

## NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, the Erie County Industrial Development Agency (the "Agency") will hold a public hearing on November 18, 2019 at 9:30 a.m. at the City of Lackawanna City Hall located at 714 Ridge Road (Council Chambers), Lackawanna, New York 14218 regarding:

Erie Wind, LLC, and/or an Individual(s) or Affiliate(s), Subsidiary(ies), or Entity or Entities formed or to be formed on its behalf (the "Company"), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to continue to undertake a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in two (2) parcels of land located at 2303 Hamburg Turnpike in the City of Lackawanna, Erie County, New York (the "Land") together with two (2) 2.5 megawatts wind turbines (the "Existing Improvements"), (ii) the replacement and upgrading of the Existing Improvements without changing the existing towers, foundations and electrical equipment (the "Improvements"), and (iii) the acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property necessary for the operation of the wind energy generation facility (the "Equipment", and collectively with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interest will be terminated. The Agency proposes to provide financial assistance to the Company in the form of a lease for a term of fifteen (15) years and a partial tax abatement of real property taxes for the term of the lease. The proposed financial assistance deviates from the Agency's UTEP in the following respect:

Payments under the PILOT Agreement deviate from the UTEP as they will be based upon megawatts generated by the Facility in connection with the operation thereof and not based upon the assessed value of the Project. The Agency proposes to deviate from the UTEP given the nature of the Project and that the Project will provide a benefit not otherwise available within the locale of the Facility.

A representative of the Agency will be present at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed financial assistance. Written comments may be submitted at this public hearing or delivered to the Agency at 95 Perry Street-Suite 403, Buffalo, NY 14203 until the comment period closes on November 19, 2019. The project application is available for public inspection at the Agency's offices Monday through Friday (excluding public holidays) from 9:00 a.m. until 4:00 p.m.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

Erie County Industrial Development Agency



## Steel Winds II Replacement Project

### Section I: Applicant Background Information

#### Applicant Information - Company Receiving Benefit

<b>Project Name</b>	Steel Winds II Replacement Project
<b>Applicant Name</b>	Erie Wind, LLC
<b>Applicant Address</b>	4910 Camp Road
<b>Applicant Address 2</b>	Suite 500
<b>Applicant City</b>	Hamburg
<b>Applicant State</b>	New York
<b>Applicant Zip</b>	14075
<b>Phone</b>	585-384-9550
<b>Fax</b>	
<b>E-mail</b>	bwolcott@terraform.com
<b>Website</b>	www.terraform.com
<b>Federal ID#</b>	27-1330600
<b>NAICS Code</b>	221115
<b>Will a Real Estate Holding Company be utilized to own the Project property/facility</b>	No
<b>What is the name of the Real Estate Holding Company</b>	
<b>Federal ID#</b>	
<b>State and Year of Incorporation/Organization</b>	
<b>List of stockholders, members, or partners of Real Estate Holding Company</b>	

#### Individual Completing Application

<b>Name</b>	Benjamin Wolcott
<b>Title</b>	Director, Operations Project Management
<b>Address</b>	10535 Rynders Road
<b>Address 2</b>	
<b>City</b>	Cohocton
<b>State</b>	New York
<b>Zip</b>	14826

10/31/2019

The Erie County Industrial Development Agency (ECIDA)

**Phone**

585-384-9550

**Fax**

**E-Mail**

bwolcott@terraform.com

Company Contact (if different from individual completing application).**Name****Title****Address****Address 2****City****State****Zip****Phone****Fax****E-Mail**Company Counsel

<b>Name of Attorney</b>	Kevin R. McAuliffe
<b>Firm Name</b>	Barclay Damon LLP
<b>Address</b>	Barclay Damon Tower
<b>Address 2</b>	125 East Jefferson Street
<b>City</b>	Syracuse
<b>State</b>	New York
<b>Zip</b>	13202
<b>Phone</b>	(315) 425-2875
<b>Fax</b>	
<b>E-Mail</b>	KMcAuliffe@barclaydamon.com

Identify the assistance being requested of the Agency.

<b>Exemption from Sales Tax</b>	No
<b>Exemption from Mortgage Tax</b>	No
<b>Exemption from Real Property Tax</b>	Yes
<b>Tax Exempt Financing*</b>	No

\* (typically for not-for-profits &amp; small qualified manufacturers)

Business Organization

<b>Type of Business</b>	Limited Liability Company
<b>Type of Ownership</b>	
<b>Year Established</b>	2007
<b>State of Organization</b>	Delaware

List all stockholders, members, or partners with % of ownership greater than 20%

**Please include name and % of ownership.**

Huron Holdings, LLC - 100% (a wholly-owned subsidiary of TerraForm Power)

Applicant Business Description**Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility**

Erie Wind, LLC ("Applicant") is the owner and operator of the existing Steel Winds II wind facility located in the City of Lackawanna and Town of Hamburg ( the "Facility"). The Facility consists of six 2.5MW turbines at the former Bethlehem steel works, with two located in the City of Lackawanna and four located in the Town of Hamburg. Applicant sells energy generated at the Facility into the New York Independent System Operator ("NYISO") market. Applicant proposes to extend the useful life of the Facility by engaging in a replacement project that would replace equipment and in turn retain jobs, continue to generate real property taxes on a site that is located on a DEC designated Brownfield site that cannot easily be used for other purposes, and continue investment in the local community. Erie Wind is applying for a custom PILOT in connection with the two turbines located in the City of Lackawanna.

<b>Estimated % of sales within Erie County</b>	100
<b>Estimated % of sales outside Erie County but within New York State</b>	0
<b>Estimated % of sales outside New York State but within the U.S.</b>	0
<b>Estimated % of sales outside the U.S.</b>	0

(\*Percentage to equal 100%)

**What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation of the estimated percentage of local purchases**

67% (note that local supplies, materials, and vendor services will be used where applicable, but that specialty equipment required to replace the turbine parts must be provided by certain manufacturers located outside the Local Labor Area).

## Section II: Eligibility Questionnaire - Project Description & Details

### Project Location

#### **Municipality or Municipalities of current operations**

City of Lackawanna and Town of Hamburg

#### **Will the Proposed Project be located within a Municipality identified above?**

Yes

#### **In which Municipality will the proposed project be located**

City of Lackawanna (note Applicant is only seeking ECIDA incentives for the two Facility turbines in the City of Lackawanna)

#### **Address**

2303 Hamburg Tpke

#### **Will the completion of the Project result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the project occupant located within the state?**

No

#### **If the Proposed Project is located in a different Municipality than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?**

No

(If yes, you will need to complete the Retail Section of this application)

#### **SBL Number for Property upon which proposed Project will be located**

141.11-1-48.11 (note the Facility is assigned parcels 141.110-1-50/9 and 141.110-1-50/14 for the two Facility turbines in the City of Lackawanna)

#### **What are the current real estate taxes on the proposed Project Site**

\$73,304

#### **Assessed value of land**

\$8,069,743 (note this value is for the entire underlying parcel, of which Applicant only leases a small portion)

#### **Assessed value of building(s)**

\$1,958,956 (note this value is only for the two Facility turbines in the City of Lackawanna)

#### **Are Real Property Taxes current?**

Yes

#### **If no please explain**

#### **Town/City/Village of Project Site**

City of Lackawanna

#### **School District of Project Site**

Lackawanna City School District

#### **Does the Applicant or any related entity currently hold fee title to the Project site?**

No

#### **If No, indicate name of present owner of the Project Site**

Tecumseh Redevelopment Inc.

#### **Does Applicant or related entity have an option/contract to purchase the Project site?**

No

#### **Describe the present use of the Proposed Project site**

The site is located on a former New York State Department of Environmental Conservation Brownfield site and presently used partially to operate the Facility and the Steel Winds I wind facility in the City of Lackawanna (8 wind energy generation turbines and associated equipment).

**Please provide narrative of the proposed project and the purpose of the proposed project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)**

Due to persistent maintenance issues with the existing turbines, which are no longer being manufactured, Applicant proposes to replace the existing nacelle, rotor, hub, and blades for each turbine with new equipment from a different manufacturer without changing the existing tower, foundation, and electrical equipment (the "Replacement Project").

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

N/A - the Replacement Project requires Financial Assistance provided by the Agency.

**Describe the reasons why the Agency's Financial Assistance is necessary and how the Financial Assistance enables the company to undertake the Project to facilitate investment, job creation and/or job retention. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)**

Unless the Replacement Project is approved and receives the Agency's Financial Assistance, Applicant will not be able to complete the Replacement Project and will be faced with an extremely short useful life (significantly less than anticipated) for the existing equipment and therefore the Facility. This will reduce Applicant's revenues, but also decrease the amount of renewable energy in New York State and result in a significant tax revenue reduction for the local community and loss of local jobs. Because the Facility is located on a New York State Department of Environmental Conservation Brownfield site, another suitable project would be difficult to place on the site.

**Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency**

Yes

**If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and Erie County?**

Significantly reduced tax revenue and loss of local jobs. Reduced renewable energy in the local area and New York State.

**Will project include leasing any equipment?**

No

**If yes, please describe equipment and lease terms.**

N/A

#### Site Characteristics

**Will the Project meet zoning/land use requirements at the proposed location?**

Yes

**Describe the present zoning/land use**

Zoning - BRA-HI; Land Use - Wind energy conversion system

**Describe required zoning/land use, if different**

N/A

**If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements**

N/A

**Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?**

Yes

**If yes, please explain**

Located on a former New York State Department of Environmental Conservation Brownfield site.

**Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?**

Yes



If yes, please provide a copy.

**Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?**

No

If yes, please provide copies of the study.

**If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?**

Yes, the new generation equipment proposed would generate energy more efficiently than the existing generation equipment.

You may also attach additional information about the machinery and equipment at the end of the application.

**Does or will the company or project occupant perform research and development activities on new products/services at the project location?**

No

If yes, please explain.

N/A

**What percentage of annual operating expenses are attributed to the above referenced research and development activities?**

N/A

Select Project Type for all end users at project site (you may check more than one).

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Determination contained in Section IV of the Application.

Please check any and all end uses as identified below.

**Retail Sales**      No    **Services**      No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4) (i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

**No Manufacturing**

**No Multi-Tenant**

**No Mixed Use**

**No Acquisition of Existing Facility**

**No Commercial**

**No Facility for the Aging**

**No Housing**

**No Back Office**

**No Civic Facility (not for profit)**

**Yes Equipment Purchase**

**No Retail**

**Yes Other**

**Industrial**

Project Information**Estimated costs in connection with project****Land and/or Building Acquisition**

\$ 0	square feet	acres
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**New Building Construction**

\$ 0	square feet	
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**New Building addition(s)**

\$ 0	square feet	
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**Infrastructure Work**

\$ 0		
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**Renovation**

\$ 0	square feet	
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**Manufacturing Equipment**

\$ 3,442,858		
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**Non-Manufacturing Equipment: (furniture, fixtures, etc.)**

\$ 0		
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**Soft Costs: (professional services, etc.)**

\$ 250,000		
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**Other Cost**

\$ 600,000		
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**Explain Other Costs**

Equipment installation and construction costs.

**Total Cost**

\$ 4,292,858		
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**Project Refinancing; estimated amount (for refinancing of existing debt only)**

\$ 0		
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**Have any of the above costs been paid or incurred as of the date of this Application?**

Yes

**If Yes, describe particulars:**

Legal Fees. Fees paid to consulting engineering firms to conduct general environmental studies.

Sources of Funds for Project Costs:**Equity (excluding equity that is attributed to grants/tax credits):**

\$ 4,292,858		
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**Bank Financing:**

\$ 0		
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**Tax Exempt Bond Issuance (if applicable):**

\$ 0		
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**Taxable Bond Issuance (if applicable):**

\$ 0		
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**Public Sources (Include sum total of all state and federal grants and tax credits):**

\$ 0

**Identify each state and federal grant/credit:**

**Total Sources of Funds for Project Costs:**

\$4,292,858

**Has a financing preapproval letter or loan commitment letter been obtained?**

No

Mortgage Recording Tax Exemption Benefit:

**Estimated Mortgage Amount (Sum total of all financing – construction and bridge).**

**\*Amount of mortgage, if any, that would be subject to mortgage recording tax.**

\$ 0

**Lender Name, if Known**

N/A

**Estimated Mortgage Recording Tax Exemption Benefit (% of estimated mortgage amount stated above):**

\$0

Construction Cost Breakdown:

**Total Cost of Construction**

\$ 0 (sum of 2,3,4,5, and/or 7 in Question K, above)

**Cost for materials**

\$ 3,442,858

**% sourced in Erie County**

%

**% sourced in State**

% (including Erie County)

**Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit**

\$ 0

**Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):**

\$ 0

Real Property Tax Benefit:

**Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit:**

N/A

For proposed facility please include # of sq ft for each of the uses outlined below

		Cost	% of Total Cost
<b>Manufacturing/Processing</b>	square feet	\$ 0	0
<b>Warehouse</b>	square feet	\$ 0	0
<b>Research &amp; Development</b>	square feet	\$ 0	0
<b>Commercial</b>	square feet	\$ 0	0
<b>Retail</b>	square feet	\$ 0	0
<b>Office</b>	square feet	\$ 0	0

**Specify Other**

wind turbines square feet \$ 4,292,858 100

**If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?**

No

**If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)**

<BLANK>

**Provide estimate of additional construction cost as a result of LEED certification you are seeking**

**Will project result in significant utility infrastructure cost or uses**

No

What is your project timetable (Provide dates).

**Start date : acquisition of equipment or construction of facilities**

10/1/2020

**End date : Estimated completion date of project**

12/31/2021

**Project occupancy : estimated starting date of operations**

1/1/2022

**Have construction contracts been signed?**

No

**Have site plans been submitted to the appropriate planning department for approval?**

Yes

**Has the Project received site plan approval from the appropriate planning department?**

No

**Is project necessary to expand project employment?**

No

**Is project necessary to retain existing employment?**

Yes

Employment Plan (Specific to the proposed project location):

	<b>Current # of jobs at proposed project location or to be relocated at project location</b>	<b>IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be RETAINED</b>	<b>IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be CREATED upon TWO years after Project completion</b>	<b>Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PT jobs to be created upon TWO Years after Project Completion **</b>
<b>Full time</b>	3	3	0	0
<b>Part time</b>	0	0	0	0
<b>Total</b>	3	3	0	

\*\* The Labor Market Area includes the Counties of Erie, Niagara, Genesee, Cattaraugus, Wyoming and Chautauqua. For the purposes of this question, please estimate the number of FTE and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column.

\*\*\*By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

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

<b>Category of Jobs to be Retained and Created</b>	<b># of Employees Retained and Created</b>	<b>Average Salary for Full Time</b>	<b>Average Fringe Benefits for Full Time</b>	<b>Average Salary for Part Time (if applicable)</b>	<b>Average Fringe Benefits for Part Time (if applicable)</b>
<b>Management</b>	0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Professional</b>	1	\$ 100,000	\$ 25,000	\$ 0	\$ 0
<b>Administrative</b>	0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Production</b>	2	\$ 70,000	\$ 17,500	\$ 0	\$ 0
<b>Independent Contractor</b>	0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Other</b>	0	\$ 0	\$ 0	\$ 0	\$ 0

Employment at other locations in Erie County: (provide address and number of employees at each location):

<b>Address</b>			
<b>Full time</b>	0	0	0
<b>Part time</b>	0	0	0
<b>Total</b>	0	0	0

**Will any of the facilities described above be closed or subject to reduced activity?**

No

Payroll Information

**Annual Payroll at Proposed Project Site**

\$ 240,000

**Estimated average annual salary of jobs to be retained (Full Time)**

\$ 240,000

**Estimated average annual salary of jobs to be retained (Part Time)**

\$ 0

**Estimated average annual salary of jobs to be created (Full Time)**

\$ 0

**Estimated average annual salary of jobs to be created (Part Time)**

\$ 0

**Estimated salary range of jobs to be created**

<b>From (Full Time)</b>	\$ 0	<b>To (Full Time)</b>	\$ 0
<b>From (Part Time)</b>	\$ 0	<b>To (Part Time)</b>	\$ 0

**Is the project reasonably necessary to prevent the project occupant from moving out of New York State?**

Yes

**If yes, please explain and identify out-of-state locations investigated**

Investment in other projects owned by TerraForm Power in the United States, Canada, and/or internationally. Similar assistance (PILOTs and other tax relief) are sought in these locations, as applicable.

**What competitive factors led you to inquire about sites outside of New York State?**

Better tax treatment, including a reduced tax burden, as well as an easier regulatory process.

**Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?**

Yes

**If yes, please indicate the Agency and nature of inquiry below**

Hamburg IDA for the four turbines of Steel Winds II located in the Town of Hamburg.

**Do you anticipate applying for any other assistance for this project?**

Yes

**If yes, what type of assistance (Historic Tax Credits, 485(a), Grants, Utility Loans, Energy Assistance, Workforce Training)**

Hamburg IDA for the four turbines of Steel Winds II located in the Town of Hamburg.

**Section III: Facility Type - Single or Multi Tenant**

**Is this a Single Use Facility or a Multi-Tenant Facility?**

Single Use Facility

For Single Use Facility.

**Occupant Name** Erie Wind, LLC  
**Address** 4910 Camp Road, Suite 500, Hamburg, NY 14075  
**Contact Person** Benjamin Wolcott  
**Phone** 585-384-9550  
**Fax**  
**E-Mail** bwolcott@terraform.com  
**Federal ID #** 27-1330600  
**SIC/NAICS Code** 221115

Multi-Tenant Facility.

**Please explain what market conditions support the construction of this multi-tenant facility**

**Have any tenant leases been entered into for this project?**

<BLANK>

**If yes, please fill out the Tenant Information section of this application, for each tenant.**

Tenant Name	Current Address (city, state, zip)	# of sq ft and % of total to be occupied at new projet site	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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**■ Section IV: Tenant Information**



## Section V: Environmental Questionnaire

### General Background Information

**Address of Premises** 2303 Hamburg Turnpike, Lackawanna, New York, 14218.

**Name and Address of Owner of Premises** Tecumseh Redevelopment, Inc. C/O Tax Department 8-229 3210 Watling St East Chicago, IN 46312

**Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)**

Slag heap at the site of a former steel mill along the shore of Lake Erie.

**Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises**

Building permits for the Steel Winds II turbines in the City of Lackawanna were issued in 2010.

**Describe all known former uses of the Premises**

Slag heap.

**Does any person, firm or corporation other than the owner occupy the Premises or any part of it?**

Yes

**If yes, please identify them and describe their use of the property**

Steel Winds I wind facility owned and operated by Niagara Wind Power, LLC. Other tenants of Tecumseh Redevelopment, Inc.

**Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises?**

Yes

**If yes, describe and attach any incident reports and the results of any investigations**

Former New York State Department of Environmental Conservation Brownfield site that has been remediated.

**Has the Premises or any part of it ever been the subject of any enforcement action by any federal, state or local government entity, or does the preparer of this questionnaire have knowledge of: a) any current federal, state or local enforcement actions; b) any areas of non-compliance with any federal, state or local laws, ordinances, rules or regulations associated with operations over the past 12 months?**

Yes

**If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances**

Former New York State Department of Environmental Conservation Brownfield site. A copy of the completion certificate, which notes the existence of an environmental easement, is attached.

**Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises?**

No

**If yes, describe in full detail**

N/A

### Solid And Hazardous Wastes And Hazardous Substances

**Does any activity conducted or contemplated to be conducted at the premises generate, treat or dispose of any petroleum, petroleum-related products, solid and hazardous wastes or hazardous substances?**

No

**If yes, provide the Premises' applicable EPA (or State) identification number**

N/A

**Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes?**

No

**If yes, please provide copies of the permits.**

**Identify the transporter of any hazardous and/or solid wastes to or from the Premises**

N/A

**Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years**

N/A

**Does or is it contemplated that there will occur at the Premises any accumulation or storage of any hazardous wastes on-site for disposal for longer than 90 days?**

No

**If yes, please identify the substance, the quantity and describe how it is stored**

N/A

Discharge Into Waterbodies

**Briefly describe any current or contemplated industrial process discharges (including the approximate volume, source, type and number of discharge points). Please provide copies of all permits for such discharges**

None.

**Identify all sources of discharges of water, including discharges of waste water, process water, contact or noncontact cooling water, and stormwater. Attach all permits relating to the same. Also identify any septic tanks on site**

None.

**Is any waste discharged into or near surface water or groundwaters?**

No

**If yes, please describe in detail the discharge including not only the receiving water's classification, but a description of the type and quantity of the waste**

N/A

Air Pollution

**Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?**

No

**If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source**

N/A

**Are any of the air emission sources permitted?**

<BLANK>

**If yes, attach a copy of each permit.**

Storage Tanks

**List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks**

None.

**Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?**

No

**If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved**

N/A

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

**Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.**

**Have there been any PCB spills, discharges or other accidents at the Premises?**

No

**If yes, relate all the circumstances**

N/A

**Do the Premises have any asbestos containing materials?**

No

**If yes, please identify the materials**

N/A

## Section VI: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results 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, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

**Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?** No

**Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?** No

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

N/A

**Does this project involve relocation or consolidation of a project occupant from another municipality or abandonment of an existing facility?**

**Within New York State** No

**Within Erie County** No

**If Yes to either question, please, explain** N/A

**Will the project result in a relocation of an existing business operation from the City of Buffalo?**

No

**If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)**

N/A

**What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)**

N/A

**If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?**

<BLANK>

**What factors have lead the project occupant to consider remaining or locating in Erie County?**

Existing wind turbine foundation and towers that can be re-used, reducing the cost of a greenfield development.

**If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?**

N/A

**Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.**

N/A

**Section VII: Adaptive Reuse Projects**

**Are you applying for tax incentives under the Adaptive Reuse Program?** No

**What is the age of the structure (in years)?** 0

**Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)** <BLANK>

**If vacant, number of years vacant.** 0

**If underutilized, number of years underutilized.** 0

**Describe the use of the building during the time it has been underutilized:**

**Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)** <BLANK>

**If yes, please provide dollar amount of income being generated, if any** \$

**If apartments are planned in the facility, please indicate the following:**

	Number of Units	Sq. Ft. Range Low to High	Rent Range Low to High
<b>1 Bedroom</b>	0		\$
<b>2 Bedroom</b>	0		\$
<b>3 Bedroom</b>	0		\$
<b>Other</b>	0		\$

**Does the site have historical significance?** <BLANK>

**Are you applying for either State/Federal Historical Tax Credit Programs?** Yes

**If yes, provide estimated value of tax credits** \$

**Briefly summarize the financial obstacles to development that this project faces without ECIDA or other public assistance. Please provide the ECIDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)**

**Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide ECIDA with documentation of this support in the form of signed letters from these entities**

**Please indicate other factors that you would like ECIDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments**

**Section VIII: Senior Citizen Rental Housing Projects**

**Are you applying for tax incentives under the Senior Rental Housing policy?**

No

**Has the project received written support from the city, town or village government in which it is located?**

<BLANK>

**Describe the location of the project as it relates to the project’s proximity to the town / village / city center or to a recognized hamlet.**

**Is the project consistent with the applicable municipal master plan?**

<BLANK>

**If yes, please provide a narrative identifying the master plan (by name) and describing how the project aligns with the plan details**

**Does the project advance efforts to create a walkable neighborhood and community in proximity to important local amenities and services?**

<BLANK>

**If yes, please provide a narrative describing the walkable nature of the project including access seniors would have to specific neighborhood amenities.**

**Has a market study shown that there is a significant unmet need in the local community or specific neighborhood where seniors are unable to find appropriate housing opportunities?**

<BLANK>

**Is the project located in an area (defined as a 1 – 5 mile radius of the project site) where there are significant local resident populations that are at or below the median income level?**

<BLANK>

**If yes, please describe how you made this determination based upon census tract and other relevant third party data.**

**Does the project provide amenities that are attractive to seniors and differentiates the project from standard market rate housing?**

<BLANK>

**If yes, please describe these amenities (examples may include: community rooms, social / recreational activity areas, senior-oriented fixtures and safety amenities, security systems, call systems, on site medical services)**

**Are there impediments that hinder the ability to conventionally finance this project and /or negatively impact the project’s return on investment?**

<BLANK>

**If yes, please briefly summarize the financial obstacles to development that this project faces without IDA or other public assistance. Please provide the IDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)**

**Will the project target (and maintain during the incentive period) a minimum 50% occupancy rate of senior citizens whose income is at or below 60-80% of the median income for Erie County?**

<BLANK>

**If yes, please describe provide a narrative citing key facts that substantiate this finding.**

**Section IX: Retail Determination**

**Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?** No

If yes, complete the Retail Questionnaire Supplement below.

**What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?** 0 %

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

**Will the project be operated by a not-for-profit corporation?** <BLANK>

**Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located?** <BLANK>

If yes, please provide a third party market analysis or other documentation supporting your response.

**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? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services?** <BLANK>

If yes, please provide a market analysis supporting your response.

**Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York?** <BLANK>

**If yes, explain**

**Is the project located in a Highly Distressed Area?** <BLANK>