

REPORT OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S PUBLIC HEARING OF GSPP ROUTE 262, LLC HELD ON WEDNESDAY, APRIL 19, 2023 3:00 P.M. AT THE TOWN OF BYRON TOWN HALL, 7028 BYRON HOLLY ROAD, BYRON, NEW YORK, GENESEE COUNTY, NEW YORK

I. ATTENDANCE

Jim Krencik, Director of Marketing and Communications – GCEDC
Chris Suozzi, VP of Business and Workforce Development – GCEDC
Candace Hensel
Pete Yasses – Town of Byron Supervisor

II. CALL TO ORDER

The public hearing of GSPP Route 262, LLC opened at 3:00 p.m. at the Byron Town Hall, 7028 Byron Holly Road, in Byron, New York, Genesee County, New York.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

III. PROJECT SUMMARY

GSPP Route 262, LLC is proposing to construct a community solar farm project on Route 262 in the Town of Byron. The project will utilize ground-mounted solar panels to convert the sun's energy into 5 MW of AC power. The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project.

The project's PILOT will contribute \$4,000/MWAC + a 2% annual escalator in payments to Genesee County, Town of Byron, and Byron-Bergen Central School District. The PILOT is estimated to generate \$345,868 in PILOT payments over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County, and has a proposed Host Agreement for the Town of Byron valued at \$2,000/MWAC plus a 2% annual escalator.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and will offer customers a 10% discount vs average market rates for the generated power.

IV. COMMENTS

J. Krencik began the public hearing by providing a summary of the above-outlined project. The purpose of the public hearing is to solicit comments and feedback from the public regarding the proposed incentives for the above-outlined project. There were no written comments received ahead of time to be included with the written record.

There was no public comment.

V. ADJOURNMENT

As there were no other comments, the public hearing was closed at 3:10 p.m.



**PUBLIC HEARING NOTICE LETTER
(GSPP ROUTE 262, LLC PROJECT)**

April 4, 2023

To: Chief Executive Officers and School District Clerk
Listed on Schedule A attached hereto

Re: **Genesee County Industrial Development Agency d/b/a Genesee County
Economic Development Center and GSPP Route 262, LLC**

Notice of Public Hearing and Disposition of Initial Resolution

Ladies and Gentlemen:

On Wednesday, April 19, 2023, at 3:00 p.m., local time, at Town of Byron Town Hall, 7028 Byron Holly Road, Byron, New York 14422, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to *The Daily News* for publication.

The Agency will broadcast the public hearing live at on the Agency's website at www.gcedc.com.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the Project is located.



On March 30, 2023, the Agency adopted an inducement resolution (the "Inducement Resolution") with respect to the Project. pursuant to Chapter 766 of the Laws of 2022 of the State of New York, effective January 1, 2023, enclosed please find a copy of such as-adopted and certified Inducement Resolution.

Very truly yours,

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Wednesday, April 19, 2023, at 3:00 p.m., local time, at Town of Byron Town Hall, 7028 Byron Holly Road, Byron, New York 14422, in connection with the following matter:

GSPP Route 262, LLC, for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application (the "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 certain real property located at 6975 Route 262 in the Town of Byron, New York (the "Land", being more particularly described as a portion of tax parcel No. 11.-2-67, as may be subdivided); (ii) the planning, design, construction and operation of a 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").

The Agency will acquire title to, or 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 Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, 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 sales and use tax exemptions, a mortgage recording tax exemption consistent with the policies of the Agency, and a partial real property tax abatement.

The Agency will broadcast the public hearing live at on the Agency's website at www.gcedc.com.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's Project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: April 7, 2023

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY D/B/A
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER



**Genesee
County
Economic
Development
Center**

SCHEDULE A

GENESEE COUNTY

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0152-17

Genesee County Manager
Old Courthouse
7 Main Street
Batavia, New York 14020

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0152-24

Genesee County Legislature
Attn: Chair
Old Courthouse
7 Main Street
Batavia, New York 14020

TOWN OF BYRON

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0152-31

Town of Byron
Attn: Town Supervisor
Byron Town Hall
7028 Byron Holly Road
Byron, New York 14422

BYRON BERGEN CENTRAL SCHOOLS

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0152-48

Byron-Bergen Central Schools
Attn: Superintendent
6917 West Bergen Road
Bergen, New York 14416

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0152-55

Byron-Bergen Central Schools
Attn: President of the Board of Education
6917 West Bergen Road
Bergen, New York 14416

Certified Mail No. / Return Receipt

9489-0090-0027-6390-0152-62

Byron-Bergen Central Schools
Attn: District Clerk
6917 West Bergen Road
Bergen, New York 14416

