

**Steuben County Industrial Development Agency
7234 Route 54 North
PO Box 393
Bath, NY 14810
April 27, 2023**

Regular Meeting Notice

The Steuben County Industrial Development Agency will hold a Regular Business Meeting at 12:00 pm on April 27, 2023. This meeting is open to the public and those wishing to view the meeting as it is held may do so by visiting:

<https://us02web.zoom.us/j/88294540357>

Sincerely,

Mark Alger
Board Chair

Steuben County Industrial Development Agency
Regular Meeting of the Board of Directors

Agenda
April 27, 2023
12:00 pm

1. Call to Order – Quorum Present Alger
2. Secretary’s Report: Strobel
March 23, 2023 Minutes
3. Treasurer’s Report: Russo
a) March 2023 Financials
4. New Business: Johnson
a) Larry Foor and Associates, Building
Conditions Report
b) NY Bath Scudder Road LLC Solar Project
Application and Initial Resolution Staats
5. Old Business: Johnson
a) Baron Winds Sales Tax Extension
b) NY Pulteney I PILOT Start Date Staats
6. Other Business: Johnson
a) Project Performance Updates
b) State Budget Update
c) May and June 2023 Board Meeting Dates Johnson
7. Executive Session – Public Officers Law, Article 7, Open Alger
Meetings Law Section 105, Paragraph 1f. The
employment history of a particular person
8. Adjournment Alger

Steuben County Industrial Development Agency
7234 Route 54N, P.O. Box 393, Bath, NY 14810
Minutes of the Regular Meeting March 23, 2023

- I. **CALL TO ORDER:** The Regular Meeting of the Steuben County Industrial Development Agency (SCIDA) was called to order at 12:02 pm, by Vice Chairman Scott VanEtten. Vice Chairman VanEtten confirmed that there was a quorum present.

Present:	Mark Alger	Chairman (via Zoom)
	Scott VanEtten	Vice Chair
	Tony Russo	Treasurer
	Mike Davidson	Member
	Christine Sharkey	Member
Absent:	Dean Strobel	Secretary
	Michelle Caulfield	Member
Staff:	James Johnson	Executive Director
	Jill Staats	IDA Staff
	Stacy Housworth	IDA Staff
	Russ Gaenzle	SCIDA Counsel (via Zoom)
Guests:	Kam Keeley	Three Rivers Development

- II. **SECRETARY'S REPORT:** A motion to approve the February 23, 2023, Regular Meeting Minutes of the Steuben County Industrial Development Agency as presented in the board materials was made by Chris Sharkey, seconded by Tony Russo. All in favor. Approved.

III. **TREASURER'S REPORT:**

a) **February 2023 Financial Statements:**

The February 2023 financial statements were reported to the board. A motion to approve the financial statements as presented and included in the board materials was made by Mike Davidson, seconded by Chris Sharkey. All in favor. Approved.

b) **2022 Annual Audit Presentation:**

Kristie Beach from Kristie M. Beach, CPA gave a fiscal year 2022 financial presentation to the Board. Items reviewed were the financial statements for

2022, an overview of changes from 2021 to 2022 and a management opinion. The board had no questions for Kristie and all related materials can be found on the IDA website at <https://steubencountyida.com/>.

A motion to approve the 2022 financial statements as presented in the board packet was made by Tony Russo, seconded by Mike Davidson. All in favor. Approved.

IV. NEW BUSINESS:

a) 2022 PARIS Report:

A motion to approve the 2022 PARIS Annual Report to NYS as presented in the board materials was made by Chris Sharkey and seconded by Tony Russo. All in favor. Approved.

b) 2022 Operations and Accomplishments:

A motion to approve the 2022 Operations and Accomplishment Report as included in the 2022 PARIS Report and as presented in the board packet was made by Mike Davidson and seconded by Tony Russo. All in favor. Approved.

c) 2022 Assessment of Effectiveness & Internal Control:

A motion to approve the 2022 Assessment of Effectiveness & Internal Control Report as included in the 2022 PARIS Report and as presented in the board packet was made by Scott VanEtten and seconded by Chris Sharkey. All in favor. Approved.

d) 2022 Performance Measures:

A motion to approve the 2022 Performance Measures Report as included in the 2022 PARIS Report and as presented in the board packet was made by Mike Davidson and seconded by Tony Russo. All in favor. Approved.

e) 2022 Board Evaluation:

A motion to approve the 2022 Board Evaluation as presented in the board packet and sent to the NYS Authorities Budget Office was made by Tony Russo, seconded by Chris Sharkey. All in favor. Approved.

f) 2022 NYS ST-62:

A motion to approve the 2022 NYS ST-62 as presented in the board packet was made by Tony Russo, seconded by Scott VanEtten. All in favor. Approved. The IDA did not re-capture any sales tax benefit in 2022.

V. Other Business:

a) Project Updates:

Executive Director Johnson briefly remarked on the progress of the LP Building and Amazon projects. Storeflex continues to work with Corning Inc. on the sale of their building. ED Johnson stated there is an upcoming meeting between Bath Electric and Gas and the Dana Lyons to discuss utilities.

b) Senator Skoufis Request/ IDA Response Letter:

Executive Director Johnson gave the board an overview of the request from Senator Skoufis regarding his investigation of IDA's and project need. Executive Director Johnson shared the response by the IDA as presented in the board packet. Russ Ganzel of Harris Beach, IDA counsel, stated that our response was factual in nature and agrees with the response. A motion to accept this response, retroactively, was made by Chris Sharkey, seconded by Scott VanEtten. All in favor. Approved.

c) State Budget Update:

Executive Director Johnson shared the 2023-2024 One-House Budget Update with the board.

VI. Executive Session: – Public Officers Law, Article 7 Open Meetings Law – Section 105, Paragraph 1f - The employment history of a particular person.

The board entered Executive Session at 12:50pm. A motion to enter Executive Session was made by Mike Davidson, seconded by Scott VanEtten. All in favor. Approved.

The board left Executive Session at 12:59pm. A motion to leave Executive Session was made by Chris Sharkey, seconded by Scott VanEtten. All in favor. Approved.

VII. ADJOURNMENT

With no further business to discuss, a motion was made by Chris Sharkey to adjourn the meeting at 1:00 pm, seconded by Scott VanEtten. All in favor. Approved.

Respectfully submitted,

Dean Strobel
Secretary

SCIDA
Balance Sheet
 As of March 31, 2023

	Mar 31, 23
ASSETS	
Current Assets	
Checking/Savings	
200 · Five Star Bank checking	1,645,706.94
209 · Escrow Project Account	12,316.15
210 · Petty cash	100.00
213 · Five Star CD 225274906	606,034.33
215 · Chemung Canal Trust Company	1,469,452.18
218 · Five Star CD 225343789	1,000,000.00
Total Checking/Savings	4,733,609.60
Total Current Assets	4,733,609.60
Fixed Assets	
100 · Land - B&W Railroad	380,250.00
101 · B&H Railroad	102,653.00
102 · B&H Railroad Equipment	14,250.00
103 · Building - Office	161,544.00
104 · Engine House - Livonia	100,000.00
106 · Land - Railroad	39,979.00
107 · Office Equipment	33,968.35
108 · B&W Railroad	380,250.00
109 · Building Improvements	15,100.00
111 · B & H Railroad	922,522.80
112 · Accumulated Depreciation	-946,831.24
150 · Website Design	30,000.00
Total Fixed Assets	1,233,685.91
Other Assets	
151 · Accumulated Amortization	-30,000.00
180 · Pension Asset	72,419.00
199 · Deferred Outflows of Resources	164,578.00
Total Other Assets	206,997.00
TOTAL ASSETS	6,174,292.51
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2100 · Payroll Liabilities	770.32
261 · Deferred Inflows of Resources	260,359.00
Total Other Current Liabilities	261,129.32
Total Current Liabilities	261,129.32
Total Liabilities	261,129.32
Equity	
1110 · Retained Earnings	5,393,453.36
1120 · Temp Restricted-Millennium	153,557.41
1125 · Temp. Restricted Infrastructure	12,316.27
Net Income	353,836.15
Total Equity	5,913,163.19
TOTAL LIABILITIES & EQUITY	6,174,292.51

SCIDA
Profit & Loss Budget Performance
March 2023

	Mar 23	Budget	Jan - Mar 23	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
2140 - Administrative Income	16,125.00	130,886.25	418,125.00	392,658.75	1,570,635.00
2401 - Interest Income	150.56	708.34	618.36	2,125.02	8,500.00
2770 - Miscellaneous Income	0.00	166.67	56.25	500.01	2,000.00
2810 - Business Development Support	0.00	0.00	75,000.00	75,000.00	75,000.00
2813 - Grant Income Site Development	0.00	16,000.00	0.00	48,000.00	200,000.00
Total Income	16,275.56	147,761.26	493,799.61	518,283.78	1,856,135.00
Gross Profit	16,275.56	147,761.26	493,799.61	518,283.78	1,856,135.00
Expense					
6145 - Continuing Education	0.00	743.00	1,644.35	2,229.00	8,927.00
6160 - Dues and Subscriptions	230.34	766.00	4,410.64	2,298.00	9,200.00
6180 - Insurance					
6181 - Health Insurance	3,135.75	3,750.00	17,943.00	11,250.00	45,000.00
6182 - Dental Insurance	0.00	186.50	766.20	559.50	2,238.00
6183 - Allowances	975.50	975.50	2,438.75	2,926.50	11,706.00
6185 - Liability Insurance	0.00	833.33	1,472.00	2,499.99	10,000.00
6190 - Disability Insurance	0.00	141.66	979.36	424.98	1,700.00
6195 - Life Insurance	0.00	112.50	0.00	337.50	1,350.00
6196 - Workers' Compensation	1,220.30	145.83	1,220.30	437.49	1,750.00
Total 6180 - Insurance	5,331.55	6,145.32	24,819.61	18,435.96	73,744.00
6240 - Miscellaneous Office Expenses	42.20	250.00	253.13	750.00	3,000.00
6250 - Postage and Delivery	0.00	250.00	190.08	750.00	3,000.00
6270 - Professional Fees					
6650 - Accounting	2,000.00	4,750.00	8,000.00	9,500.00	9,500.00
6655 - Consulting	0.00	1,250.00	0.00	3,750.00	15,000.00
Total 6270 - Professional Fees	2,000.00	6,000.00	8,000.00	13,250.00	24,500.00

SCIDA
Profit & Loss Budget Performance
March 2023

	Mar 23	Budget	Jan - Mar 23	YTD Budget	Annual Budget
6276 - Infrastructure Development Fees	752.82		752.82		
6277 - Site Development	0.00	20,833.33	0.00	62,499.99	250,000.00
6340 - Telephone	323.21	312.50	838.57	937.50	3,750.00
6350 - Travel & Ent	124.46	666.66	-359.38	1,999.98	8,000.00
6390 - Utilities	341.21	358.33	762.39	1,074.99	4,300.00
6465 - Community Engagement	0.00	541.66	0.00	1,624.98	6,500.00
6495 - Cleaning	460.00	250.00	690.00	750.00	3,000.00
6505 - Conferences	295.00	541.66	295.00	1,624.98	6,500.00
6515 - Copier	189.09	208.33	738.51	624.99	2,500.00
6535 - Internet access	60.00	65.00	180.00	195.00	780.00
6540 - Legal Services	4,000.00	375.00	4,000.00	1,125.00	4,500.00
6545 - Maintenance	137.50	4,166.66	397.50	12,499.98	50,000.00
6550 - Office Supplies	44.27	397.91	44.27	1,193.73	4,775.00
6560 - Payroll Expenses	20,148.30	27,466.68	77,714.88	82,400.03	329,600.00
6561 - Payroll Taxes	1,607.26	2,145.83	6,103.75	6,437.53	25,750.00
6576 - Project Costs	2,850.06	2,083.33	4,125.14	6,250.03	25,000.00
6590 - Refuse	36.00	36.00	114.50	113.00	437.00
6595 - Retirement	0.00	0.00	0.00	0.00	36,988.00
6625 - Technology upgrades	186.25	416.66	396.25	1,250.06	5,000.00
6645 - Marketing	2,620.00	2,083.33	4,620.00	6,250.03	25,000.00
6647 - Manufacturing Day Video & Event	0.00	679.41	0.00	2,038.31	8,153.00
6651 - Payroll Fees	208.44	223.16	860.06	669.56	2,678.00
Total Expense	41,987.96	78,005.76	141,592.07	229,272.63	925,582.00
Net Ordinary Income	-25,712.40	69,755.50	352,207.54	289,011.15	930,553.00
Net Income	-25,712.40	69,755.50	352,207.54	289,011.15	930,553.00

**DEFERRED MAINTENANCE
&
BUILDING CONDITIONS REPORT
FOR THE
STEUBEN COUNTY IDA OFFICE
7234 Route 54 North
Bath, New York**



PREPARED BY:



&
CONSULTING ENGINEERS



**DEFERRED MAINTENANCE &
BUILDING CONDITIONS REPORT
STEUBEN COUNTY IDA OFFICE**

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- SECTION 3 – OPINION OF PROBABLE COSTS
 - BUILDING
 - CIVIL / SITE
 - PLUMBING / HVAC / ELECTRICAL

- SECTION 4 – PROGRAM / SPACE NEEDS / RENOVATIONS & EXPANSION

EXECUTIVE SUMMARY

The Steuben County Industrial Development Agency requested that a Deferred Maintenance and Building Conditions on the Office Building located at 7254 Route 54 North, Bath New York.

The purpose of the report is to assess the current conditions of the building and site components, identify needed repairs or upgrades, identify code compliance and energy efficiency concerns, and examine possible upgrade renovations and expansion.

PROPERTY DESCRIPTION

The office building is a prefabricated double wide modular building set on a poured concrete full basement. The building was built in 1984 and is 2,016 sq. ft. on each floor. The property is a .88-acre lot with paved parking lot and paved access to the rear of the building. The main floor contains an Entry Vestibule, Conference Room, Kitchenette, Open Common Office Area, Two Private Offices, Men's Rest Room, and Women's Rest Room. The basement is walk out on the rear and contains two unfinished rooms used for utility and storage.

SITE VISIT

The Design Team made a site visit on February 1, 2023, for kick off, visual inspections, and to gather any historical building and improvement information.

TEAM

Design Team:

Project Management & Architectural

Larry Foor, Architect - Foor & Associates, Architects, Elmira, NY

Civil / Site Engineering

James Gensel & Cam Heggie, Civil Engineers – Fagan Engineers & Land Surveyors, PC, Elmira, NY

HVAC, Plumbing, & Electrical Engineering

Bill King, Gunnar Stockman, Garrett Galyen, Engineers – Taitem Engineering, PC, Ithaca, NY

CONDITION ASSESSMENTS

BUILDING EXTERIOR

ROOF & ROOF DRAINAGE

Condition

The roofing is an architectural style asphalt or fiberglass shingle roof. There is a ridge vent providing ventilation to the attic space. The shingles are assumed to be original to the 1984 building making them 36 years old. A visual inspection from the grade level indicates that the roofing is in satisfactory condition. No roof leaks were reported.

The roof drainage is handled by way of gutters and downspouts. They appear to be working properly. There are two downspouts on the front and one downspout on the rear of the building. All downspouts are connected to an underground drain system that is assumed to drain to the rear site drywell.



Recommendations

The roofing is at or near its useful life and should be replaced within the next 2-3 years.

There is one downspout that slopes up to enter the underground drain system. This should be corrected.

SIDING & TRIM

Condition

The siding is vinyl clapboard style with vented vinyl soffits and aluminum covered fascia boards. The siding and trim in general are in good condition. There are three areas of concern on the siding, over the northwest window a piece of the siding is loose, one window shutter on the west side that was removed and mounting holes in the siding are exposed, and vegetation growth at the windows on the east end. The wood porch columns are showing some weather wear.



Recommendations

- Reattached the siding at the northwest window.
- Seal the mounting holes where the west end shutter was removed.
- Paint the columns and replace the base trim on the porch columns.

BASEMENT WALLS (Exposed)

Condition

The basement walls are exposed concrete where they are out of grade on the south and east sides. The form ties are exposed. The walls are in good condition.



WINDOWS

Condition

The main floor windows are aluminum single hung windows with insulating glass and half screens. No visible exterior problems were observed on the main floor windows and appear to be

satisfactory condition. The one basement window closest to grade is showing deterioration of the wood frame and all basement windows need painting.



Recommendations

Replace the deteriorated wood basement window.
Paint the basement windows.

DOORS

Condition

There are three exterior doors, two swing doors on the main floor and one swing patio (french) door in the basement. All doors seem to be working properly.

ENTRY / EXITS / ACCESSIBILITY

Condition

Main Entrance – The main entry porch is somewhat handicap accessible. It was retrofit a few years ago with the installation of a overpoured concrete ramp sidewalk and handrail. This does not meet the ADA code.



Rear Exit – The second means of egress from the main floor is via a door in the Conference Room. The door exits to exterior wood steps and 2x4 handrail. This does not meet code requirements for a means of egress. It should have a landing at the door at top of the steps and a concrete pad at the bottom of the steps.



Basement Entrance / Exit – Door unit appears to be in satisfactory condition but needs cleaned and painted.

Recommendations

Main Entrance – Correct porch entry to meet ADA.

Rear Exit – Replace steps and railing with code complaint landing, railing and pad.

ENERGY EFFECIENCY

See the Building Interior Section for the Condition and Recommendations for the Building Envelop.

BUILDING INTERIOR

MAIN FLOOR

FLOORS & FLOOR COVERING

Condition

Sub Floor - The floor structure is a mobile home type steel frame with a plywood subfloor. There are several areas where the floor is humped / not level. This is likely a condition caused by settlement and possibly that the subfloor is thin.

Floor Covering – The office spaces have carpet that was installed in 2012. The entry vestibule, kitchenette, and rest rooms are vinyl flooring. The age of the vinyl flooring is unknown. The carpet is showing wear. The vinyl flooring appears to be in satisfactory condition.



Recommendations

The carpet is at the end of its useful life and should be replaced in the next year.

The vinyl flooring although appears satisfactory it would be advantageous to replace it when the carpet is replaced.

The sub flooring conditions should be repaired / replaced to eliminate the unlevel conditions when the floor covering is replaced. This will likely require the floor frame to be adjusted and shimming of the sub flooring repair areas.

WALLS

Condition

The exterior walls are assumed to be framed with 2 x 4 wood studs with fiberglass insulation and faced on the interior with a 3/8" prefinished paneling.

The interior walls are framed with 2" x 3" wood studs and faced with 3/8" prefinished wood paneling.

The prefinished paneling is in good condition but provides somewhat of a dated mobile home look.

The window, door, ceiling crown, and base trim is a printed wood composition (pressboard) material. The trims for the most part are in good condition but provides somewhat of a dated mobile home look.



Recommendations

The client's desire is to achieve an upgraded commercial office appearance. This would require removal of the prefinished paneling and installation of drywall with a painted finish. Sound batt insulation should be installed in the walls for better office acoustics. The trim should be changed to real wood either painted or stained.

CEILINGS

Condition

The sloped (cathedral) ceilings are a prefinished popcorn look paneling and appear to be in good condition.



Recommendations

Although in good shape, a consideration would be to install a direct applied acoustical tile ceiling to aid in better office acoustics.

DOORS & HARDWARE

Condition

The doors are prehung six panel prefinished pressboard and are in good condition. The hardware is a residential grade and style knob and latchset. The main entry, one vestibule, and the men's rest room doors have lever handles. There are some knobs that are worn out. The main entry door and the exit door have panic device hardware in working condition.



Recommendations

As part of the upgraded commercial office appearance, the doors and hardware should be replaced.

SAFETY & SECURITY

Condition

The Staff noted concerns about safety and security. The main entry and entry vestibule does not provide visual control or locked entry access.



Recommendation

Install a camera and buzzer system at the main entry door providing communications and visibility for control and safety. An option would be to install vision safety glass in the vestibule wall to allow staff to see any visitors entering with controlled locking at the vestibule doors.

WINDOWS

Condition

The main floor windows are aluminum single hung windows with insulating glass and half screens. No visible problems were observed and appear to be satisfactory condition.



Recommendations

Window upgrades could be done but the benefit may not outweigh the costs.

REST ROOMS

Condition

In general, both Rest Rooms are in good condition. The Men's Rest Room was somewhat upgraded for handicap accessibility but doesn't meet today's ADA code.



Recommendations

Upgrade both rest rooms to the current ADA code which would include vanity sink tops with knee space under, HC water closets, grab bars at the water closets. Remove the shower in the Men's Rest Room since it is not used and capture the floor space.



BREAKROOM / KITCHENETTE

Condition

In general, the cabinets are in good condition with countertops at the standard 36". The current ADA code requires the countertops to be at 34". There is a gas range that has had the gas disconnected or turned off and the understanding is that it is not used. There are countertop appliances and a full size refrigerator.



Recommendations

Rework the kitchenette to eliminate the gas range, incorporate a shelf located microwave and set the countertops height at 34". Install new countertops.

BASEMENT

STAIRS

Condition

The stairs are wood with open 8" risers and 9 1/4" treads. The tread and riser dimensions exceed the code required dimensions. The handrails are 2x4 wood and there are no guards on either side of the open section.



Recommendations

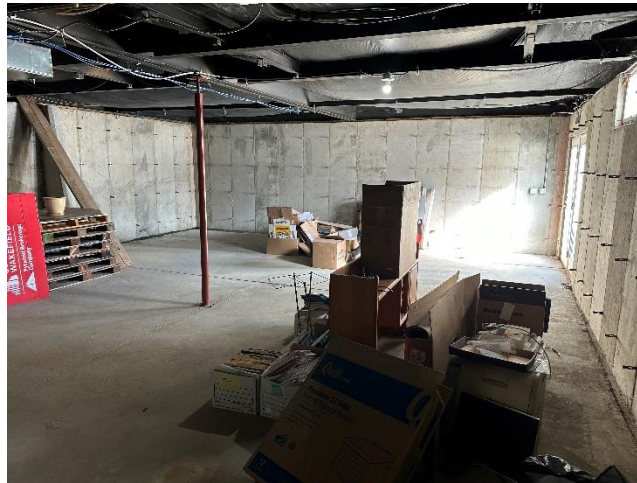
Although the stairs can be grandfathered it is recommended that upgrades be done to make the stairs code compliant by changing the treads and risers and adding a guard on the open sections.

WALLS

Condition

The exterior walls are concrete, and the one interior wall is concrete masonry (block). There are two locations that there is evidence of moisture due to minor cracks in the concrete. The form ties are exposed in the concrete walls. All in all, the walls are in good condition.

The center has a row of jack post supporting the center of the double wide.



Recommendations

The two moisture migration areas should be repaired.

The space is being used for archive storage and a dehumidification unit should be considered.

If this space became occupied space the exterior walls should be insulated.



CEILINGS

Condition

The ceilings are the bottom of the double wide units showing a steel trailer frame and batt insulation covered with a vapor barrier. There are several areas where the vapor barrier and insulation has been disturbed.



Recommendations

None.

ENERGY EFFICIENCY – BUILDING ENVELOPE

Condition

The building envelop is of mobile / double wide 1984 construction. Although not verified due to being concealed, typical construction consists of 2x4 exterior stud walls with R-11 fiberglass batt insulation, attic R-19 fiberglass batt insulation, and R-11 fiberglass batt insulation in the floor. These insulation values were typical when the building was built but considerably lower than the current Energy Code.

The basement walls are not insulated. This does not meet the current Energy Code.

Recommendations

Added wall insulation could be increased in the 2x4 stud cavity by using a spray foam insulation in place of the fiberglass batts. Additional batt insulation could be added in the attic. Although the basement is somewhat of an unoccupied space insulating the walls would help with heat loss and comfort on the main floor.

1.0 INTRODUCTION

1.1 Scope of Inspection – A visual inspection of the subject property was performed on Wednesday February 1, 2023 at 10:00 AM. Fagan Engineers & Land Surveyors, was requested to evaluate the existing condition of the property. This Property Condition Report addresses general items of interest that were visible to the inspection attendees during the inspection.

Reasonable effort was made to view all safely accessible areas of the subject property. Concealed items cannot normally be inspected without using invasive procedures or special testing equipment that is beyond the scope of this type of general inspection. This property condition report may not address every problem that may exist with this property at the time of this inspection. It should also be noted that at the time of the inspection, the site was generally covered in snow and temperatures were around 20 degrees. **Fagan Engineers & Land Surveyors, PC makes no warranty that there are no other defects with this property.**

The following attendees were present at the February 1, 2023 inspection:

Cameron Heggie

Fagan Engineers & Land Surveyors, PC

1.2 Subject Property Description – The original building was constructed in 1993 and totals approximately 2016 square feet.

The following sections of this report describe key areas of interest pertaining to our inspection of the subject property.

2.0 SITE INSPECTION

2.1 Pavement Areas

a. Description – The entrance to the property is an asphalt driveway approximately 20 feet wide. The property contains a parking area to the front of the building with 25 stalls – two of which are handicap accessible. Parking stalls are approximately 9 feet in width and 19 feet long. The drive aisle within the parking area is approximately 18 feet wide. A paved access drive approximately 14 feet wide extends to the rear of the building for solid waste trucks and additional access to the rear/basement of the building. There are no lights within the pavement areas. However, there are small exterior lights mounted on both the front entrance and the rear entrance of the building.

b. Concerns

1. A few areas of the parking lot surrounding the new building are worn and in need of some patch work. Several small areas throughout the site have also settled.
2. Most of the parking surface is cracking from the normal aging process. It appears that crack repairs and sealing have been performed consistently, however many of the cracks have expanded and are no longer able to be effectively sealed.
3. Asphalt surrounding the stormwater catch basin within the access road to the rear of the building is deteriorating and requires repair.
4. Entrance to the parking lot from State Route 54 North appears to be a sharp turn. Landscaping located within the radius of the driveway also creates an obstacle that appears

**STEUBEN IDA OFFICE BUILDING
EXISTING CONDITIONS REPORT
FE PROJECT 2023-012**

to be tracked over frequently. Driveway width may be shown to be undersized during times of increased traffic.

5. The first parking stall along the northern row of parking constricts the drive aisle for cars entering and exiting the parking area.

6. The drive aisle appears to be constricted (approximately 18 feet) and may present future concerns with parking lot maneuverability should there be events with high traffic.

7. Rutting along the rear access road is assumed to be from solid waste trucks. Radius of the curve and access road width may not provide enough maneuverability for larger trucks.

c. Recommendations

1. It is recommended that asphalt cores be taken prior any future asphalt repairs. These cores should indicate the thickness of top coat, bottom coat, as well as subgrade thickness and quality. This information will be used to more accurately examine current condition and the extent of the necessary repairs (if any). It is also recommended that

2. Lighting is recommended within the pavement areas.

3. It is recommended that the parking lot and rear access road be evaluated further utilizing land surveying.

4. It is recommended that the parking area and driveway entrance be redesigned to reflect the following:

- Increase the drive aisle width within the parking area to 24 feet
- Increase the overall parking area width to 65 feet (approximately 58 feet currently)
- Increase the driveway entrance width to 24 feet

2.2 Concrete Sidewalks and Curbs

a. Description - Sidewalk is located to the front of the building leading to the main entrance. There are no concrete curbs located on site, however there are wooden curbs at the base of the slope to the rear of the building. Concrete sidewalk at the front entrance appears to be in generally good condition.

b. Concerns

1. Sidewalk/ramp ADA compliance.

c. Recommendations

1. It is recommended that the sidewalk to the main entrance as well as the wheel chair ramp be evaluated further for ADA compliance. Sidewalk and ramp are recommended to be replaced if deemed not ADA compliant, or at the time of the parking area repair.

2.3 Americans with Disabilities Act (ADA)

a. Description - As stated in section 2.1, there are two handicap accessible stalls located closest to the main entrance with a hatched area between them. The building is accessible via handicapped access through the main (front) door. An approximately 100 S.F sidewalk

**STEBEN IDA OFFICE BUILDING
EXISTING CONDITIONS REPORT
FE PROJECT 2023-012**

runs perpendicular from the main door and connect to the parking area. A concrete ramp appears to have been added after the initial sidewalk construction to provide wheelchair access to the building.

b. Concerns

1. Sidewalk/ramp ADA compliance.

c. Recommendations

1. See section 2.2.c for recommendations regarding the main entrance sidewalk and wheel chair ramp.

2.4 Utilities

Sanitary

a. Description - Public sanitary sewer is provided for the subject property. On-site sanitary waste exits the basement near the southwest corner of the foundation, towards the rear of the property. Public sanitary sewer appears to be located on the opposite side of State Route 54. It is presumed that the sanitary lateral runs from the southwest corner of the building, around the western side and northwest towards the sanitary main. All exposed plumbing connections are professionally installed and appear to be leak free. No exterior sanitary infrastructure, such as manholes or cleanouts, were observed on the property. Members of the Steuben County IDA indicated that there were no known issues with the system in its current condition.

b. Concerns

1. No additional sanitary information regarding original design or installation was available at the time of this inspection.
2. There was also no information provided regarding any maintenance to the lateral.

c. Recommendations

1. It is advised that additional information be provided from the original design engineer, contractor, or governing department (Department of Health, Sewer District, etc.)
2. It is recommended that the lateral be examined by a certified inspection to verify its current condition and expose any possible deficiencies.

Water

a. Description - Public water services the property via an existing water main along State Route 54. Water services is located underground and are assumed to be adequate for the current facility.

b. Concerns – N/A

c. Recommendations – N/A

**STEUBEN IDA OFFICE BUILDING
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Electrical/Lighting

- a. Description** - Electrical services are located underground and run from a utility pole off the west – northwest corner of the property, to the northwestern corner of the building. Electrical services are assumed to be adequate for the current building.
- b. Concerns** – N/A
- c. Recommendations** – N/A

2.5 Stormwater

- a. Description** - It appears that roof run-off from the building is collected by a gutter system, which flows into a roof drain located on each corner of the building. Several of the roof drains are no longer connected to the gutter down-spouts. Due to site constraints and weather, it was difficult to locate where the roof drains discharged. Based on the general site plan, it is assumed that the roof drains discharge into the catch basin to the rear of the building.

Run-off from the front (northwest) of the building appears to sheet flow away from the building and generally to the northeast towards State Route 54. Run-off from the eastern side of the building generally flows away from the structure. Run-off appears to flow towards the east and down the access road towards the rear of the property. Run-off from the western edge of the property appears to sheet-flow over the grass covered lawn area towards the rear of the property.

A catch basin is located to the rear of the building in the asphalt access road. The catch basin appears to accept surface run-off from the rear of the building. A 12” outlet pipe was observed heading south-southwest towards to the ditch just off the southeast corner of the target property.

Run-off from State Route 54 flows into a shallow concrete ditch along the shoulder of the road. A catch basin off the northwestern corner of the property, is located within the ditch to collect the run-off. This catch basin appears to outlet to the southwest of the property within the adjacent ditch. A concrete outlet pipe, approximately three-feet in diameter was observed within this ditch. There was no erosion or excessively wet areas observed during the site inspection

b. Concerns

- 1. Roof leaders on three out of four building corners are disconnected and exposed. Roof runoff is discharging directly to the surface in these locations. Exposed drainage pipes may also collect debris or animals, potentially leading to a blockage in the stormwater system.
- 2. Catch basin to the rear of the property had standing water with a layer of ice at the time of the inspection. This could indicate that the structure may not be discharging properly.
- 3. Catch basin outlet pipe discharge point at the adjacent drainage ditch is partially blocked.

c. Recommendations

- 1. Roof leaders should be inspected and cleaned/flushed of any obstructions if necessary.

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Disconnected roof leaders should be reconnected.

2. Catch basin to the rear of the property should be checked for cause of drainage problem, such as built up sediment or blockages within the outlet pipe.

3. Outlet pipe from the rear catch basin should be flushed and sediment/rocks removed from the outlet.

4. Roof leaders, catch basin, and outlet pipe to be redesigned and replaced if any drainage problems are discovered upon further investigation or if any problems persist.

2.6 Landscape

a. Description - The immediate area that surrounds the existing building is mostly landscaped, except for the front entrance and basement entrance to the rear of the building. The basement entrance to the rear of the building is asphalt and the entrance to the front is a concrete sidewalk. Lawn areas and landscaping surrounding the building have been maintained. The area between the parking lot and the building is made up of a small landscaped area offset approximately 5 feet from the building followed by approximately 5 feet of grass. There is a small landscaped area to the southeast of the parking lot entrance, as seen in photo 3 of Appendix A.

b. Concerns

1. Landscaped area adjacent to the parking lot entrance appears to be too close to the pavement radius. Vehicles appear to track over part of the landscaped area.

c. Recommendations

1. It is recommended that the landscaped area adjacent to the property entrance be moved away from the radius of the asphalt.

The purpose of this Property Condition Assessment was to identify general items of concern to the client. Information gathered during this limited visual inspection and presented in this report may not address every problem that may exist with the property. **Fagan Engineers & Land Surveyors, PC makes no warranty that all problems have been addressed.**

If there are any questions concerning this report please contact James Gensel, at James.Gensel@FaganEngineers.com.

James B. Gensel, PE
Fagan Engineers & Land Surveyors, PC

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1.) Pavement cracking along the seam. Cracks are becoming too large to resurface/repair.



2.) Cracks spreading near the entrance. Area is beginning to form a pothole.



3.) Landscaping/bush on the southern radius of the entrance. Landscaping appears to be consistently driven over.



4.) Paved entrance has cracks in several locations.

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5.) View of the asphalt access road leading to the rear of the building. Pavement can be seen breaking down from vehicle traffic.



6.) View of the radius to the rear of the building. Rutting can be seen on either side of the asphalt. Small cracks were observed throughout.



7.) View of the pavement to the rear of the property. Vehicles accessing the rear of the property appear to drive on the lawn due to pavement restrictions.



8.) View of pavement to the rear of the building. Pavement cracks can be observed. Cracks appear to have been repaired in the past but have continued to spread.

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9.) Vehicle turn-around area/snow storage area to the rear of the property.



10.) Concrete sidewalk to the front of the building. Wheelchair accessible ramp constructed (see photo 11).



11.) Wheelchair accessible ramp constructed.



12.) View of asphalt parking along the structure. Minor cracking observed.

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13.) View of asphalt sinking at the corner of the pavement.



14.) View of gutter/roof leader on the southeast corner of the building.



15.) View of what appears to be a roof leader pipe just off the northeastern corner of the building.



16.) View of roof leader extending into the ground off the northwestern corner of the building.

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17.) View of stormwater catch basin along NY-54. Catch basin appears to discharge to the east. See photo 19 for concrete outlet.



18.) View of the catch basin to the rear of the structure. Catch basin was estimated to be halfway full of water at the time of the inspection. Asphalt/concrete surrounding the structure requires repair.



19.) View of stormwater discharge pipes from the catch basin on NY-54 (left) and the catch basin to the rear of the target property (right)

Executive Summary

Introduction

Taitem Engineering was retained by the Foor and Associates to complete an engineering conditions study of the Steuben County IDA office building. The following report includes the existing conditions, recommended improvements, and associated opinions of probable cost for those improvements.

The Steuben County IDA office building was built in the 1980's. The building is a wood and masonry framed single story double wide building with a full basement.

Scope of Work and Methodology

The scope of work for this conditions assessment includes a full review of the building and the surrounding building grounds. Included in the survey is the evaluation of the condition and remaining useful life of the following items:

- *Mechanical Systems: Heating System and Distribution, Kitchen appliances including ventilation system.*
- *Plumbing Systems: Water Heaters, Sinks, Toilets, and Showers*
- *Electrical Systems: Electrical Service, Lights and Receptacle*
- *Fire Alarm Systems: Smoke detectors, strobes, and fire alarm devices*
- *Communications System, data, telephone, security, and monitoring*
- *Energy Efficiency*

Conditions Assessment

The conditions assessment was conducted on 02/01/2023. The assessment was conducted using visual inspection.

Building Background

The Steuben County Industrial Development Agency (IDA) has its office located at 7234 Route 54 North in Bath, NY and consists of a 1984 prefabricated modular home retrofitted to office space with a full unfinished concrete block walk-out basement. The total 1,872 sq ft office configuration includes 2 private offices, general common area, 2 bathrooms, kitchenette and a 312 sq ft conference room. The office sits on 0.88 acres with a front paved parking lot and paved access to the rear.

Plumbing

Existing Conditions, Deficiencies and Recommendations Water Service

The building is currently serviced by an assumed 2-inch combined water service. The service enters the building at basement level near the electrical panel. The domestic water service does not appear to have any deficiencies or damages and does not require any action at this time.



FIGURE 1: INCOMING DOMESTIC WATER SERVICE

Sanitary Service and Piping

The sanitary service size, material, age, and location is unknown. The 3-inch sanitary main leaves the building from the basement on the southeast side. A trap with two cleanouts is located right before sanitary leaves the building. The sanitary service does not appear to have any deficiencies or damages and does not require any action at this time. It should be noted, as seen in figure 3, that there appears to be a ground water issue in the north-east, north-west corner of the building.



FIGURE 2: OUTGOING SANITARY SERVICE



FIGURE 3: WATER DAMAGE

Gas Service

The building is currently served by an assumed 2-inch gas line entering the Southwest side of the building with the meter being just outside the building. The age of the gas service / meter is unknown. The gas service appears to be in good condition. The gas service does not appear to have any deficiencies or damages and does not require any action at this time.



FIGURE 4: INCOMING GAS SERVICE

Hot Water System



FIGURE 5: EXISTING WATER HEATER

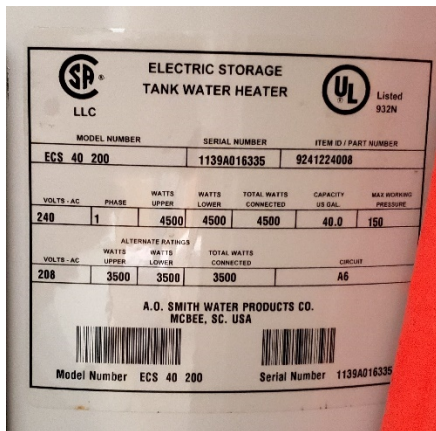


FIGURE 6: EXISTING WATER HEATER NAME PLATE

Hot water is provided to all fixtures by a single water heater. The AO Smith ProLine 40-Gallon Electric Water Heater is currently being used to supply all the domestic hot water to the building. The 4,500-Watt water heater delivers a first hour rating of 55 gallons at a Uniform Energy Factor of 0.92. This water heater is from 2007 and the warranty expired in 2013. It is our recommendation to either replace the water heater as soon it breaks or replace it within 5 years with a similar sized or higher capacity electric resistance water heater to improve the buildings energy efficiency. It is recommended that a drain pan tied into existing drainage system be installed similar to the image below.

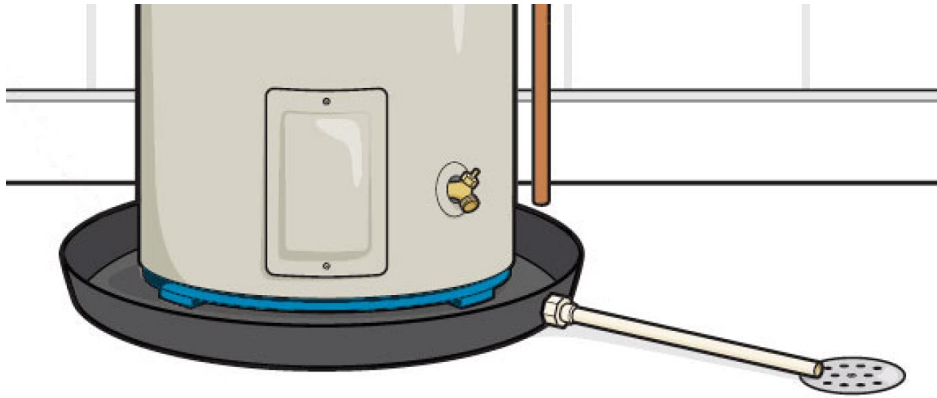


FIGURE 7: DRAIN PAN GRAPHIC

It should also be noted that none of the tempered hot water piping is insulated, our recommendation is to insulate with 1-inch closed foam insulation throughout.

Plumbing Fixtures

All fixture ages are unknown. The condition of the fixtures is good. However, it is our recommendation to replace the fixtures with more efficient and ADA compliant fixtures to help meet energy efficiency goals. The kitchen sink faucet and shower head should be replaced with EPA water sense, 1.5 GPM fixtures. The lavatory should be replaced with EPA water sense, 1.0 GPM faucet with an aerator.



FIGURE 8: EXISTING LAVATORY



FIGURE 9: EXISTING SHOWER

Kitchen

The kitchen fixtures appear to be in good condition and do not need replacements. The fridge is the Hotpoint 15.6 CU. FT. Recessed Handle Top-Freezer Refrigerator, it has a 330-Watt defrost heater and a 145-Watt Ice maker, it is in good condition, and it is expected to last another 8 -10 years. The range is in good condition and is expected to last another 15 years. Finally, the kitchen sink is in good condition and is provided with a U-Trap and an Air Admittance Valve. To better meet energy efficiency goals the sink faucet could be replaced with an EPA water sense 1.5 GPM fixture.



FIGURE 10: EXISTING KITCHEN

Roof Drainage

All roof drainage is handled by a pitched roof to gutters and down spouts. The roof drainage system only appears to have one deficiency where the gutter slopes up as

seen in Figure 12 below. While this is on the limits of our scope it is still something that should be noted.



FIGURE 8 EXISTING GUTTER ISSUE

HVAC

Existing Conditions, Deficiencies and Recommendations Heating and Cooling

The HVAC system is in great condition and is only around two years old. The basement & 1st floor spaces are heated by the Frigidaire Furnace FG7SD-090D-T35C1 which is located in the basement. This a Natural Gas fueled furnace does not appear to have any deficiencies or damages and does not require any action at this time. The basement & 1st floor spaces are cooled with a Frigidaire FSA1BD4M1SN24K 3 SEER High Efficiency Single Phase Condenser located on the southeast side of the building and tied to a Nortek C7BAM03648C-C Type A Multipoise Cased A Frame Coil within the furnace. Both the Coil and the Condenser do not appear to have any deficiencies or damages and do not require any action at this time.



FIGURE 13: EXISTING CONDENSER



FIGURE 14: EXISTING FURNACE AND COOLING COIL

Ventilation and Exhaust

The only exhaust in this building is from the bathroom fans and range hood exhaust. The exhaust fan in the bathroom is original and in fair condition and the fan has some buildup of dust. If cleaned, the fan may operate another 8-10 years. The exhaust fan from the range hood is also original and appears to be in good condition. Both the bathroom exhaust fan and the range hood do not appear to have any deficiencies or damages and do not require any action at this time.



FIGURE 15: EXISTING BATHROOM EXHAUST FAN



FIGURE 16: EXISTING RANGE EXHAUST FAN

Electrical

Existing Conditions, Deficiencies and Recommendations

Main Electrical Service

The main electrical service from the utility transformer is 240/120V single-phase. The service comes to the building via an underground route. The first device on the secondary side of the transformer is the meter.



FIGURE 17: EXISTING MAIN METER

The meter appears to be in good condition, has a usefulness of 7-12 years.

It is recommended to confirm with the utility company for continued utilization of this meter. Utility company shall determine if meter is required to be replaced.

Service Entrance equipment

The main service entry equipment is a 200A fused disconnect.

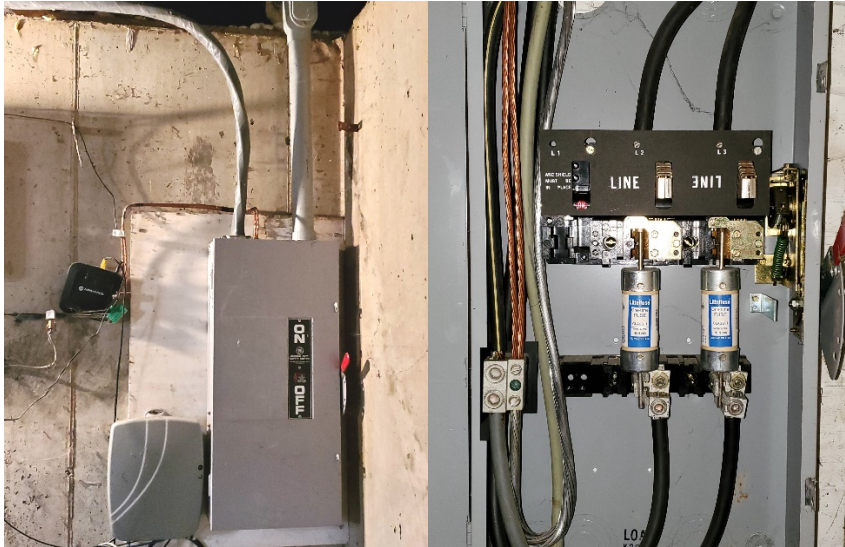


FIGURE 18: EXISTING DISCONNECT **FIGURE 19: ELECTRICAL DISCONNECT (INTERIOR)**

The enclosure, handle, and disconnect are in good condition, this equipment has usefulness of at least 7-12 years. This equipment appears to function well and has no issues in performing its required functions.

We recommend the enclosure and breaker shall remain unaltered to the extent possible. An electrician shall further inspect the fuses and replace as necessary.

It is recommended to evaluate this equipment again after 12 years.

Main Electrical Distribution

The existing main distribution panel; Trilliant SquareD power panel. This is served by the 200A 240/120V single-phase disconnect. This equipment appears to be in good condition, it has a usefulness of 7-12 years.

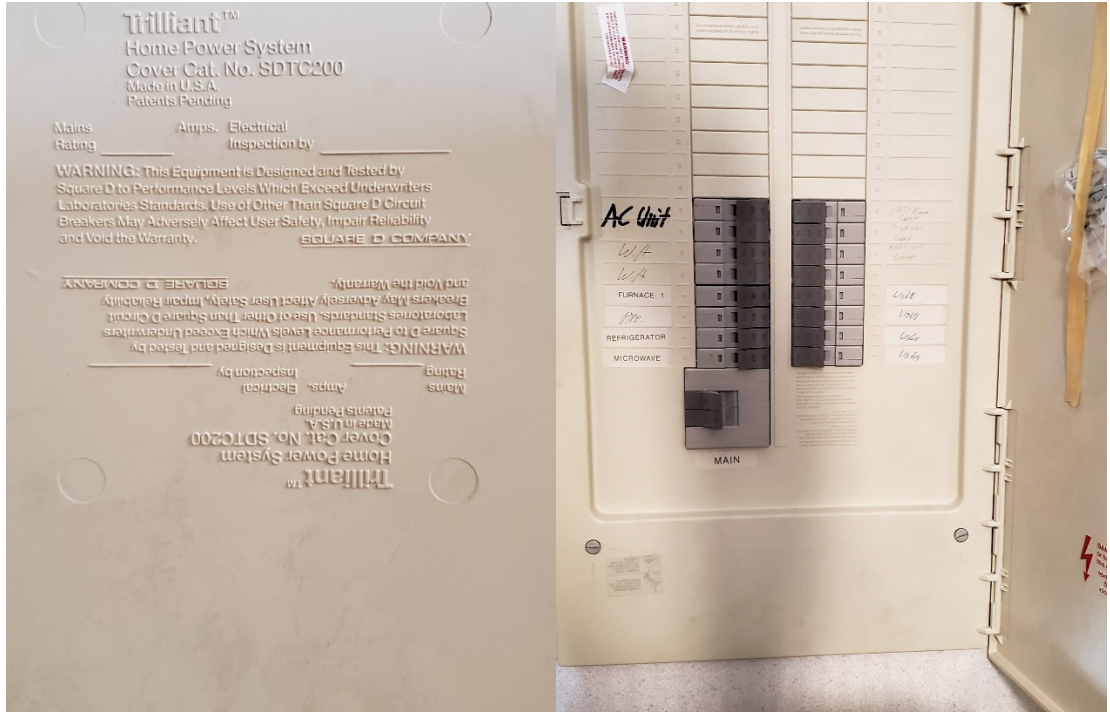


FIGURE 20: MAIN PANEL (COVER/LABEL)

FIGURE 21: MAIN PANEL (BREAKERS)

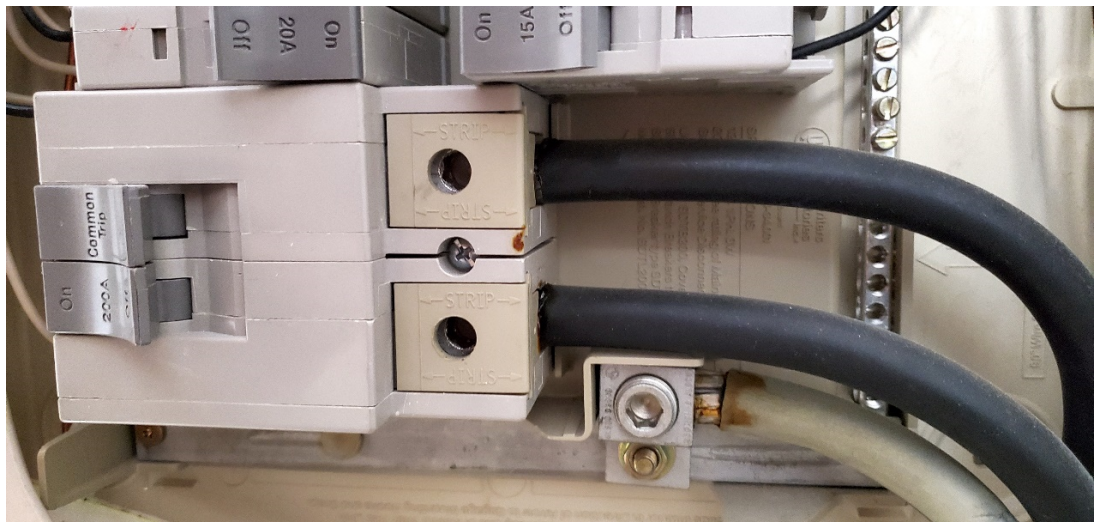


FIGURE 22: MAIN PANEL (MCB)

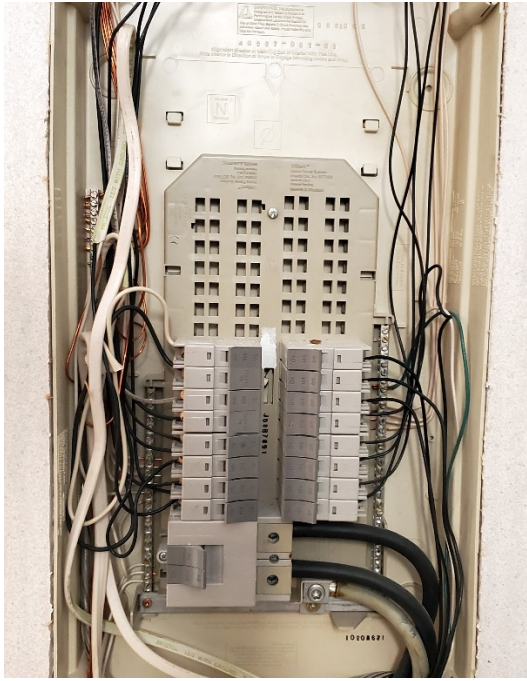


FIGURE 23: MAIN PANEL (INTERIOR)

Although the panel is non-typical, new parts, breakers, and accessories may be purchased for this device. This panel appears to have abundant spares and capacity to handle additional future loads.

We recommend the panel shall remain unaltered to the extent possible. If there has been recent shorts or power outages, then an electrician shall further inspect the breakers and replace as necessary.

It is recommended to evaluate this equipment again after 12 years.

Lighting

The existing light fixtures are a mix of fluorescent 8"x4' linear light, downlights (soft light), track lights, and exterior wall packs.



FIGURE 24: 8"x4' LINEAR

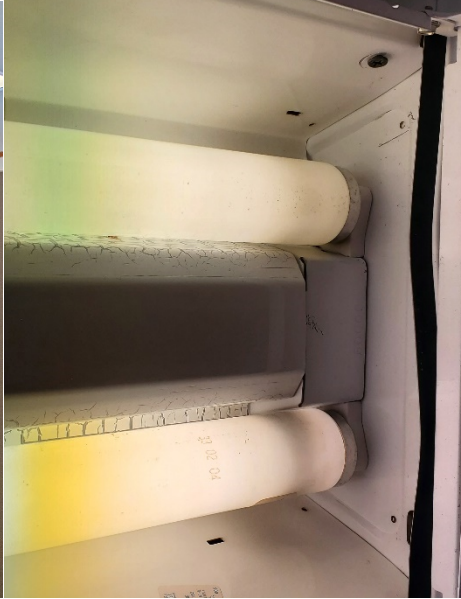


FIGURE 25: 8"x4' LINEAR (BULBS)



FIGURE 26: DOWNLIGHT (SOFT LIGHT)



FIGURE 27: TRACK LIGHTS



FIGURE 28: EXTERIOR WALL PACKS (EACH FIXTURE SHALL BE REPLACED IN ITS ENTIRETY)

Light fixtures appear to be in fair condition with a usefulness of 5 years. While light levels were not evaluated, light fixtures appear to provide an adequate light solution. From owner comments, it is ideal to upgrade these fixtures to LED.

We recommended that existing fixtures be replaced 1-for 1 with LED fixtures or existing light fixtures are re-lamped with LED bulbs where possible.

Emergency Lighting

It appears there is not any emergency lighting for this building. Confirm and verify that when there is a loss of power, there are no emergency light that turn on (there may be some light fixtures with an integral battery back-up). The occupancy is 30, this appears to be a house-style building used as an office. From this evaluation, the building does not appear to need a major upgrade. It is not code required to provide emergency egress fixtures in this case.

Note:

For office type buildings, there is typically emergency "bug-eye" type fixtures and exit signs that have integral emergency backup. None of these fixture types were found during this evaluation.

We recommended replacing the light fixtures based on 2 criteria.

1. Replace bulbs. Evaluate each fixture to determine if a LED bulb can be used. Replace light fixture bulbs with an LED equal where possible.
2. Replace each light fixture 1 for 1 with a LED equivalent light fixture.

Option 1, depending on the fixture, sometimes the light does not disperse well within an existing fixture. There may be hot and low light spot within the fixture itself that may be visually uncomfortable.

Option 2 would provide a new fixture that is intended to be LED. Fixture would have increased performance. Lights would be brighter, use less watts/lumen, and have more longevity, as compared to the existing fixtures. The office shall be evaluated further to determine high and low light areas. Light fixture may need to be added, removed, replace, relocated, or a different light solution may be necessary.

We recommend providing emergency egress lighting. Emergency "bug-eye" light fixture can be a simple direct, low-cost solution. Integral battery back-up fixtures provide better aesthetics, are more reliable, and provide more light/more spread of light as compared to a single "bug-eye". We recommend adding exit lights.

Fire Alarm

The fire alarm system consists of stand-alone smoke detectors/alarm. The detectors are in good condition, a usefulness of 7-12 years. There does not appear to be full coverage smoke detection for the building.



FIGURE 29: SMOKE DETECTOR/ALARM

We recommend the existing fire alarm solution/fire alarm devices remain unaltered. Test and confirm each device, replace batteries as necessary, and replace device as necessary. We recommend adding smoke detectors such that the building has 100% full coverage smoke detection.

As an add alternate: We recommend the alarms be linked together (one detector/alarm sets off others in the building).

Communications

The communication system consists of security equipment, monitors, standard telephone board, Cat 6 modem/distribution, and an Airsonics WAP. All communication systems appear to be aged, it is 5 or more years old.

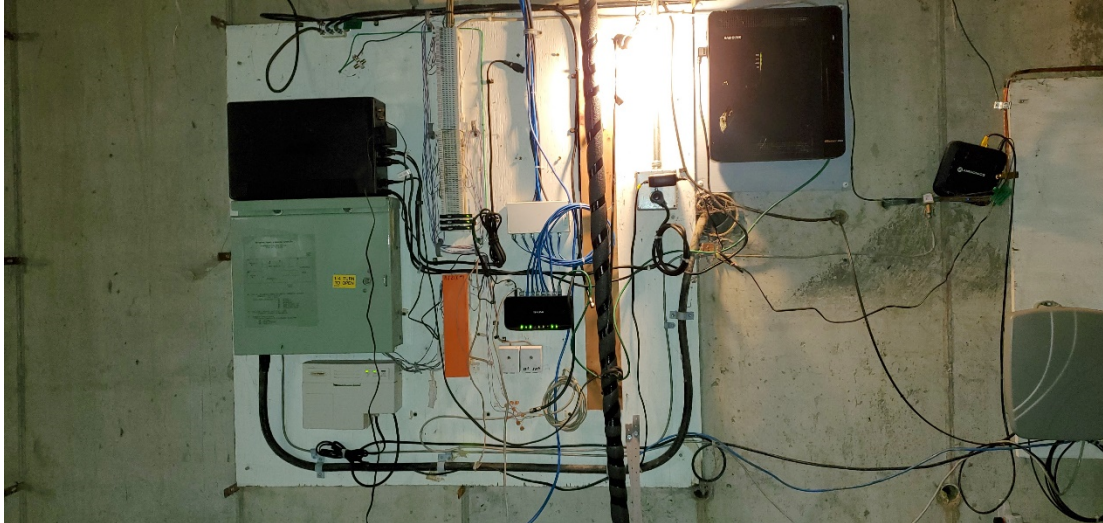


FIGURE 30: COMMUNICATIONS

The communication system shall be further evaluated. Each device that makes up the communication system shall be investigated to ensure it meets the user's needs. From this initial investigation, the exact function of each device is unclear.

Security system appears to be standard bolt locks tied to a security head-end equipment. This system appears to be in good condition, has a usefulness of 7-12 years. It appears the current security system is adequate for this type of building.

We recommend that the communication system be upgraded to meet the user's needs:

Data shall be upgraded to a (1) data rack system with incoming fiber (if available). The data rack would have fiber to CAT 6E, patch panels, and current ancillary devices and connections.

We recommend consulting the network provider or data consultant to further evaluate network requirements. Determine additional user network devices such as increased network speed, remote working capabilities, additional security, and all issues relating to the communications systems).

Security system shall be further evaluated and compared to current equivalent systems. It appears the current security system can remain unaltered.

Other communication devices and systems shall be further evaluated and compared to current equivalent systems.

We recommended upgrading devices as necessary (compared to current equivalent equipment).

System Routing/Mounting

There appears to be several devices not mounted in a clean fashion. Cables are hanging. Some devices appear to be falling. Some connections appear to be at risk of being severed.



FIGURE 31: LIGHT (UNMOUNTED)

FIGURE 32: ROUTING SAGGING/UNCLEAN



Figure 17: Routing Sag/Unclean Figure 18: WAP (unmounted)

There appears to be additional equipment and system routes that are not neatly secured, mounted, or supported correctly.

We recommend providing neat, clean, and proper support for all connections, and routing to all devices and equipment.

ESTIMATE OF PROBABLE CONSTRUCTION COST - BUILDING

**BUILDING CONDITION ASSESSMENT
STEUBEN COUNTY IDA OFFICE
Bath, New York**

Phase: Study
Date: March 29, 2023

Item	Cost
BUILDING EXTERIOR	
Roof Replacement	\$19,100
Repairs to Downspouts	\$400
Repairs to Siding	\$400
Paint Basement Windows	\$1,600
New Handicap Ramp at Main Entry	\$25,700
New Steps at Rear Egress Door	\$8,100
Paint Basement Door	\$700
BUILDING INTERIOR	
New Floor Covering & Sub Floor Repairs	\$31,400
New Wall Finish - Sound Batts, Drywall Painted	\$35,500
New Wood Trim	\$23,300
New Acoustical Ceiling	\$23,300
New Doors and Hardware	\$47,400
Communications & Controlled Door Lock at Main Entry	\$10,100
Window in Vestibule and Controlled Door Lock	\$7,700
Men's Rest Room Upgrades	\$8,900
Women's Rest Room Upgrades	\$5,300
Kitchenette Upgrades	\$20,900
Replace & Upgrade Basement Stairs	\$3,200
Correct Basement Moisture Problem	\$7,800
TOTAL BUILDING CONSTRUCTION COST	\$280,800

*Note: Estimate does not include Design Fees, Site / Civil, HVAC, Plumbing or Electrical.
Refer to other section estimates for Civil / Site, HVAC, Plumbing & Electrical.
Estimates do include a contingency.*

STEBEN IDA OFFICE BUILDING
Engineer's Opinion of Cost
FE Project #2023-012

Item Description	Quantity	Unit	Unit Price	Total
Driveway/Parking Lot Improvements				
Pavement Milling and Removal	600	CY	\$ 20	\$ 12,000.00
12" Item 4 Subbase	1,400	SY	\$ 20	\$ 28,000.00
Geotextile	1,400	SY	\$ 2	\$ 2,800.00
2.5" Binder Course - NYSDOT Type 3	1,400	SY	\$ 15	\$ 21,000.00
1.5" Top Course - NYSDOT Type 6F	1400	SY	\$ 10	\$ 14,000.00
Light/Pole	3	EA	\$ 5,000	\$ 15,000.00
Precast Light Pole Base	3	EA	\$ 2,500	\$ 7,500.00
Conduit - 2"	200	LF	\$ 10	\$ 2,000.00
Lighting Wire	200	LF	\$ 5	\$ 1,000.00
5" Thick Concrete Sidewalk	150	SF	\$ 15	\$ 2,250.00
Striping	Lump Sum			\$ 5,000.00
Stormwater				
7'-6" Precast Concrete Dry Well	3	EA	\$ 5,000	\$ 15,000.00
Dry Well Frame & Grate (EJ 1207 F&G Zeiser Wilbert)	3	EA	\$ 500	\$ 1,500.00
2'x2' Precast Concrete Catch Basin	1	EA	\$ 3,000	\$ 3,000.00
Catch Basin Frame & Grate (EJ 5423 F&G Zeiser Wilbert)	1	EA	\$ 500	\$ 500.00
12" Storm Sewer	180	LF	\$ 85	\$ 15,300.00
Misc.				
Landscaping	Lump Sum		\$ 5,000	\$ 5,000.00

	\$ 150,850.00
Contingency 20%	\$ 30,170.00
Subtotal	\$ 181,020.00
Design Fee 8%	\$ 14,481.60
Total	\$ 195,501.60

Last Updated: March 12, 2023

Opinion of Probable Cost

The opinion of probable cost has been divided by trade and separated by order of priority. Determining potential cost figures for a project in its earliest planning stages requires making some simple assumptions that do not always bear a close relation to the detailed design solutions expected to emerge from subsequent project development. Therefore, the figures presented herein should not be interpreted as detailed opinions of probable construction cost, but rather only as a range of likely magnitudes of costs. The costs given are in present day values.

- Costs are based on current year costs, using R.S. Means and historical data as references.
- Square-foot costs vary according to the construction activity needed. Spaces requiring fundamental alterations cost more than those requiring only painting or refinishing.
- Site development costs, costs associated with removal of hazardous materials, furniture and loose equipment are excluded.

Cost Matrix

Below is the cost matrix which provides descriptions and costs for all recommendations. A 2% annual inflation is applied to the costs starting in 2023.

Work	Cost	Time frame	Notes
Replace electric resistance water heater	\$ 2,400.00	0-5 Years	
Add drain pan for water heater, demolish T&P valve and connect drain pan into existing	\$ 400.00	0-5 Years	
Provide 1" insulation on all exposed domestic tempered water piping	\$ 200.00	0-1 Years	Most exposed piping observed at water heater
Replace shower heads with 1.5 GPM EPA Water Sense fixture.	\$ 300.00	0-1 Years	Assume budget model fixture

Replace lavatory faucet aerators with 0.5 GPM EPA Water Sense fixture.	\$ 100.00	0-1 Years	Assume budget model fixture
Replace kitchen sink faucet with 1.5 GPM fixture.	\$ 250.00	0-1 Years	Assume budget model fixture
Replace main electrical meter	No Cost	3-5 Years	Per utility. Replacement of meter shall be at no cost to the owner.
Replace main disconnect fuses	\$200	0-3 Years	Price for (2) Fuses
Replace circuit breakers as necessary	\$30/breaker	0-3 Years	Match with existing
Replace Lighting. Option 1 Existing lights to remain unaltered (replace bulbs as necessary).	\$20/bulb	0-1 Years	Match with existing
Option 2 Existing lights to remain. Replace bulbs with a LED equal	\$30/bulb	0-2 Years	Equal LED bulb
Option 3 Replace lights 1-for-1 with a LED equivalent fixture.	\$200/fixture	0-3 Years	Equal LED fixture
Add additional lights.	\$200/light	0-3 Years	New LED fixture/ Match with an existing fixture. Determine the fixture based on location and solution desired

Add emergency Lights	\$200/light	0-1 Year	(4-6) Emergency "bug-eye" Exit for each egress door. And/or (6-8) integral battery back-up fixtures
Replace fire alarm devices	\$100/device \$15/device (replace only batteries)	0-2 Years	Replace device in its entirety. \$100 include price of device, wiring, and labor.
New data system	\$10,000	1-5 Years	Replace data system with a rack type data solution. Fiber-optic. Cat 6E distribution. Price includes all materials, wiring, and ancillary devices.
New Security System (full replacement)	\$5,000	3-10 Years	Depending on System. This system may not need to be replaced.
Replace Ancillary communication devices and undetermined devices.	\$200-500/device	3-5 Years	Depending on device condition and function
Provide supports for system routes and mount devices correctly. Secure and mount system routes.	\$200/100' of route \$100/device for mounting	0-1 Year	Includes all material and labor

PROGRAM/ SPACE NEEDS

Program and space needs identified are:

- ADA Accessibility
- Security & Safety
 - Need visual and control of people entering the building.
- Larger Meeting / Conference Room to handle 20 – 30 people.
- 3 – 4 Private Offices
 - Offices could be smaller than the current.
 - Use the 4th Office for a small meeting space.
- Private Space for the Finance & Compliance Manager
- Rest Room Upgrades
- File Area
- Office Supplies Area
- Records / Retention Area
- IT / Server Space

RENOVATIONS & EXPANSION

Reconfiguration renovations are not the easiest to achieve due to the double wide construction. A reconfiguration will require an in-depth structural analysis to ensure the structural integrity of the building is maintained and code compliance. The functional efficiency may be sacrificed, and the cost of construction will be escalated compared to a conventional constructed building.

An expansion of this building could be achieved since there is space on the property. A tie into the existing double wide building will be more difficult than a conventional constructed building. An in-depth structural analysis is required to ensure the structural integrity of the building is maintained and code compliance.

The actual impact of renovations and expansion of the existing building will not be completely known until design work is started.

EXISTING BASEMENT REUSE

The basement is in very good condition and could be an option for reuse for a new building.

Project Summary Sheet

NY Bath (6105 Scudder Road), LLC

April 2023

Project Description

Delaware River Solar is proposing a 2 MW solar project under the company name of NY Bath (6105 Scudder Road), LLC in the Town of Bath. Approximately 15 acres of the 80-acre parcel on Scudder Road will be leased for the project. The land sits as vacant farmland now. Electricity will be sold under the community solar model, whereby local residents who live in NYSEG's territory will be given the option to purchase it to save on their electricity bills.

Total Project Investment \$5,000,000

Jobs Retained 0

Job Created 0

Short-term job potential: approximately 35 construction jobs will be created

Long-term job potential: various professions will be hired on a part-time, contract basis as needed during the life of the project, such as electrical workers and lawncare professionals

Benefit to Cost Ratio

Estimated PILOT Savings \$10,980

Estimated Mortgage Tax Savings \$62,500

Estimated Sales Tax Savings \$133,920

Total Estimated Savings \$207,400

Comments The project would put into use vacant agricultural land and generate \$248,128 in additional property tax revenue over 20 years for the taxing jurisdictions based on the PILOT schedule.

Estimated Project Start Date Construction is set to begin Q4 2023

Estimated Project Completion Date Q2 2024

Evaluative Criteria for Energy Projects

1. Private Sector Investment – The project will result in \$5 million private sector investment, create construction jobs and induce local spending for lodging, restaurants and gas stations during the construction period.
2. Advances State Renewable Energy Production Goals – This project will assist in meeting New York State's goals of 70% in electric generation from renewable sources by 2030 and an 85% reduction in greenhouse gases by 2050.



Application for Financial Assistance

Please complete the application and mail the *original, signed copy*, along with the **\$1,000 application fee**, to:

Steuben County IDA
PO Box 393
7234 State Route 54
Bath, NY 14810

Information in the application is subject to public review under the New York State Freedom of Information Law. Please contact the IDA with any questions at 607-776-3316.

Section 1: Applicant Information (company receiving benefit)

Applicant Name: NY Bath (6105 Scudder Road), LLC

Applicant Address: 140 E 45th St, Ste 32B-1, New York, NY 10017

Phone: 646-998-6495

Federal Tax ID: 88-3213949

NAICS Code: 221114

Will a real estate holding company be used to own the property? Yes No

Name of real estate holding company: Not Applicable

Federal Tax ID: Not Applicable

Type of Entity: Limited Liability Company

Year Established: 2022

State in which entity is established: New York

Stockholders, members, or partners with 20% or more in ownership:

Name	% Ownership
BullRock-NxtGenRea-DRS, LLC	100%
Type here to enter text.	Type here to enter text.
Type here to enter text.	Type here to enter text.

Is the Applicant or any of its owners involved in any lawsuits which could have a financial impact on the company?

Yes No

Has the Applicant or any of its owners ever been involved in a bankruptcy? Yes No

Are all owners noted above citizens of the United States? Yes No

Provide a brief history of the Applicant, including operations, operating performance, changes in operations, current size and locations, products and/or services, major accounts, principal competitors, and major events affecting sales/services.

NY Bath (6105 Scudder Road), LLC is a Project Company (and the Applicant) formed specifically to develop, construct, own and operate the proposed solar facility. Power generated by the solar facility will be sold to local residents and businesses that enroll in the Applicant's Community Solar Program.

Estimated % of sales (equal to 100%):

Within Steuben County: 50% estimated. Community Solar Customers generally assigned later in development-construction phase.

Outside Steuben County but in NY State: 50% estimated. Community Solar Customers generally assigned later in the development-construction phase.

Outside New York but in U.S.: 0%

Outside U.S.: 0%

What % of annual supplies, raw materials, and vendor services are purchased from firms in Steuben County?

CONSTRUCTION PHASE: Certain materials such as fencing, gravel, landscape plantings will be locally sourced to the extent possible. Construction labor will be locally sourced to the extent possible.

OPERATION PHASE: Minimal supplies and materials are necessary during operation. Vendor services (i.e. landscaping, snow removal and general maintenance) will be locally sources to the extent possible.

Authorized Signatory Name: Peter Dolgos

Title: Senior Vice President

Phone: 646-998-6495

Email: peter.dolgos@delawareriversolar.com

Name of Corporate Contact (if different from Authorized Signatory): NA

Title: NA

Phone: NA

Email: NA

Name of Attorney: Richard Chun

Firm Name: Law Office of Richard W. Chun

Phone: 646-998-6403

Email: rchun@rwc-legal.com

Section 2: Project Description and Details

Municipality(s) of current operations:

Town of Bath

Will the Project result in the abandonment of one or more plants/facilities of the Applicant located in New York?

Yes No

If Yes, explain how, notwithstanding the aforementioned closing or activity reduction, the IDA's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant's competitive position in its respective industry.

NA

Property address(es) of Project location:

6105 Scudder Road, Bath, NY 14879

Tax map number(s) of Project location:

190.00-01-015.100

Town/Village/City taxes are paid to:

Town of Bath

School district taxes are paid to:

Campbell Savona Central School District

Are property tax payments current? Yes No

If no, please explain: Not Applicable

Does Applicant or any related party currently hold fee title to the Project property?

Yes No

If no, provide the name of the current owner: Gary Thompson

If no, does Applicant or any related party have an option to purchase the Project property?

Yes No

What is the present use of the property? Agricultural / Vacant

What is the present zoning/land use? None

Description of the project: (check all that apply)

<input checked="" type="checkbox"/> New construction	<input type="checkbox"/> Acquisition of existing building
<input type="checkbox"/> Addition to existing building	<input type="checkbox"/> Purchase of machinery and/or equipment
<input type="checkbox"/> Renovation of existing building	<input type="checkbox"/> Other

Please provide a narrative description of the project, including specific uses and activities that will occur at the site, products to be made or services to be offered, as well as markets for the goods/services. Please include the impact of this project on Applicant in terms of operations and profitability, or other factors affecting operations.

The Project Site will be leased to only NY Bath (6105 Scudder Road), LLC; there will be no subleases of the Project Site to any third parties (except for any required lease/sublease with the Agency). The Project is approximately 2 MWac and will be interconnected to the existing NYSEG grid. This Project is a new build and will be comprised of a) racking to mount solar modules (such racking is generally pile driven into the ground), b) solar modules, c) inverters and

transformers to sit on a concrete pad and d) assorted electrical components and wiring. The electricity generated from the solar farm will be sold to NYSEG customers that are part of the Applicant's Community Solar Program.

Select the project type for all end users at the site; you may check more than one box:

<input type="checkbox"/> Industrial	<input type="checkbox"/> Multi-tenant
<input type="checkbox"/> Commercial	<input type="checkbox"/> Not-for-profit
<input type="checkbox"/> Back Office	<input type="checkbox"/> Healthcare
<input type="checkbox"/> Retail	<input checked="" type="checkbox"/> Other: Solar Energy
<input type="checkbox"/> Housing	<input type="checkbox"/> Other: ---
<input type="checkbox"/> Mixed Use	<input type="checkbox"/> Other: ---

Has or will Applicant enter into any tenant leases for this Project? Yes No

If yes, please complete the chart below:

Tenant Name	Current Location	# sq. ft.	% of total sq. ft.	Business type
Name	Address	Type here to enter text.	Type here to enter text.	Type
Name	Address	Type here to enter text.	Type here to enter text.	Type
Name	Address	Type here to enter text.	Type here to enter text.	Type

What is the Project's start date when equipment will be ordered or construction begins?

Equipment expected to be ordered Q2 2023. Construction start possible Q4 2023.

What is the Project's estimated completion?

Q2 2024

When will operations commence?

Estimated to be Q2 2024

Have construction contracts been signed? Yes No

Has financing been finalized? Yes No

Is this part of a multi-phase project? Yes No

If Yes, please explain: Not Applicable

Have site plans been submitted to the appropriate planning board? Yes No

If Yes, has the Project received site plan approval? Yes No

If the Project has received site plan approval, please provide a copy of the Environmental Assessment Form including the Negative Declaration.

Please provide the IDA with the status of any other required approvals:

None

Will customers personally visit the Project site for Retail Sales or Services? The terms refer to (a) sales by a registered vendor under Article 28 (Section 1101(b)(4)(i)) of the Tax Law of the State of New York primarily engaged in the retail sale of tangible personal property or (b) sales of a service to customers who personally visit the Project site.

Retail Sales Yes No

Services Yes No

If either question above is answered Yes, please complete the questions below. If not, please move on to the Financial Assistance and Project Budget section.

Retail/Service Industry-Only Questions

What percentage of the cost of the Project can be tied to the retail or service portion of the business?

Type here to enter text.

If the answer is less than 33%, do not complete the remainder of this section and move on to Section 3: Financial Assistance and Project Budget.

For Projects where 33% or more is tied to retail sales or service:

1. Will the Project be operated by a not-for-profit corporation?

Yes No

2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region in which the project will be located?

Yes* No

3. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the municipality within which the Project is to be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes* No

4. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

Yes No

5. Is the Project located in a highly distressed area, as defined by the US Census Bureau?

Yes No

*If the answer to question 2 or 3 is Yes, please provide a third-party market analysis or other documentation supporting the response.

Section 3: Financial Assistance and Project Budget

Choose the type of assistance being requested: (check all that apply)

Sales Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Property Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Mortgage Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Tax Exempt IR Bond Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Describe the reasons why the IDA's assistance is necessary, and the effect the Project will have on Applicant's operations. Focus on competitiveness issues, Project shortfalls, etc.

The project is not viable if fully taxed, and therefore the Project will not move forward without the Agency's financial assistance to bring cost (taxes) certainty to the Project. Tax certainty will allow the Project to move forward while providing fair compensation in the form of clean, discounted energy to the Town of Bath and the other municipalities within Steuben County.

In addition, the Project is within the NYSEG utility zone, which historically has lower electricity rates than other utilities (Central Hudson, Orange, Rockland, National Grid, etc). Consequently, in order for the Applicant to offer electricity at a discount to customers enrolled in Applicant's Community Solar Program, the revenue generated by the Project is expected to be lower than comparable projects in other areas. This results in returns below generally expected market returns on a solar project which would cause both financing parties and investors to seek investment elsewhere. The financial assistance provided by the Agency in terms of tax relief will provide financing parties and investors certainty in tax payments that will alleviate some of their risk on a Project with returns that are below market average.

Is there likelihood that the Project would not be undertaken but for the financial assistance provided by the IDA?

Yes No

If the Project could be undertaken without financial assistance provided by the IDA, explain below why the Project should be provided financial assistance.

Not Applicable

What would be the impact on the Applicant and the associated municipalities if the IDA does not provide financial assistance?

Steuben County and the Town of Bath will lose an opportunity to have affordable clean energy that is accessible. Residents that would have enrolled in the Applicant’s Community Solar Program will lose the opportunity to receive a discount on their energy bills. The taxing jurisdiction will lose the opportunity to earn an amount greater than the current real property taxes being generated on the existing land. The landowner will lose the opportunity to earn rental income on private land.

List below the Sources and Uses of funds for the Project:

<u>Use of Funds</u>	<u>Amount</u>
Land Acquisition:	NA
Building Purchase:	NA
Construction or Renovation – Labor:	\$1,458,675
Construction or Renovation – Materials:	\$1,674,000
Site Work/Infrastructure:	\$552,825
Machinery, Equipment, Fixtures – Taxable:	NA
Machinery, Equipment, Fixtures – Non-Taxable:	NA
Soft Costs, Professional Fees:	\$632,250
Refinance of existing debt:	NA
Other: Development permitting and interconnection	\$682,250
Total Uses:	\$5,000,000
<u>Source of Funds</u>	<u>Amount</u>
Equity:	\$0

Financial Institution:	\$ 5,000,000
Public Sector Assistance:	\$0
Other: Type here to enter text.	\$0
Other: Type here to enter text.	\$0
Other: Type here to enter text.	\$0
Total Sources:	\$5,000,000
% Public Sources Used to Finance Project:	

Have any of the above costs been paid or incurred as of the date of this application? Yes No

If Yes, please describe: Applicant has performed interconnection studies with the utility and made deposits (\$550,000) and various development work including site assessment report, Phase I Environmental Report, surveys civil plans etc. (approximately \$100,000)

If applying for a **Mortgage Recording Tax Exemption**, please list:

Mortgage Amount: \$5,000,000

Mortgage Recording Tax Exemption requested (multiply mortgage amount by 1.25%): \$62,500

If applying for a **Sales Tax Exemption***, please list:

Total cost of goods and services that are subject to NY State and Local Sales Tax: \$1,674,000

Sales Tax Exemption requested (multiply total cost by 8%): \$133,920

*The estimated sales tax amount listed above will be provided to the New York State Department of Taxation and Finance. Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the IDA may authorize with respect to this

Application. The IDA may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

If applying for a **Property Tax Exemption**, IDA staff will use the information contained in this application to create an estimate of real property tax abatement, based on current property tax rates and assessed values, which will be provided to the Applicant and attached to this application.

Section 4: Project Employment

Is the Project necessary to retain existing employment? Yes No

Is the Project necessary to expand employment? Yes No

Please complete the following chart with new and retained jobs using the definitions below:

- A – Retained Jobs are those that exist at the time of application.
- B – Jobs Created are those that will be created as a result of the Project in the first year
- C – Jobs Created are those that will be created as a result of the Project in the second year
- D – Jobs Created are those that will be created as a result of the Project in the third year
- E – The sum of jobs to be created during the first three years of the Project.
- F – The average wage of those existing and created jobs for each Job Type.
- G – The average cost of benefits offered for existing and created jobs for each Job Type.

Full Time – Any regularly-scheduled employee who works 30 hours or more each week.

Part Time – Any employee who works less than 30 hours per week or who is employed on a temporary basis.

Job Type	A Retained Jobs	B # Jobs Created Year 1	C # Jobs Created Year 2	D # Jobs Created Year 3	E Total New Jobs Created	F Average Annual Wage	G Average Annual Benefit Cost
Full Time							
Management	0	0	0	0	0	\$0	\$0
Professional	0	0	0	0	0	\$0	\$0
Administrative	0	0	0	0	0	\$0	\$0
Production	0	0	0	0	0	\$0	\$0
Independent Contractor	0	0	0	0	0	\$0	\$0

Other: Type here to enter text.	0	0	0	0	0	\$0	\$0
Total FT	0	0	0	0	0	\$0	\$0
Part Time							
Management	0	0	0	0	0	\$0	\$0
Professional	0	0	0	0	0	\$0	\$0
Administrative	0	0	0	0	0	\$0	\$0
Production	0	0	0	0	0	\$0	\$0
Independent Contractor	0	0	0	0	0	\$0	\$0
Other: Type here to enter text.	0	0	0	0	0	\$0	\$0
Total PT	0	0	0	0	0	\$0	\$0
Total FTE	0	0	0	0	0	\$0	\$0

How many of the new, FTE jobs to be created within three years will be filled by residents of the Labor Market Area that includes Steuben, Schuyler, Chemung, Yates, Allegany, and Livingston Counties?

NY Bath (6105 Scudder Road), LLC is a company specific to this project and has no employees currently nor will it retain any FTE jobs. Approximately, thirty-five (35) temporary construction personnel are expected during a four-month project construction phase. Project is monitored remotely and there are no daily on-site personnel required. Scheduled facility maintenance will occur semi-annually or annually and will consist of (a) cleaning the panels (no chemicals) and (b) equipment servicing/replacement. Landscaping maintenance will occur as needed. Jobs created during the 30-year operational phase will generally be on a contact basis (landscaping and maintenance).

The IDA may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the IDA to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Please complete the chart below if Applicant provides employment at other sites in New York State:

	Address: Type here to enter text.	Address: Type here to enter text.	Address: Type here to enter text.
Total FTEs	0	0	0

Section 5: Representations, Certifications, and Indemnification

Before completing this section, has IDA staff reviewed all previous sections of the Application and acknowledged that they are complete? Yes No

As an authorized representative of Applicant, **Add authorized rep name** confirms that he/she is the **Authorized rep's title** of **Applicant name** named in the Application, and that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the IDA, also known as the "Agency," and as follows:

1. **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.
2. **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.
3. **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. Copies of all filings shall be provided to the Agency.
4. **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, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and

Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.

5. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification, and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm, or assume any representation made within reports required herein.
6. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.
7. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion 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 Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's 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 and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents 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 the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.

8. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application.
9. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:
 - a. a non-refundable \$1,000 application and publication fee (the "Application Fee");
 - b. an amount equal to one percent (1%) of the total project costs, unless otherwise agreed to by the Agency; and
 - c. all fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.
10. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable proper or requested action, or withdraws, abandons, cancels, or neglects the Application, or if the Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.
11. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections 8 and 9 are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
12. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
13. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
14. The Applicant acknowledges that it has been provided a copy of the Agency's Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the "Termination and

Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.

15. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

16. 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.
17. 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, as well as may lead to other possible enforcement actions.
18. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
19. In the event that (a) the Company does not proceed to final IDA approval within six (6) months of the date of the initial resolution and/or (b) close with the IDA on the proposed Financial Assistance within twelve (12) months of the date of the initial resolution, the IDA reserves the right to rescind and cancel all approvals provided.
20. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.
21. The Applicant and the individual executing this Application on behalf of Applicant acknowledge receipt of notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law that the estimated mortgage recording tax exemption benefit amount, the estimated sales and use tax

exemption benefit amount, and the estimated real property tax abatement benefit amount as so identified within this Application are “public funds” and not otherwise excluded under Section 224-a(3) of the New York Labor Law. Applicant further acknowledges and understands that it has certain obligations as related thereto pursuant to Section 224-a(8)(a) of the New York Labor Law.

STATE OF NEW YORK)
COUNTY OF) ss.:

_____, being first duly sworn, deposes and says:

1. That I am the _____ (Corporate Office) of _____ (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 of Officer)

Subscribed and affirmed to me under penalties of perjury
this ___ day of _____, 20__.

(Notary Public)

STATE OF NEW YORK)
COUNTY OF) ss.:

Peter Dolgos, being first duly sworn, deposes and says:

1. That I am the Authorized Signatory (Corporate Office) of NY Bath (6105 Scudder Road), 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.

Peter Dolgos
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 28th day of March, 2023

Richard W. Chun
(Notary Public)

RICHARD W. CHUN
Notary Public, State of New York
No. 02CH6116187
Qualified in Nassau County
Commission Expires Sept. 20, 2024



NY Bath (6105 Scudder Road), LLC

Steuben County IDA PILOT Assessment - Draft Scudder Road, Bath

Distribution Rate

Bath Tax Rate/\$1,000	\$4.54	14.99%
County Tax Rate/\$1,000	\$8.39	27.70%
School District Tax Rate/\$1,000	<u>\$17.36</u>	57.31%
Total Tax Rate/\$1000	\$30.29	

Per MW PILOT Rate	\$5,500.00 plus 2% annually
Rated Megawatts	2
Total PILOT payment over 20 years	\$286,414

Abatement Year	Taxes on 15 acres of land	Total PILOT Payment	Town Payment w/ PILOT and 15 acres	County Payment w/ PILOT and 15 acres	School Payment w/ PILOT and 15 acres	Total Taxes w/ PILOT and 15 acres
Year 1	\$788	\$11,000	\$1,767	\$3,265	\$6,756	\$11,788
Year 2	\$804	\$11,220	\$1,802	\$3,330	\$6,891	\$12,024
Year 3	\$820	\$11,444	\$1,838	\$3,397	\$7,029	\$12,264
Year 4	\$836	\$11,673	\$1,875	\$3,465	\$7,169	\$12,509
Year 5	\$853	\$11,907	\$1,912	\$3,534	\$7,313	\$12,760
Year 6	\$870	\$12,145	\$1,951	\$3,605	\$7,459	\$13,015
Year 7	\$887	\$12,388	\$1,990	\$3,677	\$7,608	\$13,275
Year 8	\$905	\$12,636	\$2,030	\$3,751	\$7,760	\$13,541
Year 9	\$923	\$12,888	\$2,070	\$3,826	\$7,916	\$13,811
Year 10	\$942	\$13,146	\$2,112	\$3,902	\$8,074	\$14,088
Year 11	\$960	\$13,409	\$2,154	\$3,980	\$8,235	\$14,369
Year 12	\$980	\$13,677	\$2,197	\$4,060	\$8,400	\$14,657
Year 13	\$999	\$13,951	\$2,241	\$4,141	\$8,568	\$14,950
Year 14	\$1,019	\$14,230	\$2,286	\$4,224	\$8,740	\$15,249
Year 15	\$1,040	\$14,514	\$2,331	\$4,308	\$8,914	\$15,554
Year 16	\$1,060	\$14,805	\$2,378	\$4,394	\$9,093	\$15,865
Year 17	\$1,082	\$15,101	\$2,425	\$4,482	\$9,274	\$16,182
Year 18	\$1,103	\$15,403	\$2,474	\$4,572	\$9,460	\$16,506
Year 19	\$1,125	\$15,711	\$2,523	\$4,663	\$9,649	\$16,836
Year 20	\$1,148	\$16,025	\$2,574	\$4,757	\$9,842	\$17,173
	\$19,143	\$267,271	\$42,929	\$79,333	\$164,151	\$286,414

Steuben County Industrial Development Agency

MRB Cost Benefit Calculator



Date: April 1, 2023
 Project Title: NY Bath (6105 Scudder Road), LLC
 Project Location: Bath, NY

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

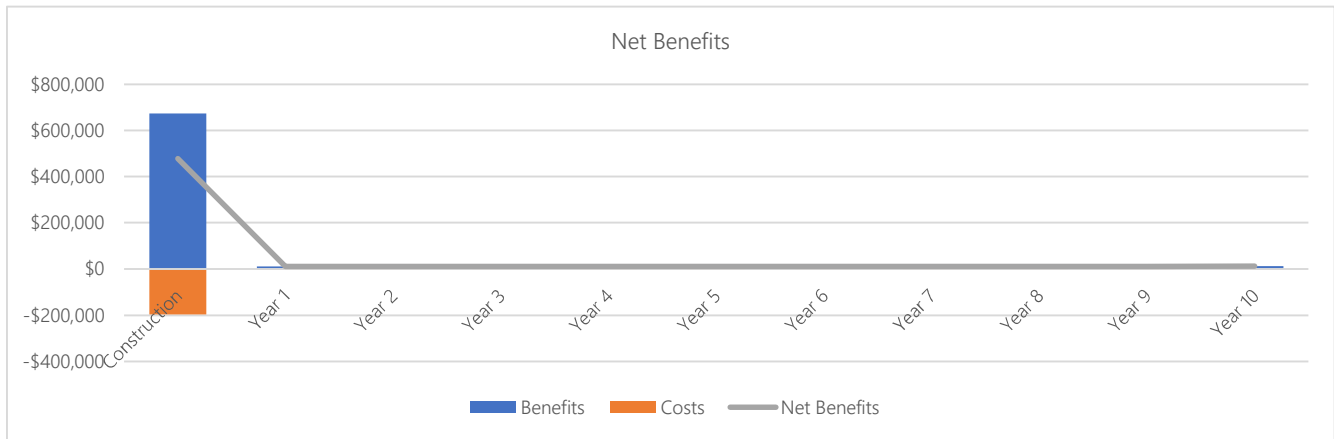
\$5,000,000

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		9	2	11
Earnings		\$521,745	\$115,170	\$636,915
Local Spend		\$1,250,000	\$365,182	\$1,615,182

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		0	0	0
Earnings		\$0	\$0	\$0

Aggregate over life of the PILOT

Figure 1



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

Figure 2

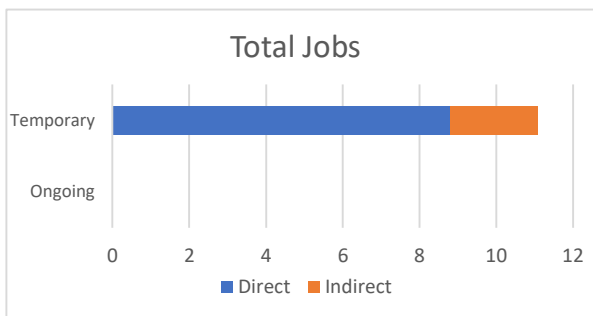
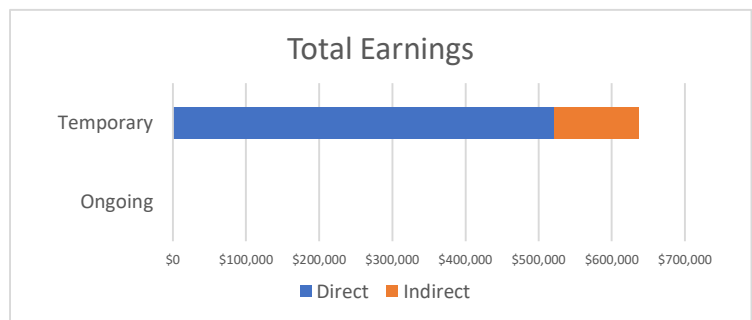


Figure 3



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

Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$10,980	\$8,453
Sales Tax Exemption	\$133,920	\$133,920
Local Sales Tax Exemption	\$66,960	\$66,960
State Sales Tax Exemption	\$66,960	\$66,960
Mortgage Recording Tax Exemption	\$62,500	\$62,500
Local Mortgage Recording Tax Exemption	\$20,833	\$20,833
State Mortgage Recording Tax Exemption	\$41,667	\$41,667
Total Costs	\$207,400	\$204,873

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$908,644	\$857,060
To Private Individuals	\$636,915	\$636,915
Temporary Payroll	\$636,915	\$636,915
Ongoing Payroll	\$0	\$0
Other Payments to Private Individuals	\$0	\$0
To the Public	\$271,729	\$220,145
Increase in Property Tax Revenue	\$267,271	\$215,686
Temporary Jobs - Sales Tax Revenue	\$4,458	\$4,458
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$33,120	\$33,120
To the Public	\$33,120	\$33,120
Temporary Income Tax Revenue	\$28,661	\$28,661
Ongoing Income Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$4,458	\$4,458
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Total Benefits to State & Region	\$941,764	\$890,179

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$857,060	\$96,246	9:1
State	\$33,120	\$108,627	:1
Grand Total	\$890,179	\$204,873	4:1

*Discounted at 2%

Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

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 Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	SHPO, NYSDEC SPDES GP-0-20-001, NYSERDA	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1485 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No <li data-bbox="121 892 1485 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No <li data-bbox="121 924 1485 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input 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? Special 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? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

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)?

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

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)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? 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 _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? 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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 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 _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of 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)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • 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)

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

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

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? 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 (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of 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: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • 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:

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: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

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

 • Operation: _____

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			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

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:

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? _____ 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:

Fluvaquents and Ochrepts (FL)	_____	%
Howard gravelly loam, undulating (HoB)	_____	%
Middlebury silt loam (Mp)	_____	%

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

e. Drainage status of project site soils: Well Drained: _____% of site
 Moderately Well Drained: _____% of site
 Poorly Drained _____% of site

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

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

h. Surface water features.

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

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 _____ Approximate Size _____
- 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: _____

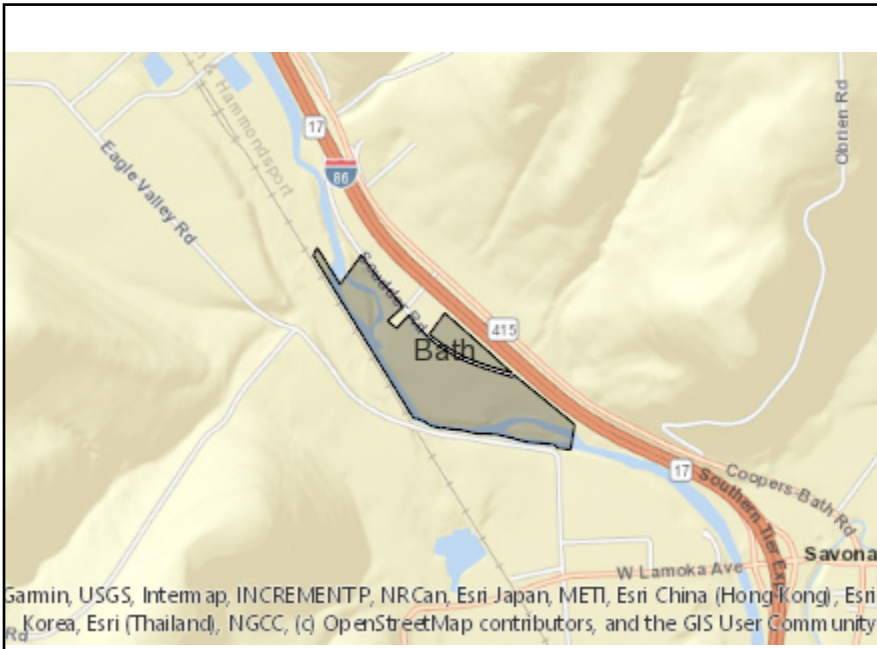
i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No
 On the property but outside of the proposed project area.

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: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ Although Green floater is located within the property, the proposed project is not anticipated to adversely effect this species. _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Major Basins:Upper Susquehanna
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	811-147
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Green Floater
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	STEU002
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

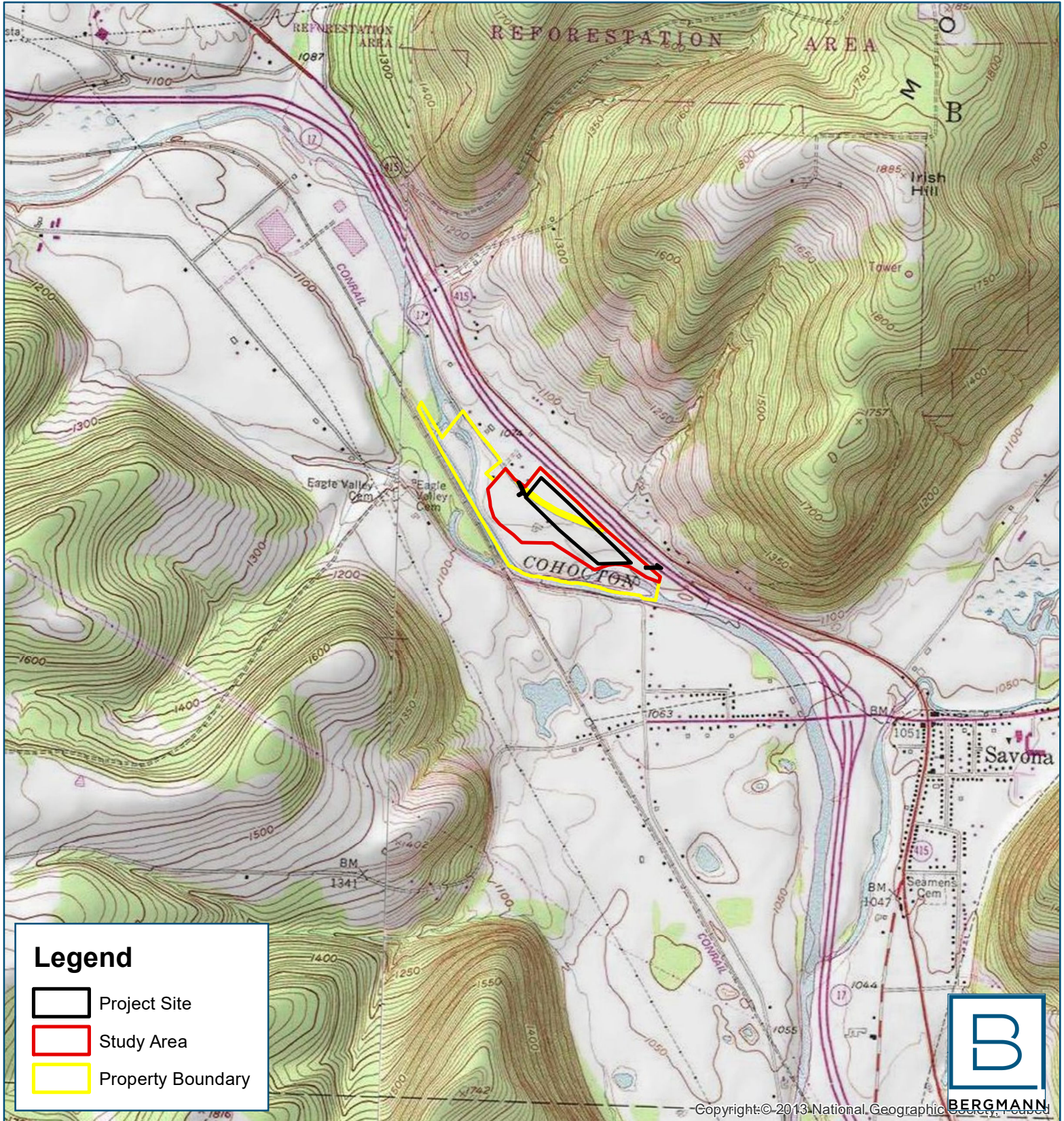
Delaware River Solar 6105 Scudder Road Solar Farm Project

2,000

Feet



Town of Bath, Steuben County, New York



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

Agency Use Only [If applicable]
 Project : DRS - NY Bath (6105 Scudder Road), LLC
 Date :

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features

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

NO

YES

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

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

3. Impacts on Surface Water

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

NO

YES

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

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

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

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

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding.
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

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

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

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

13. Impact on Transportation

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

NO

YES

(See Part 1. D.2.j)

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

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

14. Impact on Energy

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

NO

YES

(See Part 1. D.2.k)

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

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

15. Impact on Noise, Odor, and Light

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

NO

YES

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

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

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

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES

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

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO

YES

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

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO

YES

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

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

Please refer to the attached Project Narrative.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Site Plan and Special Use Permit Application submission materials.

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

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

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

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

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

Name of Action:

Name of Lead Agency: Town of Bath Planning Board

Name of Responsible Officer in Lead Agency: Jim Hopkins

Title of Responsible Officer: Town of Bath Planning Board Chairman

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Jim Hopkins, Town of Bath Planning Board Chairman

Address: 110 Liberty St # 103, Bath, New York 14810

Telephone Number: (607) 776-7013

E-mail: hoppym38@yahoo.com

**BATH TOWN PLANNING
BOARD: James Hopkins, Chairman**

James Hopkins 11/1/22
Date

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

INITIAL RESOLUTION
(NY Bath (6105 Scudder Road), LLC Project)

A regular meeting of the Steuben County Industrial Development Agency was convened on Thursday, April 27, 2023.

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

Resolution No. 04/2023 -08

RESOLUTION OF THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF NY BATH (6105 SCUDDER ROAD), LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW), (ii) AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH RESPECT TO THE PROJECT, AND (iv) AUTHORIZING THE NEGOTIATION OF CERTAIN AGREEMENTS RELATING TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 178 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **STEUBEN 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 industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **NY BATH (6105 SCUDDER ROAD), LLC**, for itself or on behalf of an entity to be formed by it or on its behalf (collectively, 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 by the Agency of a leasehold interest in approximately 15 acres of real property located at 6105 Scudder Road, Town of Bath, New York (the "Land", being more particularly described as a portion of tax parcel No. 190.00-01-015.100, as may be subdivided); (ii) the planning, design, construction and operation of a 2MWac PV solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the "Improvements"); and (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to Article 18-A of the General Municipal Law the Agency desires to adopt a resolution describing the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, it is contemplated that the Agency will hold a public hearing and (i) negotiate and enter into a project agreement, pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project (the "Project Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), a leaseback agreement (the "Leaseback Agreement"), and a payment-in-lieu-of-tax agreement (the "Tax Agreement"), (iii) take a leasehold interest (or other interest) in the Land and the Improvements and personal property constituting the Facility (once the Lease Agreement, the Leaseback Agreement and the Tax 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 Tax Agreement, and (c) an exemption from mortgage recording taxes imposed on the financing related to the Project (collectively, the "Financial Assistance").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT 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, 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 induce the Company to develop the Project, thereby increasing employment opportunities in Steuben 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

Section 2. The Chairman, Vice Chairman and/or Executive Director of the Agency are hereby authorized, on behalf of the Agency, to (A) hold a public hearing in compliance with the Act, and (B) negotiate (1) the Project Agreement, pursuant to which the Agency appoints the Company as its agent to undertake the Project, (2) the Lease Agreement, pursuant to which the Company leases the Project to the Agency, (3) the related Leaseback Agreement, pursuant to which the Agency leases its interest in the Project back to the Company, (4) the Tax Agreement, pursuant to which the Company agrees to make certain payments in lieu of real property taxes for the benefit of affected tax jurisdictions, and (5) related documents; provided (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the Tax Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation therefrom have been complied with.

Section 3. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 4. 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 5. In the event that (a) the Company does not proceed to final Agency approval within six (6) months of the date hereof and/or (b) close with the Agency on the proposed Financial Assistance within twelve (12) months of the date hereof, the Agency reserves the right to rescind and cancel this resolution and all approvals made hereunder or under any other Agency resolution or action.

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:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Mark R. Alger	[]	[]	[]	[]
Scott J. VanEtten	[]	[]	[]	[]
Anthony Russo	[]	[]	[]	[]
Dean Strobel	[]	[]	[]	[]
Mike Davidson	[]	[]	[]	[]
Christine Sharkey	[]	[]	[]	[]
Michelle Caulfield	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

SECRETARY'S CERTIFICATION
(NY Bath (6105 Scudder Road), LLC Project)

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

I, the undersigned, Secretary of the Steuben County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Steuben County Industrial Development Agency (the "Agency"), including the resolution contained therein, held on April 27, 2023, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 27th day of April, 2023.

Chair



353 N. Clark Street, 30th Floor, Chicago, IL 60654

Steuben County Industrial Development Agency
Attn: Executive Director
Fax: (607) 776-3316

Baron Winds, LLC
Federal ID#: 46-0953246

March 29, 2023

To Whom it May Concern,

We are requesting an extension on the ST-60 IDA Appointment of Project Operator or Agent for sales tax purposes on the PILOT project Baron Winds, LLC. Currently the end date is March 31, 2023. We are requesting a six-month extension to expire on September 30, 2023 due to a number of project delays. There are material purchases that are required for this project that will be made after the March 31 end date until the requested extension date.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads 'Mark Brusius'.

Mark Brusius

Vice President of Tax