



Steel Winds LLC

James S Falsetti
Director

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June 9, 2017

Mr. Corey R. Wiktor
Executive Director
County of Cattaraugus Industrial Development Agency
P.O. Box 1749
9 East Washington Street
Ellicottville, New York 14731

Dear Mr. Wiktor,

We are pleased to provide three Applications for Sale/Leaseback Transaction for our three solar energy projects under development at the vacant former Exxon Mobil Refinery (a NYS Brownfields Cleanup Program site) in the City of Olean:

- The **Solean Project** – A 4 MW solar energy photovoltaic plant; 100% of its production will be sold to the **St. Bonaventure University** (a 501c3 Corporation) under a 25-year contract. *1406 RB PV LLC*
- The **Solean West Project** – A 1.6 MW solar energy photovoltaic plant; 100% of its production will be sold to the **Olean General Hospital** (a 501c3 Corporation) under a 20-year contract. *1470 PV LLC*
- The **Homeridae Project** – A 3.2 MW solar energy photovoltaic plant; 100% of its production will be sold to the **City of Olean** (a municipal corporation) under a 25-year contract.

To facilitate your processing of these related projects, we have submitted them as a package of three separate applications. The materials in each application are unique to each project but are quite similar. We propose a CCIDA legal fee of \$8,000 for each application (including the recommended \$750 in expense deposit). In total, we would reimburse IDA legal fees of \$24,000.

To address the IDA administrative fees, we propose again to use the same fee across all three projects, and, we propose 0.5% of project costs. This results a total \$100,575 in administrative fee payments (in addition to the \$2,250 application fee).

The issue of property taxation for solar projects is largely undefined in New York State. We believe these projects are largely exempt from property taxation, as they all are 1) built on qualifying NYS Brownfields Cleanup Program properties, and 2) not attached to, or penetrating, the ground and therefore appropriately classified as personal property. Further, as all output of these three projects is being sold to untaxed entities, the ownership structure could be revised to make the projects tax exempt. However, we

recognize that a protracted dispute is not in the interest of our businesses nor the communities in which we will reside. Furthermore, the appropriate level of taxation for a solar energy installation in New York (even if taxable) is unclear.

To try to bring clarity to this question, NYSEERDA recommends taxation levels between \$1,700/Megawatt of solar capacity and \$5,100/MW of solar capacity for projects in the WNY National Grid service area. NYSEERDA based these ranges on a solar project comprised of 100% real property equipment, providing energy to taxable entities, and not located on NYS Brownfields Cleanup Program properties. This taxation range is like the annual PILOT payments for nearby wind projects. However, as shown in Attachment 1, we respectfully note solar energy has a lower impact on the nearby communities and is less economically attractive than wind energy.

Our proposed PILOT payments would include all taxes due for both real estate and property for all taxing jurisdictions, including all special districts:

| Project | Size (MW) | Proposed PILOT, \$/MW | Total PILOT/Year |
|--------------|------------|-----------------------|------------------|
| Solean | 4.0 | \$1,700 | \$6,800 |
| Solean West | 1.6 | \$3,000 | \$4,800 |
| Homeridae | 3.2 | \$3,000 | \$9,600 |
| Total | 8.8 | | \$21,200 |

Attachment 2 summarizes the significant long-term economic and environmental benefits to the community and, in particular, to **three key Cattaraugus County institutions - the City of Olean, Olean General Hospital, and St Bonaventure University** - who collectively employ hundreds of, and provide material long-term benefits to a great many more, local citizens. It is difficult to put a value on the indirect benefits of the lower operating costs for these institutions, but it is reasonable to assume the saved monies will be used in other ways to benefit the community.

These substantial benefits are obtained by reusing environmentally contaminated, but now remediated, land, that would otherwise be vacant. This extensive and appropriate reuse strategy brings benefit to Cattaraugus County which can be replicated elsewhere - creating jobs and economic benefit.

We hope that you can support our attached applications and we look forward to these projects contributing to the economic and environmental future of Cattaraugus County.



Solar and Wind Energy Comparison for Purposes of Property Tax

Recent discussion regarding property tax values for renewable energy facilities has prompted some jurisdictions to use values assigned to wind energy projects as proxies for values to assign to solar energy facilities. As a result, it is worth noting some of the differences between the two technologies:

| | Wind | Solar |
|---|--------------------------|--------------------|
| Efficiency: | 35% ¹ | 13.4% ² |
| Site Area Requirements (average acres / MW): | 85 ³ | 5 |
| Production (per MW): | 3,066 MWh/year | 1,174 MWh/year |
| Equipment Degradation: | 0.2% Annual ⁴ | 0.5% Annual |

Wind energy and solar energy facilities differ significantly in terms of impact on land area as well as production efficiency. A typical wind energy facility requires, on average, 85 acres per megawatt installed. Of course, not all of this area is permanently dedicated to the wind energy facility, but this figure represents the amount of area under lease to facilitate the installation of a wind energy facility. A solar facility, by contrast, only requires approximately 5 acres of land per megawatt. Additionally, wind energy facilities tend to produce more energy per installed megawatt than solar facilities do, resulting in more revenue.

In addition, the issues that generate opposition to wind energy projects all but disappear for solar energy PV. There is no impact on wildlife, there is no discernable noise, there is no change of the horizon view (the panels stick up about 15 feet; a wind turbine about 450 feet) and the projects are significantly smaller.

In the case of Brownfields and Landfill Solar Energy Projects, the systems are ballasted, and are not attached to the ground or a building, so they are non-taxable personal property.

For these reasons, a solar PILOT agreement should be less than a wind PILOT agreement.

¹ https://www.eia.gov/electricity/monthly/epm_table_grapher.cfm?t=epmt_6_07_b

² NYSERDA MW Block Estimator

³ Total site area, US DOE Wind Vision Report 2015, pg. 102, available:
https://www.energy.gov/sites/prod/files/WindVision_Report_final.pdf

⁴ <http://www.ewea.org/events/workshops/wp-content/uploads/2014/12/Tech14a2-1-Wilkinson.pdf>

All Projects Benefits Summary

Financial Benefits:

The City of Olean, St Bonaventure University, and Olean General Hospital are the sole customers for all the electricity produced from each of the three Projects. They receive benefits in the form of Remote Net Metering Credits (RNMC); the RNMC are calculated by National Grid based on the Project’s net monthly electricity production, and this amount is then credited to the monthly bills. The customers pay a service fee to their respective Project that is considerably less than the value of the RNMC. The table below is based on estimated future RNMCs minus the service fee.

In addition, our customers have ownership of all “Green Tags”, such as the NYS issued Renewable Energy Credits (RECs). Today, the State is keeping all the REC monetary values, and our customers can use them to meet their sustainability goals. In the future, it is likely the RECs will be tradable, further increasing the customer’s financial benefits. Current pricing of RECs indicates a value of 2.4¢/kWh is reasonable; that value is used in the table below.

| Direct Reduction in operating costs | | | |
|-------------------------------------|------------------|---------------------|--------------------------------|
| Customer (Term) | Average Year | Lifetime Benefit | Estimated Annual REC Benefit** |
| SBU (25 yrs) | \$283,000 | \$7,360,000 | \$120,000 |
| OGH (20 yrs) | \$40,000 | \$1,000,000 | \$54,000 |
| City (25 yrs) | \$125,000 | \$3,200,000 | \$108,000 |
| Total | \$448,000 | \$11,560,000 | \$282,000 |

**Currently, NYS retains this REC value.

Community Benefits:

The use of zero carbon solar energy to generate electricity results in less electricity generation (and emissions) from other, fossil-fueled, electricity generating plants. Solar projects generate during the day, and this is often the time when utilities have peak demand loads. At these peak demand times, all generating assets are operating, including smaller gas turbines, known as “peakers”. Peakers have higher than NYS average CO2, NOx and SOX emissions. We calculated the emissions from a typical peaker as the base case for the three solar projects avoided emissions. To assess a monetary benefit for these reduced emissions, we applied the same values¹ that the NYS Public Service Commission has used for the nuclear plant Zero Emissions Credit².

| Parameter | Avoided Emissions (from all projects) | | Social Cost of CO2 | |
|--------------|---------------------------------------|-----------|--------------------|-----------------|
| | 1st year | 30 year | 1st year Benefit | 30 year Benefit |
| CO2 - Tonnes | 9,711 | 227,395 | \$378,748 | \$8,868,400 |
| Nox (lbs) | 58,734 | 1,375,262 | \$400,460 | \$9,376,789 |
| SOX (lbs) | 168,833 | 3,953,240 | N/A | N/A |

1. The OMB Social Cost of Carbon, see https://www.epa.gov/sites/production/files/2016-12/documents/scc_tsd_2010.pdf
2. See NY PSC, “ORDER ADOPTING A CLEAN ENERGY STANDARD” (Issued and Effective August 1, 2016)

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR SALE/LEASEBACK TRANSACTION

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for tax exemptions and other assistance from County of Cattaraugus Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY
9 East Washington Street
P.O. Box 1749
Ellicottville, New York 14731
Attention: Chairman

This application by applicant respectfully states:

APPLICANT: STEEL WINDS LLC ET AL
APPLICANT'S STREET ADDRESS: 47 S Hamilton St
CITY: Poughkeepsie STATE: New York PHONE NO.: 845 473 0300

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: James Falsetti

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Phillips Lytle LLP

NAME OF ATTORNEY: Milan Tyler

ATTORNEY'S STREET ADDRESS: One Canalside
CITY: Buffalo STATE: New York PHONE NO.: 212 508 0439

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.

County of Cattaraugus Industrial Development Agency
Lease Fee Structure

\$750 non-refundable application fee, **plus**
\$750 non-refundable agency counsel fee.

At the time of closing, prior to the CCIDA issuing its sales tax letter, you will be responsible for the following:

1 and 1/16% fee on the amount of sales tax letter(s) provided (in addition to the non-refundable application fee). Any additional sales tax letter(s) beyond the initial project amount will pay the standard IDA fee (1 and 1/16%) prior to the Agency issuing this letter(s). Any project with an in lieu of real property PILOT will be responsible for the full project PILOT amount paid in full at time of the project closing including projects with fixed fee amounts.

In addition to a CCIDA administrative fee you will also be responsible for paying CCIDA legal counsel expenses for lease transactions. The following are the CCIDA legal costs for each project:

| | |
|----------------------------|---------------------------------------|
| Projects up to \$500,000 | \$5,000 fee & up to \$500 in expenses |
| Projects up to \$1,000,000 | \$7,500 fee & up to \$750 in expenses |
| Projects up to \$2,000,000 | \$9,000 fee & up to \$750 in expenses |
| Projects above \$2,000,000 | Will be negotiated |

NOTE: Agency legal counsel fee include the \$750 non-refundable agency Counsel fee.
Also if a Payment in Lieu of Taxes (PILOT) and/or a mortgage is part of the Project an additional \$2,000.00 fee will be charged.

Please Note: ALL lease transactions will be by mail closing and these costs only include basic lease documents. Modification of the base documents could result in additional CCIDA attorney costs. In addition, you will also be responsible for your own attorney's legal expenses relating to this transaction. The Board may also modify its fee with three quarters of the Agency's Board Members present approving.

A late payment charge of 1 1/2% per month (30 day period) for every project billing will be in effect from the date billed by the CCIDA.

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: **Homeridae LLC - See Schedule A**
 Present Address: **47 S Hamilton St Poughkeepsie NY**
 Zip Code: **12601**
 Employer's ID No.:
2. If the Company differs from the Applicant, give details of relationship:
Common ownership - See Schedule A - Company Relationships
3. Indicate type of business organization of Company:
 - a. Corporation. If so, incorporated in what country? _____;
 What State? _____; Date Incorporated _____;
 Type of Corporation? _____; Authorized to do business in
 New York? Yes ___; No ___.
 - b. Partnership. If so, indicate type of partnership LLC _____;
 Number of general partners 0; Number of limited partners 3.
 - c. Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:
See Schedule A. The Company has common ownership with Applicant.

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

| NAME AND HOME ADDRESS | OFFICE HELD | OTHER PRINCIPAL BUSINESS |
|----------------------------|-----------------------|---------------------------------|
| Paul Curran, | Paul Curran - Manager | Renewable Energy on Brownfields |
| Timothy Ryan, | Member | Renewable Energy on Brownfields |
| James Falsetti, (_____) | Member | Renewable Energy on Brownfields |
| | | |
| | | |

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes ___; No X.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes ___; No X.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes ___; No X.

5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal owners of Company:

1. Is Company publicly held? Yes ___; No X. If yes, please list exchanges where stock traded:
2. If no, list all stockholders having a 5% or more interest in the Company:

| NAME | ADDRESS | PERCENTAGE OF HOLDING |
|--------------------------|--|-----------------------|
| BQ Energy, llc | 47 S Hamilton St, Poughkeepsie, NY 12601 | 33-1/3% |
| Renewable Strategies LLC | PO Box 114, Chautauqua, NY 14722 | 33-1/3% |
| JSF Energy, LLC | 3 Valerie Lane New Fairfield CT 06812 | 33-1/3% |
| | | |
| | | |
| | | |

- D. Company's principal bank(s) of account:
M&T

II. DATA REGARDING PROPOSED PROJECT.

- A. Description of the Project: (Please provide a brief narrative description of the Project.)
The project consists of a 3.2 MW solar photovoltaic energy facility to be built on a vacant Homer Street parcel, a NYS Brownfield Cleanup Program property, in Olean NY. All of the renewably produced electric power will be sold to the City of Olean under a 25 Year contract.

- B. Location of the Project:

1. Street Address: 231 & 251 Homer Street
2. City of Olean
3. Town of _____
4. Village of _____
5. County of Cattaraugus

- C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site:
Is a map, survey, or sketch of the Project site attached? Yes X; No ____. 17 acres (approx)
2. Are there existing buildings on the Project site? Yes ___; No X.
- a. If yes, indicate the number of buildings on the site: _____. Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such existing building:



Google Earth



- b. Are the existing buildings in operation? Yes ___; No X. If yes, describe present use of present buildings:
- c. Are the existing buildings abandoned? Yes ___, No X. About to be abandoned? Yes ___; No X. If yes, describe:
- d. Attach photograph of present buildings.
3. Utilities serving the Project site:
- Water-Municipal: n/a
Other (describe)
- Sewer-Municipal: n/a
Other (describe)
- Electric-Utility: National Grid
Other (describe)
- Heat Utility: n/a
Other (describe)
4. Present legal owner of the Project site: **Homer Street Partners, LLC; See Schedule A**
- a. If the Company owns the Project site, indicate date of purchase: _____ 20__, purchase price: \$_____.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes X; No X. If yes, indicate date option signed with the owner: January 4, 20 16 and the date the option expires: _____, 20__. **Olean Solar Land LLC has PSA - See Schedule A**
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes X; No ___. If yes, describe; **Company will sublease property from Olean Solar Land, LLC - see Schedule A - Company Relationships**
5. a. Zoning District in which the Project site is located: **I - Industrial**
- b. Are there any variances or special permits affecting the Project site? Yes X; No ___. If yes, list below and attach copies of all such variances or special permits: **See Schedules C and D**
Site Plan & Special Use Permit - February 8, 2016; Area Variance
January 28, 2016; SEQRA EAF and Negative Declaration

D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes ___, No X. If yes, indicate number and size of new buildings:

2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes ___; No X. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded:

The Solar Project does not involve any new buildings.

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes X; No ___. If yes, describe the Equipment:

The Solar Project uses panels and ancillary equipment, not affixed to the ground but mounted upon non-ground penetrating ballast block foundations. The panels, other equipment, and ballasts are personal property.

2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes ___; No X. If yes, please provide detail:

3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

The solar panels convert sunlight to electric power.

F. Project Use:

1. What are the principal products to be produced at the Project?
Renewable electric power.

2. What are the principal activities to be conducted at the Project?

After installation of the solar power equipment, the project will have routine electrical and mechanical maintenance, vegetative cover maintenance, and all required Brownfields monitoring as prescribed by the NYSDEC.

3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes ___; No X. If yes, please provide detail:

4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? n/a %
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes ___; No ___. If yes, please explain:
n/a
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes ___; No ___. If yes, please explain:
N/A
- c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes ___; No ___ If yes, please explain:
N/A
- d. 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 city, town, or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes ___; No ___. If yes, please provide detail:
N/A
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes ___, No ___. If yes, please explain:
N/A
6. If the answers to any of subdivisions c. through e. of question 5 is yes, 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 ___. If yes, please explain:
N/A

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes ___; No X. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes ___; No X. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes ___; No ___. If yes, please provide detail:

n/a

b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes ___; No ___. If yes, please provide detail:

n/a

G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes X; No ___. If yes, please discuss in detail the approximate stage of such acquisition:

Land acquisition is largely complete BUT the project will never operate but for the requested assistance.

2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes X; No ___. If yes, please discuss in detail the approximate stage of such acquisition: The equipment is largely procured BUT will never be installed but for the requested assistance.

3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes ___, No X. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:
Permit and design engineering costs of several hundred thousand dollars have been incurred.

5. Please indicate the date the applicant estimates the Project will be completed:
November/December 2017

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes ___; No X. If yes, please complete the following for each existing or proposed tenant or subtenant: The Project Occupant (see above) is the only tenant. The City of Olean, the purchaser of the project power credits, does sublease land.

1. Sublessee name: Homeridae LLC
Present Address: 47 S Hamilton St, Poughkeepsie, NY 12601
City: _____ State: _____ Zip: _____
Employer's ID No.: _____
Sublessee is: LLC Corporation: ___ Partnership: ___ Sole Proprietorship
Relationship to Company: Same
Percentage of Project to be leased or subleased: 100%
Use of Project intended by Sublessee: Generate renewable electric power
Date of lease or sublease to Sublessee: Commercial operation
Term of lease or sublease to Sublessee: 25 years
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ___; No X. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name: City of Olean
Present Address: 101 East State Street
City: Olean State: NY Zip: 14760
Employer's ID No.: _____
Sublessee is: ___ Corporation: ___ Partnership: ___ Sole Proprietorship
Relationship to Company: Customer for 100% of the electricity
Percentage of Project to be leased or subleased: 100%
Use of Project intended by Sublessee: Generate renewable electric power
Date of lease or sublease to Sublessee: Upon Commercial Operation
Term of lease or sublease to Sublessee: 25 years
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ___; No X. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name: _____
Present Address: _____
City: _____ State: _____ Zip: _____
Employer's ID No.: _____
Sublessee is: ___ Corporation: ___ Partnership: ___ Sole Proprietorship
Relationship to Company: _____
Percentage of Project to be leased or subleased: _____

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ___; No ___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? N/A

IV. EMPLOYMENT IMPACT.

- A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

| TYPE OF EMPLOYMENT Employees of Applicant | | | | | |
|--|----------------------------|---------|--------------|------------|--------|
| | Professional or Managerial | Skilled | Semi-Skilled | Un-Skilled | Totals |
| Present Full Time | | | | | |
| Present Part Time | | | | | |
| Present Seasonal | | | | | |
| First Year Full Time | | | | | |
| First Year Part Time | | | | | |
| First Year Seasonal | | | | | |
| Second Year Full Time | | | | | |

| | | | | | |
|-----------------------|--|--|--|--|--|
| Second Year Part Time | | | | | |
| Second Year Seasonal | | | | | |

| TYPE OF EMPLOYMENT Independent Contractors | | | | | |
|---|-------------------------------|---------|--------------|------------|--------|
| | Professional or Managerial | Skilled | Semi-Skilled | Un-Skilled | Totals |
| Present Full Time | | | | | |
| Present Part Time | | 2 | | | |
| Present Seasonal | | | | | |
| First Year Full Time | | 2 | | | |
| First Year Part Time | | | | | |
| First Year Seasonal | | | | | |
| Second Year Full Time | | 2 | | | |
| Second Year Part Time | | | | | |
| Second Year Seasonal | | | | | |

| TYPE OF EMPLOYMENT Employees of Independent Contractors | | | | | |
|--|-------------------------------|---------|--------------|------------|--------|
| | Professional or Managerial | Skilled | Semi-Skilled | Un-Skilled | Totals |
| Present Full Time | | | | | |
| Present Part Time | 1 | 2 | | | |
| Present Seasonal | | | | | |
| First Year Full Time | | | | | |
| First Year Part Time | 1 | 2 | | | |
| First Year Seasonal | 1 | | 5 | | |
| Second Year Full Time | | | | | |
| Second Year Part Time | | 2 | | | |
| Second Year Seasonal | 1 | | 5 | | |

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Western New York Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

| TYPE OF EMPLOYMENT Employees of Independent Contractors | | | | | |
|--|-------------------------------|---------|--------------|------------|--------|
| | Professional or Managerial | Skilled | Semi-Skilled | Un-Skilled | Totals |
| Present Full Time | | | | | |
| Present Part Time | 1 | 2 | | | |
| Present Seasonal | | | | | |
| First Year Full Time | | | | | |
| First Year Part Time | 1 | 2 | | | |
| First Year Seasonal | 1 | | 5 | | |
| Second Year Full Time | | | | | |
| Second Year Part Time | 1 | 2 | | | |
| Second Year Seasonal | 1 | | 5 | | |

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Western New York Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

| RELATED EMPLOYMENT INFORMATION | | | | |
|---|-------------------------------|-------------------|---------------|------------|
| | Professional or Managerial | Skilled | Semi-Skilled | Un-Skilled |
| Estimated Salary and Fringe Benefit Averages or Ranges | \$50-\$100/hr | \$40-\$90/hr | \$15-\$35/hr | |
| Estimated Number of Employees Residing in the Western New York Economic Development Region ¹ | 2, working for Ind Contractor | 2, working for IC | 5, IC Workers | |

C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

When the Project reaches Commercial Operation, the Operations and Maintenance phase would start. There will be annual contracts for (i) a local Electrical Contractor and (ii) a local Landscape Company. These companies are expected to perform routine maintenance and will also perform troubleshooting work as necessary. We expect these services will cost about \$25,000 annually.

D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment. **As described above, employees will be working for contractors. The jobs are as-needed, and include managers, licensed electricians, and landscape maintenance workers.**

E. **Estimated Wage Impact.** Please answer the questions below to assist the Agency in estimating the impact of the wages paid and to be paid at the Project site on the local economy:

1. What is your estimated current yearly payroll at the Project site (do not include construction workers)? \$ N/A.
2. What do you estimate that you presently pay to New York State in payroll taxes with respect to jobs at the Project site (based upon taxes before the Project was undertaken) (do not include construction workers)? \$ N/A.
3. What is the estimated yearly payroll one year after completion of your project? \$ \$25,000/yr - paid to Independent Contractors
4. What do you estimate paying to New York State in payroll taxes one year after completion of your project? \$ \$1200.
5. What is the present estimated average wage/salary plus fringe benefit total for each full-time equivalent position at the Project site (based upon such amounts paid before the Project was undertaken) (do not include construction workers)? \$ N/A.

¹ The Western New York Economic Development Region consists of the following counties: Allegany, Cattaraugus, Chautauqua, Erie, and Niagara.

6. What do you estimated that your yearly payroll will be at the Project site one year after completion of the Project (do not include construction workers)? \$ \$25,000, to Contractors
7. What do you estimate that you will pay to New York State in payroll taxes with respect to jobs at the Project site one year after completion of the Project (do not include construction workers)? \$ N/a.
8. What do you estimate the estimated average wage/salary plus fringe benefit total for each full-time equivalent position at the Project site will be one year after completion of the Project (do not include construction workers)? \$ _____.
9. If applicable, what are the estimated yearly aggregate average wage/salary plus fringe benefit total to be lost as a result of the Project? \$ None.
10. Estimated number of construction jobs to be created with respect to the Project: 40 jobs. for 5 months.
11. Estimated New York State payroll taxes on construction jobs to be created with respect to the Project: \$ \$140,000.

NOTE: ALL JOB OPENINGS ARE REQUIRED TO BE FILED WITH THE NEW YORK STATE DEPARTMENT OF LABOR AND THE CATTARAUGUS COUNTY JOB TRAINING ACT PARTNERSHIP.

F. Project Monetary Benefits. Please answer the questions below to assist the Agency in estimating the other positive monetary impacts that the Project may have on the local economy:

1. Please attach the most recent tax bill(s) for each parcel of property which is expected to be a part of the Project site. Have you attached such bills? Yes ; No . If no, please explain: See Schedule E - Latest Tax Bills

NOTE: THE POLICY OF THE AGENCY IS TO DECLINE TO ABATE EXISTING REAL PROPERTY TAXES WITH RESPECT TO THE PROJECT SITE. ANY REQUEST TO ABATE SUCH EXISTING REAL PROPERTY TAXES WOULD REQUIRE A DEVIATION FROM THE AGENCY'S EXISTING UNIFORM TAX EXEMPTION POLICY.

2. What is the estimated full cost of any real property improvements proposed to be undertaken as part of the Project? \$ 0 (solar equipment is personal property)
3. What is the present estimated annual amount of goods and services purchased relating to the operation of the Project (excluding employee wages)? \$ \$50,000.

4. Approximately how much sales tax do you presently pay to the State of New York (including both the state share and the local share)? \$ 0.
5. What is the estimated annual amount of goods and services expected purchased relating to the operation of the Project (excluding employee wages) following completion of the Project? \$ 50,000.
6. Approximately how much sales tax do you expect to pay to the State of New York (including both the state share and the local share) following completion of the Project? \$ 500.
7. As a result of the Project, will there be any other public benefit to the State of New York, Cattaraugus County and/or any local government in New York State? Yes X; No ____.
- If yes, please explain: The Project brings sustainable economic stability to the NYS and the region by fixing power prices for the City of Olean and other key area stakeholders.
- See Schedule B**
8. If the answer to question IV.C.7. is yes, will any of the public benefit be a monetary benefit? Yes X; No ____.
- If yes, what is the estimated monetary benefit to the State of New York, Cattaraugus County and/or any local government in New York State? \$ 3,200,000 cost savings over 25 years - See Schedule B

V. PROJECT COST AND FINANCING SOURCES:

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

| <u>Description of Cost</u> | <u>Amount</u> |
|---|---------------------------|
| Land | \$ _____ |
| Buildings | \$ _____ |
| Machinery and equipment costs | \$ <u>3,550,000 (est)</u> |
| Utilities, roads and appurtenant costs | \$ <u>50,000 (est)</u> |
| Architects and engineering fees | \$ <u>2,400,000 (est)</u> |
| Costs of financing | \$ <u>TBD</u> |
| Construction loan fees and interest (if applicable) | \$ _____ |
| Other (specify) | |
| _____ | \$ _____ |
| _____ | \$ _____ |

| | |
|----------------------------|---------------------------|
| _____ | \$ _____ |
| TOTAL PROJECT COSTS | \$ 6,000,000 (est) |

B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

| <u>Description of Sources</u> | <u>Amount</u> |
|--|----------------------------------|
| Private Sector Financing | \$ <u>2,100,000</u> |
| Public Sector | |
| Federal Programs | \$ _____ |
| State Programs | \$ _____ |
| Local Programs | \$ _____ |
| Applicant Equity | \$ _____ |
| Other (specify, e.g., tax credits) | |
| <u>Federal Investment Tax Credit</u> | \$ <u>\$1,800,000 (est)</u> |
| <u>NYS Brownfield Tax Credit</u> | \$ <u>\$900,000 (est)</u> |
| <u>NYSERDA Solar MWB Award</u> | \$ <u>\$1,200,000 (est)</u> |
| TOTAL AMOUNT OF PROJECT FINANCING SOURCES | \$ <u>6,000,000 (est)</u> |

C. Have any of the above expenditures already been made by the applicant?
 Yes ; No _____. If yes, indicate particulars.

Yes the projects permitting, engineering, design and utility interconnection work
have all been paid for with funds provided by the Steel Winds LLC. .

D. Amount of loan requested: \$ 0 _____;

Maturity requested: _____ years.

E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes _____; No . Institution Name: Construction is being financed by the Occupant.

Provide name and telephone number of the person we may contact.

Name: Occupant info in Section I. Phone: _____

- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 0 % at the start of construction
- G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$ 65% longterm
n/a

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY.

A. Tax Benefits.

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency? Yes ; No _____. note: project is or could be totally tax exempt

If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes ____; No .

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes ____; No . If yes, what is the approximate amount of financing to be secured by mortgages? \$ _____.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes ____; No . If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ _____.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.

- a. N.Y.S. Sales and Compensating Use Taxes: \$ 0
b. Mortgage Recording Taxes: \$ 0
c. Real Property Tax Exemptions: \$ TBD
d. Other (please specify): \$ 0

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax-exemption Policy? Yes ; No _____. If yes, please explain how the request of the applicant differs from the Agency's Uniform Tax-Exemption Policy: Request is for PILOT payments of \$3,000/MW for a solar energy project.

- B. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project

(e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

- VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:
- A. 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"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.
 - B. 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.
 - C. 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.
 - D. Annual 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, on an annual basis, reports regarding the number of people employed at the project site.
 - E. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.
 - F. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

- G. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and, the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.
- H. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- I. False or Misleading Information. The applicant understands 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 exemptions claimed by reason of Agency involvement in the Project.
- J. Absence of Conflicts of Interest: The applicant acknowledges that the members, officers, and employees of the Agency are listed on the Agency’s website. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:
- K. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the “Public Benefits”) and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.
- L. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency’s Policy Manual which can be accessed at www.cattcoida.com.

I affirm under penalty of perjury that all statements made on this application are true, accurate, and complete to the best of my knowledge.


Applicant

By:

James S Falsetti

Title:

Steel Winds, LLC - Member and Director

NOTE: APPLICANT MUST COMPLETE THE APPROPRIATE VERIFICATION
APPEARING ON PAGES 22 THROUGH 25 HEREOF BEFORE A NOTARY PUBLIC
AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT
APPEARING ON PAGE 26.

VERIFICATION

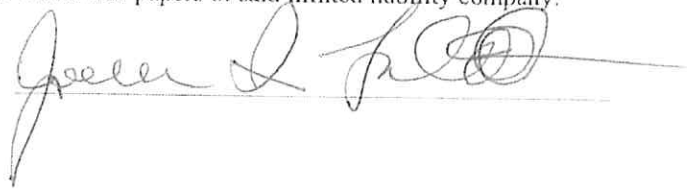
(If applicant is limited liability company)

STATE OF Connecticut
COUNTY OF Fairfield) SS.: New Fairfield

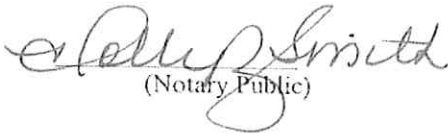
JAMES S. FALSETTI deposes and says
(Name of Individual)

that he is one of the members of the firm of STEEL WINDS, LLC
(Limited Liability Company)

the limited liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.



Sworn to before me this
9th day of June, 2017



(Notary Public)

HOLLY Z. SMITH
NOTARY PUBLIC
MY COMMISSION EXPIRES SEP. 30, 2020

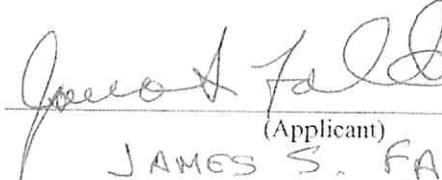
HOLD HARMLESS AGREEMENT

Applicant hereby releases County of Cattaraugus Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, 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 (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate 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 Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

ss: New Fairfield, CT
Sworn to before me this 9th
day of June, 2017


Notary Public

HOLLY Z. SMITH
NOTARY PUBLIC
MY COMMISSION EXPIRES SEP. 30, 2020



(Applicant)
JAMES S. FALSETTI

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR SALE/LEASEBACK TRANSACTION

HOMERIDAE PROJECT

LIST OF SCHEDULES

- A. Company Relationships
- B. Financial and Community Benefits Summary
- C. City of Olean Special Use and Site Plan Approval
- D. SEQRA EAF and Finding of No Significant Impact (Negative Declaration)
- E. Latest City of Olean Tax Bills for the Property

June 7, 2017

Schedule A

COMPANY RELATIONSHIPS

HOMERIDAE LLC – Company – is the Owner Operator of the solar arrays, will lease property from Olean Solar Land LLC

OLEAN SOLAR LAND LLC – has Purchase and Sale Agreement Option with Homer St Partners

HOMER ST PARTNERS LLC – Current owner of Property

STEEL WINDS, LLC – Applicant - affiliate of Olean Solar Land LLC

CITY OF OLEAN – Recipient of 100% of the project's electricity credits, and all the environmental benefits. Sub-lessee of the land, and lessee of the project, from Homeridae LLC.

Schedule B

FINANCIAL AND COMMUNITY BENEFITS SUMMARY

CITY OF OLEAN FINANCIAL BENEFITS:

City of Olean is the sole customer for all the electricity produced from the Project. Their benefits are received in the form of Remote Net Metering Credits (RNMC); the RNMC are calculated by National Grid based on the Project’s net monthly electricity production, and this amount is then credited to the monthly City of Olean bills. The City pays a fee Service to the Project that is considerably less than the value of the RNMC.

The term of the contract is 25 years, with two five-year extensions. The monetary benefits, in the form of reduced operating costs, are calculated assuming the delivery portion of the National Grid bill increases 1.7% annually (this is based on their NYS Public Service Commission filings for the Olean Load Zone), and the energy supply portion is assumed to increase from its current historic lows by 1.5% annually. As a result, the average savings are **\$125,000/year**, and a 25-year cumulative total financial benefit of **\$3,200,000**.

In addition, City of Olean has ownership of any and all future “Green Tags”, such as the NYS issued Renewable Energy Credits (RECs). Today, the State is keeping all the REC monetary values, and City of Olean can use them to meet their sustainability goals. In the future, it is likely the RECs will be tradable for money, further increasing the financial benefits to City of Olean. In the event RECs are tradable, the estimated benefit is over **\$90,000/year**.

COMMUNITY BENEFITS:

The use of zero carbon solar energy to generate electricity results in avoided emissions from other electricity generating plants. Solar projects generate during the day, and this is often the same time when the utilities have their peak demand loads, and are running all their generating assets, including intermittent operating gas turbines, known as “peakers”. Peakers have relatively higher than NYS average CO2, NOx and SOX emissions. We calculated the emissions from a typical peaker as the base case for the avoided emission from the solar project, and these reduced emissions are a substantial improvement in air quality. The table below summarizes the results:

| Avoided Emissions | 1st year | 30 year |
|--------------------------|-----------------|------------------|
| CO2 - Tonnes | 3,531 | 82,689 |
| Nox (lbs) | 21,358 | 500,095 |
| SOX (lbs) | 61,394 | 1,437,542 |

Other community benefits include repurposing the former ExxonMobil tank farm area into a very attractive renewable energy project with no additional load on City or County services.

Schedule C

CITY OF OLEAN

DEPT. OF COMMUNITY DEVELOPMENT

Olean Municipal Building * 101 East State Street
P.O. Box 668 * Olean, NY 14760-0668



Phone: (716) 376-5648 * Fax: (716) 376-5649
WEBSITE: www.cityofolean.com

MEMORANDUM

TO: CITY CLERK ALEXANDER UTECHT

FROM: OLEAN PLANNING BOARD

DATE: February 9, 2016

Please be advised that the Planning Board at its February 8, 2016 meeting approved the following site plan and special use permit applications:

Homeridae, LLC
231 & 251 Homer Street

SP #10-15 SUP #06-15

Mary George, Program Coordinator
Department of Community Development

Date

C: Applicant

RECEIVED

FEB 09 2016

CITY CLERK

City of Olean
Department of Fire, Buildings, & Emergency Services
Code Enforcement Division

Olean Municipal Building, Rm. 212
P.O. Box 668, 101 E. State Street
Olean, NY 14760
716-376-5683, 716-376-5707 (fax)

Application for Site Plan Review

Date Received in Codes: 11-20-15
Application #: 010-15

Date Forwarded to C. D.: 11-20-15
Forwarded by: [Signature]

1. APPLICATION:

I, James S Falsetti, hereby apply for site plan review and approval of the proposed development located at 231 and 251 Homer St, Olean, NY

The proposed development consists of the following:
Installation and operation of a photovoltaic solar energy production facility.

I have read and am familiar with the City of Olean Zoning Law's in regard to the procedures and conditions of Article 9, Section 9.1, which requires site plan review prior to approval.

[Signature]
(Signature of Applicant)

11/3/15
(Date Signed and Submitted)

2. ACTION TAKEN BY THE PLANNING BOARD: PRELIMINARY SITE PLAN

(a) On November 23, 2015 The City of Olean Planning Board has determined that the applicant may proceed to acquire the needed application approvals.

(b) Set a Public Hearing for 12/14/15 7:00pm Council Chambers
(date) (time) (location)

(c) Application requires County Planning Board approval: Yes No

If Yes, Decision by County Board: 1b significant countywide or inter-community impact.

3. ACTION TAKEN BY OLEAN PLANNING BOARD: FINAL SITE PLAN REVIEW

On 12/14/15 at Council Chambers a public hearing was held and on 02/08/16
(date) (location) (date)

the Planning Board Approved Disapproved the final site plan for application #: 10-15

CONDITIONS FOR FINAL SITE PLAN REVIEW:

None

4. FORWARDED TO THE CODE ENFORCEMENT OFFICE ON: 02/09/16

*** NOTE: All preliminary Site Plan Requirements on the attached form must be completed prior to submittal for review

[Signature]

City of Olean
Department of Fire, Buildings, & Emergency Services
Code Enforcement Division

Olean Municipal Building, Rm. 212
P.O. Box 668, 101 E. State Street
Olean, NY 14760
716-376-5683, 716-376-5707 (fax)

Application for Special Use Permit

Date Received in Codes: 11-20-15

Date Forwarded to C.D.: 11-20-15

Application #: 06-15

Forwarded By: TJew

1. APPLICATION:

I, James S Falsetti, hereby apply for a Special Use permit for property located at 231 and 251 Homer St, Olean, NY. The present use of this property is vacant. The proposed special use request is for the following:

Installation and operation of a photovoltaic solar energy production facility.

I have read, and am familiar with Article 9, Section 9.0 of the Olean Zoning Ordinance.

[Signature]
Signature of Applicant

11/23/15
Date Signed and Submitted

2. ACTION TAKEN BY THE PLANNING BOARD:

(a) On November 23, 2015 the City of Olean Planning Board reviewed this application and set a public hearing for 12/14/15 7:00pm Council Chambers.
(date) (time) (location)

3. FINAL ACTION TAKEN BY OLEAN PLANNING BOARD:

On 12/14/15 at Council Chambers, a public hearing was held. On 02/08/16
(date) (location) (date)

the Planning Board Approved Disapproved the Special Use request for application #: 06-15

CONDITIONS FOR SPECIAL USE PERMIT:

- None -

4. FORWARDED TO THE BUILDING DEPARTMENT ON: 02/09/16

[Signature]



PART 3 – LOCAL NOTICE OF FINAL ACTION ON ZONING REFERRAL ONLY

Municipality must complete this page for each zoning referral that has been acted on by the
Cattaraugus County Planning Board.

Send to: Cattaraugus County Economic Development, Planning & Tourism, 303 Court Street, Little Valley, NY 14755

LOCAL ACTION ON ZONING REFERRALS

Pursuant to Section 239 (m) (6) of General Municipal Law. As mandated by State Law, this form
must be completed and filed within 30 days after Final Action has been taken by the local agency.

Date: 02/09/16

Municipality: City of Wren Planning Board

Regarding action identified as: Hennrichs, LLC 2315 251 Homer Street

- Agreement with County Planning Board Recommendations
- Overruled County Planning Board Recommendations

Copy of Resolution attached: yes no

If not, substance of resolution listed below:

02/09/16
Date

[Signature]
Signature of Referring Officer

FROM: City of Wren Planning Board TELEPHONE: 716-376-5647
(Referral Office)

Dept. of Community Development FAX: 716-376-5644
(Department, Municipality, Firm, etc.)

101 East State Street
(Address)

Wren, NY 14760

Article 12B, Section 239 (1) and (m) of the General Municipal Law requires the County Planning Board to review all zoning matters as specified by that resolution. It also provides that a recommendation of the County Planning Board may be overruled by the local referring agency. The local referring agency must pass a resolution expressing the reason for such action by a majority plus one vote of its membership. Article 12B requires that the local municipal agency file a report of its final action informing the County Planning Board of which action the local agency took.

Zoning Board Of Appeals

City of Olean, New York

NOTICE OF DECISION

Variance # 20-15

Notice of Decision in the matter of the appeal of:

BQ Energy, LLC for itself and Homeridae LLC

RECEIVED

Dated this 28 day of January 2016

JAN 29 2016

CITY CLERK

Requesting a Area Variance for the premises known as:

231 & 251 Homer Street

Requesting permission to vary from the requirements of Article 6, Section 6.1 of the zoning ordinance

By resolution of the Board, it was determined that the appeal in the above matter was:

(GRANTED)

(DENIED)

(TABLED)

Upon the following conditions (if any):

The granting of this variance shall void all previous variances. Any deviations from the variance granted, or its conditions, will make this variance null and void.

This variance shall become void 6 months after the granting of the variance, should work fail to commence.



Thomas Enright, Secretary
Zoning Board of Appeals

Zoning Board Of Appeals

City of Olean, New York

NOTICE OF DECISION

Variance # 020-16

Notice of Decision in the matter of the appeal of:

BQ Energy, LLC FOR ITSELF AND Homeridae LLC

Dated this 11th day of August, 2016

Requesting a Area Variance for the premises known as:

231 & 251 Homer Street- Variance Extension from Original

Requesting permission to vary from the requirements of Article 6, Section 6.1 of the zoning ordinance

By resolution of the Board, it was determined that the appeal in the above matter was:

(GRANTED)

(DENIED)

(TABLED)

Upon the following conditions (if any):

one (1) year extension from today's date
8/11/16

The granting of this variance shall void all previous variances. Any deviations from the variance granted, or its conditions, will make this variance null and void.

This variance shall become void 6 months after the granting of the variance, should work fail to commence.



Thomas Enright, Secretary
Zoning Board of Appeals

RECEIVED

AUG 12 2016

CITY CLERK

