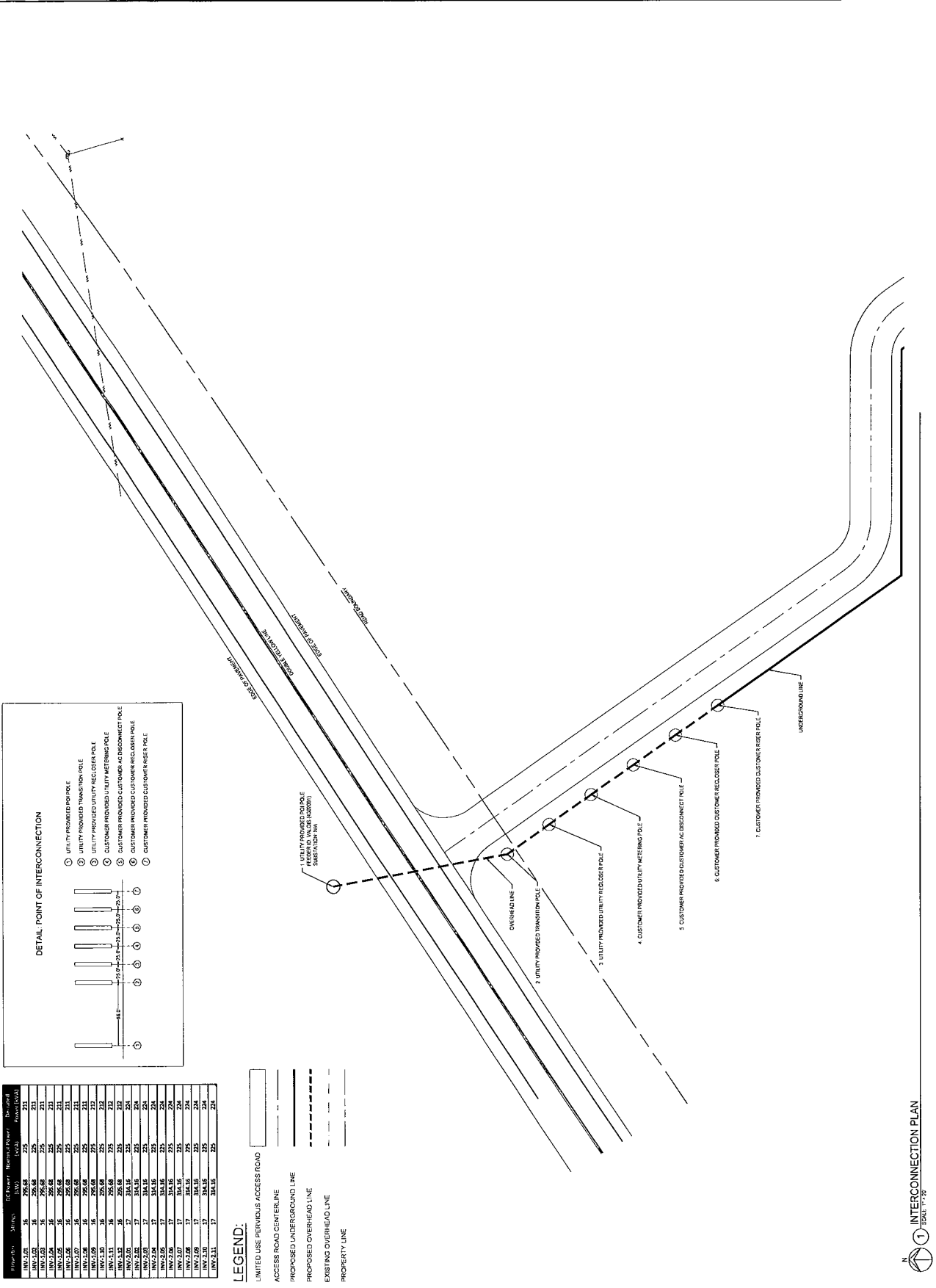
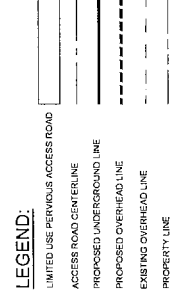
9. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE INTERCONNECTION PLAN.

10. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE INTERCONNECTION PLAN.

DATE: 11/15/2024  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: AS SHOWN  
 SHEET NO.: C202  
 PROJECT NO.: [Number]



Property ID	SITE NO.	IC Power	Minimum Power	Dr. Lat/Long
INV2-201	15	250.0	250.0	211
INV2-202	15	250.0	250.0	211
INV2-203	15	250.0	250.0	211
INV2-204	15	250.0	250.0	211
INV2-205	15	250.0	250.0	211
INV2-206	15	250.0	250.0	211
INV2-207	15	250.0	250.0	211
INV2-208	15	250.0	250.0	211
INV2-209	15	250.0	250.0	211
INV2-210	15	250.0	250.0	211
INV2-211	15	250.0	250.0	211
INV2-212	15	250.0	250.0	211
INV2-213	15	250.0	250.0	211
INV2-214	15	250.0	250.0	211
INV2-215	15	250.0	250.0	211
INV2-216	15	250.0	250.0	211
INV2-217	15	250.0	250.0	211
INV2-218	15	250.0	250.0	211
INV2-219	15	250.0	250.0	211
INV2-220	15	250.0	250.0	211
INV2-221	15	250.0	250.0	211
INV2-222	15	250.0	250.0	211
INV2-223	15	250.0	250.0	211
INV2-224	15	250.0	250.0	211
INV2-225	15	250.0	250.0	211
INV2-226	15	250.0	250.0	211
INV2-227	15	250.0	250.0	211
INV2-228	15	250.0	250.0	211
INV2-229	15	250.0	250.0	211
INV2-230	15	250.0	250.0	211
INV2-231	15	250.0	250.0	211
INV2-232	15	250.0	250.0	211
INV2-233	15	250.0	250.0	211
INV2-234	15	250.0	250.0	211
INV2-235	15	250.0	250.0	211
INV2-236	15	250.0	250.0	211
INV2-237	15	250.0	250.0	211
INV2-238	15	250.0	250.0	211
INV2-239	15	250.0	250.0	211
INV2-240	15	250.0	250.0	211
INV2-241	15	250.0	250.0	211
INV2-242	15	250.0	250.0	211
INV2-243	15	250.0	250.0	211
INV2-244	15	250.0	250.0	211
INV2-245	15	250.0	250.0	211
INV2-246	15	250.0	250.0	211
INV2-247	15	250.0	250.0	211
INV2-248	15	250.0	250.0	211
INV2-249	15	250.0	250.0	211
INV2-250	15	250.0	250.0	211



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Lodi II Solar		
Project Location (describe, and attach a general location map): Route 414 Lodi, NY (between #8933 and #9085) Parcel 12-1-28.2		
Brief Description of Proposed Action (include purpose or need): Lodi II PV, LLC is proposing to develop and build a new DG facility - Solar PV generation plant. The proposed project is located along Route 414 in Lodi NY. The project, as designed will have a nameplate capacity of 5,000 kW. The proposed project is a standalone ground-mounted system mounted on a single-axis steel structure. The system will include 23 inverters SUNGROW SF250HX. The inverters will be connected to two transformers. The total planned DC capacity of the plant is 7,004 kW. The applicant is proposing to interconnect the project to the 34.5 KV Valois circuit. An new access road with connection to Route 414 will be constructed. The entire facility will be enclosed within a fence.		
Name of Applicant/Sponsor: Lodi II PV, LLC, c/o RIC Development		Telephone: 917-463-0421 E-Mail: itomchev@ric.energy
Address: 85 Broad St., 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Project Contact (if not same as sponsor; give name and title/role): Ivo Tomchev, Project Development Director, RIC Development		Telephone: E-Mail: itomchev@ric.energy
Address: 85 Broad St, 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Property Owner (if not same as sponsor): Robert and Suzanne Stack		Telephone: E-Mail:
Address: 1546 Oatland Lake Rd		
City/PO: Pawley's Island	State: SC	Zip Code: 29585

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Seneca County Electrical Permit, GML Section 239I-m review, Seneca County IDA PILOT	March 2023
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC, NYSERDA, NYDAM, NYSDOT	March 2023
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE; wetland jurisdictional determination	March 2023
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 \_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services**

a. In what school district is the project site located? South Seneca Central School

b. What police or other public protection forces serve the project site?  
Seneca County Sheriff Department

c. Which fire protection and emergency medical services serve the project site?  
Lodi Volunteer Fire Company

d. What parks serve the project site?  
Finger Lakes National Forest

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Solar facility (generally regarded as either industrial or commercial)

b. a. Total acreage of the site of the proposed action? 92.6 acres  
 b. Total acreage to be physically disturbed? 29.05 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 92.6 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Commercial division of property into two areas  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? 2  
 iv. Minimum and maximum proposed lot sizes? Minimum 29.82 Maximum 44.2

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase I (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 10,612

ii. Dimensions (in feet) of largest proposed structure: 10-12 height; 6-8 width; and 3-5 length

iii. Approximate extent of building space to be heated or cooled: N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

*iv.* Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

*c.* Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

*iii.* Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

*vi.* If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

*d.* Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

---

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

\_\_\_\_\_

---

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or 0.01 acres (impervious surface)

\_\_\_\_\_ Square feet or 90.96 acres (parcel size)

ii. Describe types of new point sources. No new point sources

---

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Temporary construction runoff will be controlled on-site by stormwater and sediment/erosion control best management practices. Sheet flow from solar panels will infiltrate ground surface or be controlled prior to existing site via wetland, existing drainage, and/or swale areas. No increase in runoff.

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_

N/A

---

- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Vehicles for occasional maintenance of equipment and equipment for mowing.

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ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

None \_\_\_\_\_

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iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

None \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_  
 \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.  
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_  
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_ 7 AM - 7 PM  
 • Saturday: \_\_\_\_\_ 7 AM - 7 PM (if needed)  
 • Sunday: \_\_\_\_\_ NA  
 • Holidays: \_\_\_\_\_ NA  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_ Dawn to Dusk  
 • Saturday: \_\_\_\_\_ Dawn to Dusk  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Noise levels will increase due to equipment used during the construction period within the hours of 7AM - 7 PM) Monday to Friday and Saturday when necessary.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ 300 tons per \_\_\_\_\_ Year (unit of time)  
 • Operation : \_\_\_\_\_ 0 tons per \_\_\_\_\_ Year (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: Waste generated during construction, largely due to packaging materials (pallets and cardboard). Approximately 70% of materials will be recyclable.  
 • Operation: N/A  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: Recyclable materials will be recycled. Remaining waste will be disposed of in a NYSDEC-approved landfill.  
 • Operation: N/A

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

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b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00	0.01	+0.01
• Forested	5.69	5.57	-0.12
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.00	0.00	0.00
• Agricultural (includes active orchards, field, greenhouse etc.)	84.37	55.44	-28.93
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.00	0.00	0.00
• Wetlands (freshwater or tidal)	0.00	0.00	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: <u>Solar Project</u>	0.00	29.04	+29.04

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

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

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

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 6.56 feet

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

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

CsB, Conesus gravelly silt loam	_____	58.6 %
LsB, Lansing gravelly silt loam	_____	32.4 %
AoB, Appleton gravelly silt loam, 3-8	_____	9.0 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 3.24 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 32.4 % of site  
 Moderately Well Drained: \_\_\_\_\_ 58.6 % of site  
 somewhat  Poorly Drained \_\_\_\_\_ 9.1 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

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

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

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

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Water Approximate Size 0.01-acre
- Wetland No. (if regulated by DEC) \_\_\_\_\_

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

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_



m. Identify the predominant wildlife species that occupy or use the project site:

White-tailed deer	Song birds / Raptors	Wild turkey
Various rodents (squirrels, mice, moles,)	Coyote	

n. Does the project site contain a designated significant natural community?  Yes  No  
If Yes:  
i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
ii. Source(s) of description or evaluation: \_\_\_\_\_  
iii. Extent of community/habitat:  
• Currently: \_\_\_\_\_ acres  
• Following completion of project as proposed: \_\_\_\_\_ acres  
• Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
If Yes:  
i. Species and listing (endangered or threatened): \_\_\_\_\_  
Short-eared Owl (State-endangered), Northern Harrier (State-threatened)

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
If Yes:  
i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
If Yes, provide county plus district name/number: SENE012

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
i. If Yes: acreage(s) on project site? 40.2 acres  
ii. Source(s) of soil rating(s): USDA NRCS Web Soil Survey - Farmland Classification

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
If Yes:  
i. Nature of the natural landmark:  Biological Community  Geological Feature  
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
If Yes:  
i. CEA name: \_\_\_\_\_  
ii. Basis for designation: \_\_\_\_\_  
iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Finger Lakes National Forest</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>United States Forest Service National Forest</u>	
<i>iii.</i> Distance between project and resource: _____ <u>0.25</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

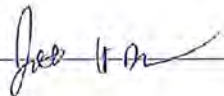
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Lodi II PV, LLC / Jonathan H. Rappe      Date March 9, 2023

Signature       Title Signatory of sole member, RIC Development, LLC



**RIC ENERGY**

**Lodi II Solar**

**Supplemental Information**

**Full Environmental Assessment Form**

**Part I**

Route 414, Lodi NY (between #8933 and #9085)

Parcel 12-1-28.2

**March 2023**

Submitted by:  
Lodi II Solar PV, LLC  
c/o RIC Development, LLC  
85 Broad St, 28th Floor  
New York, NY 10004

## Lodi II Solar Project

The following information supplements Part I of the Full Environmental Assessment Form (FEAF) for use by the Lead Agency in completing the FEAF Parts 2 and 3 for a State Environmental Quality Review Act (SEQRA) Determination of Significance relative to the Lodi II Solar Facility.

### Project Description and Action

Lodi II PV, LLC is proposing to develop and build a new facility - Solar PV generation plant. The proposed project is located along Route 414 in Lodi NY. The project, as designed will have a nameplate capacity of 5,000 kW. The proposed project is a standalone ground-mounted system mounted on a single-axis steel structure. The system will include 23 inverters connected to two transformers. The applicant is proposing to interconnect the project to the 34.5 KV Valois circuit. A new access road with connection to Route 414 will be constructed. The entire facility will be enclosed within a fence.

The below narrative expands upon questions found within the FEAF Part 1, submitted to the Lead Agency for review:

### Agricultural Resources:

Seneca County has a rich legacy of farming as reflected in its Agricultural and Farmland Protection Plan, which spells out the value of farming. The site in question is located within an Agricultural District and has historically and even currently been used for farming. However, the landowner is not interested in continuing farming on this property indefinitely, nor in selling the land to another area farmer. They do, however, wish to keep the rural character of their property, and exercise their right to use the property in a manner that generates income without adversely affecting the environment. Their intent is to do this by selecting a development option that will not generate waste, noise, odors or other adverse impacts, expenses or drain on community services.

The field in question has been used for this past season for production of corn and soybean. Within the proposed solar facility, a low-growing, native pollinator-friendly meadow seed mix will be planted to continue a meadow environment under and around the panels. After the useful life of the project, upon completion of the lease term, the Site will be returned through decommissioning to a condition that can again be farmed, should that be the desire of the landowner. This ability to maintain the property in condition for future desired uses is an advantage of the solar industry--Soils are depleted of nutrients when land is continuously farmed, requiring fertilizers to be applied, frequently along with herbicides and pesticides intended to maximize crop yield through continuous heavy labor working the ground. By contrast, solar allows for a period of rest and recovery whereby organic matter is retained awaiting a new future use after decommissioning. Construction and decommissioning are conducted in accordance with the NYS Department of Agriculture recommendations and standards for construction of solar within an agricultural area.

### **Groundwater Resources:**

The project is in an area with groundwater averaging less than three feet below the ground. This depth to groundwater is a threshold referenced within the FEAF (Part 2) that suggests additional thought should be given to the nature of the development relative to its impacts on groundwater.

The Lodi II Solar proposal does not present a risk to groundwater. No contaminants or pollutants are stored or used on site. There is no battery storage at this site, and no discharge of any waste. Herbicides are not proposed in the future maintenance of vegetation on site. If anything, the cessation of fertilizer or pesticide application during the period in solar production will be beneficial to underlying groundwater resources. Construction is entirely above ground, with the exception of small-diameter posts driven in to support panel racking, and areas of underground wiring installed through trenching.

### **Plants and Animals:**

The Project Site is indicated by agency data to be within the vicinity of past sightings of the northern harrier and short eared owl. These bird species are known to winter in New York, and are listed as state-threatened and state-endangered, respectively. There is no known nesting by these species on the site. An weekly on-site raptor survey was suggested by the NYSDEC and has been underway since November 2023. To date, a single sighting of both species has occurred, with the bird flying over and through a portion of the property. Total time over the site was less than one minute. Survey completion is scheduled for the end of March, with results evaluated by the NYSDEC for a final conclusion relative to cause for concern. Thus far, survey results—one sighting—are not cause for concern. Final results and the conclusion of NYSDEC on the subject are expected in April. A worst case scenario would be the need by the applicant to perform some form of habitat mitigation to be determined by the NYSDEC. Examples may include placement of a conservation easement on comparable property in the vicinity, or perhaps habitat enhancement in the form of promoting grassland vegetative species.

### **Publicly Accessible Federal, State or Local Scenic or Aesthetic Resource:**

The Project Site is within proximity to the Finger Lakes National Park, the closest point being approximately 0.25 miles distant. The solar facility will be obscured by trees. The area closest to the proposed solar facility does not contain hiking trails or frequent visitors. As such, the scenic or aesthetic resources associated with the federal park land are not assumed to be at risk.