





REPORT OF THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY’S PUBLIC HEARING OF THE CDG HURON SOLAR 1, LLC TRANSACTION HELD ON WEDNESDAY, JULY 17, 2019 AT 9:00 A.M., AT THE TOWN OF HURON TOWN HALL, 10880 LUMMISVILLE ROAD, WOLCOTT, NEW YORK 14590.

ATTENDANCE

Sherry Handel, Deputy Executive Director

Company Representatives

Kevin Schultze, CEO, GreenSpark Solar

Matt Vanderbrook, Director of Commercial Origination, GreenSpark Solar

Members of the General Public

David Scudder, resident – Wolcott, NY

- I. CALL TO ORDER: (Time: 9:05 a.m.). Sherry Handel opened the hearing and read the following into the hearing record:

This public hearing is being conducted pursuant to Title 11 of Article 8 of the Public Authorities Law of the State of New York, as amended, and Chapter 759 of the Laws of 1967 of the State of New York, as amended (collectively, the “Act”).

A Notice of Public Hearing describing the Project was published in the *Times of Wayne County* on July, 7, 2019, a copy of which is attached hereto and is an official part of this transcript. A copy of the Application submitted by CDG Huron Solar 1, LLC, to the Authority, along with a cost-benefit analysis, is available for review and inspection by the general public in attendance at this hearing.

- II. PROJECT SUMMARY

**CDG HURON SOLAR 1, LLC**, for itself and/or for an entity to be formed (collectively, the “Company”), has submitted an application to the Agency requesting the Agency’s assistance with a certain project (the “Project”) consisting of:

- (i) the acquisition by the Agency of a leasehold interest in approximately 8.5 acres of real property located at Wilson Street in the Town of Huron, New York (the “Land”, being more particularly described as tax parcel No. 75116-00-297975, as may be subdivided;
- (ii) the planning, design, construction and operation of a 1.5MWac PV solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the “Improvements”);

- (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, collectively with, the Land and the Improvements, the “Facility”); and
- (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “Straight Lease Transaction”).

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 contemplates that it will provide financial assistance (the “Financial Assistance”) to the Company in the form of:

- (i) an exemption from all State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction or equipping of the Facility; and
- (ii) a partial real property tax abatement through a payment-in-lieu-of-tax agreement (the “PILOT Agreement”), pursuant to which the Company would make payments in lieu of property taxes to the Agency for the benefit of each affected tax jurisdiction.

### III. SEQRA

For purposes of the Project, the Town of Huron will serve as lead agency for purposes of review pursuant to SEQRA

### IV. PUBLIC COMMENTS

David Scudder expressed the following:

- “I’m uninformed about the project. I would benefit from a brief description about this project.
- “Typically opposed to these types of things, not in principle, but that way in which NYS approaches these problems....., i.e., CO2 reduction. These projects would not be going forward if it weren’t for all of the incentive programs – NYSEERDA, and other incentives, like the IDA PILOTs...Troublesome that these projects would not survive without these incentives.”
- “None of my objections are for this specific project. I have not reviewed the cost benefit analysis so I don’t know if you’ve been honest.”
- “As a taxpayer it drives me wild. I don’t get these benefits myself.”

### V. ADJOURNMENT

After hearing the comments and consideration thereof, Ms. Handel closed the public hearing at 9:24 a.m.