

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”) will be held by the County of Lewis Industrial Development Agency (the “Agency”) on the 27th day of April, 2021 at 10:15 o’clock a.m., local time, in connection with the Solitude Solar, LLC (Flatrock) Project, as described below. As a result of the (1) ban on large meetings or gatherings pursuant to Executive Order 202.1 issued on March 12, 2020, as supplemented, (2) ban on non-essential gatherings of individuals of any size for any reason pursuant to Executive Order 202.10 issued on March 23, 2020, as supplemented and (3) suspension of the Open Meetings Law relating to public hearings pursuant to Executive Order 202.15 issued on April 9, 2020, as supplemented, each as issued by Governor Cuomo in response to the novel Coronavirus (COVID-19) pandemic, the Public Hearing will be held electronically via video conference call and in person. Members of the public may attend the Public Hearing by viewing or attending in person at the Town of Martinsburg Municipal Offices located at 5405 Cemetery Road in the Town of Martinsburg, Lewis County, New York and comment on the Project and the benefits to be granted to Solitude Solar, LLC, a New York State limited liability company (the “Company”) by the Agency during the Public Hearing by joining the Zoom meeting or calling in:

Join Zoom Meeting

<https://us02web.zoom.us/j/87255849107?pwd=OFJQb1FNMkM4bEVTRDIrY1RmdzFUdz09>

Meeting ID: 872 5584 9107

Passcode: 476339

One tap mobile

+19294362866,,87255849107#,,,,*476339# US (New York)

+13126266799,,87255849107#,,,,*476339# US (Chicago)

Dial by your location

+1 929 436 2866 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 872 5584 9107

Passcode: 476339

Find your local number: <https://us02web.zoom.us/j/87255849107?pwd=OFJQb1FNMkM4bEVTRDIrY1RmdzFUdz09>

The Company submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a portion of an approximately 149.1 acre parcel of land located at 5194 Flat Rock Road (tax map no. 242.00-01-37.000) in the Town of Martinsburg, Lewis County, New York (the “Land”), (2) the construction on the Land of an approximately 4.8 MW AC (7.2 MW DC) community solar photovoltaic facility, including fencing, screening and ancillary electrical equipment (all said improvements being collectively referred to as the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the “Equipment”), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting

of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Lewis County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency’s uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the “Agreement”) requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Brittany Davis, Executive Director of Economic Development, County of Lewis Industrial Development Agency, 7551 South State Street , Lowville, New York 13367; Telephone: (315) 376-3014.

Dated: April 12, 2021.

COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT
AGENCY



BY: _____

Brittany Davis
Executive Director of Economic Development