

County of Cattaraugus
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Tuesday, November 18, 2025
CCIDA Office
9 E. Washington Street
Ellicottville, NY
11:15 a.m.

To access the Board meeting via Zoom/Conference Call, please see the applicable information at the end of the agenda to do so.

-Call the Meeting to Order-Time:

-Roll Call- Board of Directors of the CCIDA:

-Approval of October 28, 2025 CCIDA Board of Directors Meeting Minutes:

Application/Project in Process

-1. Edelweiss Dairy, LLC:

-Edelweiss Dairy LLC has submitted an Application to the Agency for tax exempt financing along with requesting consideration for Real Property Tax abatement on value added, Revenue Bond and NYS mortgage tax abatement related to the various construction projects that include: of a new dairy facility to replace their existing, outdated 50-year-old facility located at 10826 Osman Road in the Town of Freedom. The project includes a new 120 stall rotary parlor to milk cows, 4 cattle barns, roughly (650,000 sq. ft in total), and a manure separation sand recycling facility. The project will not only retain 21 current employees, it will add roughly 12 new employees as well.

A public hearing was held on March 18, 2025 in the Town of Freedom, a copy is enclosed in each Board Member's packet as well as the cost benefit analysis. The County Legislatures approved their Resolution on November 12, 2025 for issuance of the bond, a copy is enclosed in each Board Member's packet.

-Revenue Bond Issuance \$15,500,000. (Total Project Investment:\$32,500,000+,-)

√ SEQR Determination Resolution
√ Bond Issuance Resolution

***CCIDA Financial Reports:**

-Approval of October 2025 Financial Reports (Vote required):

***Income for October 2025 (\$13,281.25):**

- \$13,281.25 - First half administrative fee for Kinley Contractors.

***Income for November 2025 (\$15,725.00):**

- \$15,725.00 – Full administrative fee for Win-Sum Ski

- General update on projects in process: including the Agency has 4 projects in the closing stage which should close in the 4rd quarter of this year.

-Internal (IDA Meetings/Discussions, Snapshot):

- ✓ Meeting with Andy Burr regarding County wide project and development updates.
- ✓ Meeting with Scott Symans.
- ✓ Attended Greater Buffalo Sports Hall of Fame ceremony.
- ✓ Continued meeting and discussion with a possible Canadian Manufacture considering a project in the Olean Area.
- ✓ Met with a commercial developer with respect to possible commercial development in the County.
- ✓ Attended the Cattalyst Collective meeting.
- ✓ Attend Cattalyst Collective kickoff event at HoliMont on 11-13-25.
- ✓ General project updates and notices to the Board.

-External (Points of Interest relating to the CCIDA):

- ✓ **Handout:** "Economic Impact of the Seneca Nation of Indians."
- ✓ **Times Union:** Article: "Large renewable energy projects are blindsiding upstate communities."
- ✓ **SkiMag:** Article: "The Reader-Ranked Top 20 Resorts in the East for 2026."
- ✓ **WGRZ:** Article: "New York's all-electric building law faces legal challenge."
- ✓ **Handout:** "Olean Job Fair."

Adjournment:

Motion- :
: Time:

*** The next CCIDA Board of Directors Meeting is
Tuesday, December 16, 2025 at 11:15 a.m.
location to be determined ***

Zoom Meeting access Information:

Topic: County of Cattaraugus IDA Board Meeting

Time: Nov 18, 2025 11:15 AM Eastern Time (US and Canada)

Join Zoom Meeting:

<https://us02web.zoom.us/j/83163468716?pwd=XhJs5ZKiG-ZbOEPLdnB8XxodqJ2qViv.1>

Meeting ID: 831 6346 8716

Passcode: 788296

One tap mobile

+16469313860,,83163468716#,,, *788296# US

+19292056099,,83163468716#,,, *788296# US (New York)

Join instructions:

<https://us02web.zoom.us/join/83163468716/invitations?signature=1kELafHrX9OiD0xmPB32GEyP0TrfZHNGo8U6bo666EY>

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES

October 28, 2025

CCIDA Offices

9 East Washington Street

Ellicottville NY 14731

11:15 a.m. In Person or via Teleconference Call/Zoom

Roll Call: -Taken-

Members

Present:

Mr. Joseph Higgins
Mr. Brent Driscoll
Ms. Ginger Schroder
Mr. Thomas Cullen

Excused:

Mr. Thomas Buffamante-Chairman
Mr. James (Joe) Snyder
Mr. Michael Wimer

CCIDA Staff/Counsel:

Mr. Corey R. Wiktor, Executive Director CCIDA
Mr. Robert Murray, Harris Beach PLLC Legal Counsel

Presenters/Guests:

Bob Clark, Olean Times Herald (via zoom)
Jonathan Epstein, Buffalo News (via zoom)

Mr. Higgins called the meeting to order at 11:17 a.m.

A roll call of the Board of Directors of the CCIDA was taken Mr. Higgins, Mr. Driscoll, Ms. Schroder and Mr. Cullen were present. Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

A Motion was made by Brent Driscoll seconded by Thomas Cullen to accept the Board Meeting Minutes from September 23, 2025. All in favor. **Motion Carried.** Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

-Mr. Higgins: We have a new application for Win-Sum. Corey, would you like to take over.

-Mr. Wiktor: Yes, welcome everyone to our October 28, 2025 Board Meeting. We are here at the IDA office in Ellicottville. We welcome everyone that is on the line and if you need any attachment files, by all means feel free to reach out to our offices and everything is also posted on our website with the agenda and entire packet. We are happy to help out if you miss anything on the zoom. We have been working with Win-Sum Ski Corp. (Holiday Valley) on this project for several months and a lot of it was under tight wraps as the former Depot Restaurant, a legacy property in the Village of Ellicottville which hosted a zillion parties and movies, an iconic fit to the fabric of skiing in Ellicottville. The owners retired after I believe 35 years and put the Depot Restaurant up for sale. Obviously, Holiday Valley looked at it as it surrounds their property as they own on all sides of this property so certainly, they were very interested. We all know the trickiness of running a restaurant, and that can only be equated a little bit harder when you have potential seasonality. That is not to say Ellicottville and the County is truly seasonal, as there has been wonderful additions to the four-season economy here with its tourism industry. We started working with Win-Sum property in the late Spring on this application and finally things came together. They had it ready in early October and they we had to move our meeting. So, again, they have purchased the former Depot Restaurant for over a million dollars if you look at the building that needs quite a bit of upgrades just by length of longevity of the property and they have signed a lease/rental agreement with the restaurant, Bar-Bill, if anyone is familiar with them in East Aurora, Clarence and now outside of Rochester. Holiday Valley is of course responsible for upgrades and improvements, hence the application for the board to consider. As the benefits of the application are under the \$99,000 threshold, the Agency is not required to hold a public hearing. Talking with Holiday Valley over the last several months on this project, there is about 20-25 people that were out of a job there and want to come back to that restaurant as they know the clientele, they know the operations and it keeps those jobs there, has sales tax generation with respect to the County, the State and local. In your board packet is the application, SEQR and cost benefit analysis in regards to mostly interior improvements, plumbing, hoods, sinks and other items needed to have the restaurant there. The IDA has been party to several applications with Win-Sum over the years and one of which was back when we did the John Harvard's Club which a restaurant was put into The Tamarack and the IDA did not offer any incentives to the Tamarack Club; however, we did exercise the benefits to the restaurant as multiple studies that we read stated "how do you have a Resort without a restaurant?" as it goes one in one with the daily operations as your visitors need those services and amenities. So going with that same consistency, put forth in front of the board to consider is the application with abatements.

-Mr. Higgins: Is it currently open now?

-Mr. Wiktor: No, they looking to open probably in January or maybe early February.

-Mr. Driscoll: How long has it been closed?

-Mr. Wiktor: It has been closed since last Spring, I think around Mardi-Gras weekend.

-Mr. Driscoll: What kind of seating is in there as I haven't been there in a while?

-Mr. Wiktor: It's a larger bar, has about 20-25 bar seats and I think they are looking to configure the seating to expand the restaurant seating. It will be open year-round.

-Mr. Higgins: What will they be doing with the \$1.5 million dollars?

-Mr. Wiktor: It would be the purchase price of the property as well as the upgrades and improvements.

-Mr. Driscoll: What is the PILOT?

-Mr. Wiktor: It is our minimal retail PILOT, 10 years at 55%. The total overall incentives are only minimal over

the 10 years.

-Mr. Wiktor: I talked to Tom and Mike who are traveling for work about this project and also to Joe who is at a Dream and Do It Event, which is an awesome event with about 200-300 students in manufacturing.

-Mr. Wiktor: I talked to several people within the retail/service/restaurant community and those people indicated this restaurant and jobs are really good for the people, the area, the community and it's good to keep those solid employees that were there. Some of the employees were there for 25 years and they know that customer base and operations. Obviously, we always try and grow new jobs, but retention of jobs as well is paramount. Sadly, you can pick up Buffalo Business First and almost each week see a restaurant going out of business because of the challenges and the costs. I look at the restaurant as how it supports the businesses, the resort, the community and brings those visitors in.

-Mr. Driscoll: Is there a resolution on this project?

-Mr. Wiktor: Yes, there is a resolution in your packet to consider.

-Ms. Schroder: May I ask a question? I notice they did not check the box that says they cannot do the project without our assistance, but I'm guessing that is because it is a small amount of funds?

-Mr. Wiktor: I believe what they did, we had talked about it, at the time it was where they going to be purchasing it and then the tenant was going to sign that up so we did talk about. I can certainly get that revised.

-Ms. Schroder: They put the right language in there but they checked the wrong box. The other question is that is says we have identified the tenant, so why is Part B of the tenant form not filled out?

-Mr. Wiktor: We will address that.

-Ms. Schroder: This tenant, the restaurant, are they moving from some other location or is it new?

-Mr. Wiktor: It is a brand-new branch location under their umbrella.

-Mr. Wiktor: We will get the changes and additions made to the application.

-Mr. Higgins: Let's have a vote on this.

Resolution from New Application

-1.) -1. Win-Sum Ski Corp.

-Win-Sum Ski Corp. has submitted an application to the CCIDA seeking NYS Sales Tax Abatement and Real Property Tax Abatement for the renovations and improvements to the former Depot Restaurant located at 6094 Route 219 S, Ellicottville, NY. If approved, the project would bring approximately 15 new full-time jobs and 10 new part time jobs.

As the benefits are under the \$99,000 threshold, no public hearing is required.

The Agency has been working with Win-Sum for several months on this proposed project as they considered the purchase of the former Depot Restaurant.

-The Total Project Investment: \$1,480,000

Resolution:

A Motion was made by Brent Driscoll seconded by Thomas Cullen, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF WIN-SUM SKI CORP., AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (v) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, AND (B) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A roll call of the Board of Directors of the CCIDA was taken, Mr. Higgins, Mr. Driscoll, Ms. Schroder and Mr. Cullen voted yes. Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused. **Motion Carried.**

-Mr. Higgins: We have a financial report for September.

-Mr. Wiktor: Yes, enclosed are the financials. Year to date we are a little below income and have had some increased expenses this year which is mostly tied to the IDA's financial commitment with Cattaraugus County with Revolution Rail and the rail project.

***CCIDA Financial Reports:**

A Motion was made by Ginger Schroder seconded by Brent Driscoll to accept the September 2025 CCIDA Operating Statement as presented to the Board. All in Favor - Motion Carried. Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

***Income for October 2025 (\$13,281.25):**

- \$13,281.25 - *First half administrative fee for Kinley Contractors.*

- General update on projects in process: *including the Agency has 4 projects in the closing stage which should close in the 4rd quarter of this year.*

-Mr. Wiktor: With our October Board Meeting, traditionally, if the board recalls, we use to do an annual dinner and tour (pre-covid) at a location. I am going to target a board meeting at an offsite location in Ellicottville most likely for our December board meeting. We will keep the board apprised. As I was saying, our October board meeting is traditionally set as our annual meeting in preparation of the preceding year as well as the proposed budgets for the IDA and CRC which are due to the State by October 31, 2025. In your packets is the proposed 2026 Operating budget and we do need a vote on that as well as the board meeting schedule and slate of officers.

***Proposed 2026 CCIDA Operating Budget**

The budget needs to be posted to the PARIS website prior to October 31, 2025 in order to be in compliance with the Authority Budget Office (ABO).

A Motion was made by Brent Driscoll seconded by Thomas Cullen to accept the 2026 CCIDA Operating Budget as presented to the Board. All in Favor - **Motion Carried.** Mr. Buffamante, Mr. Synder and Mr. Wimer were excused.

***Election of Officers for CCIDA - 2026 & Proposed 2026 Board Meeting Schedule:**

(#1.) Proposed 2026 Slate of Officers & Committees - CCIDA

(#2.) Proposed 2026 – CCIDA Board of Director’s Meeting Schedule

A Motion was made by Ginger Schroder seconded by Brent Driscoll to accept the 2026 CCIDA proposed Slate of Officers & Committees and Director’s Meeting Schedule as presented to the Board. All in Favor - **Motion Carried.** Mr. Buffamante, Mr. Synder and Mr. Wimer were excused.

A Motion was made by Brent Driscoll seconded by Thomas Cullen to go close the CCIDA meeting to enter into the CCCRC Board Meeting at 11:33 p.m. All in Favor – **Motion Carried.** Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

Roll Call: -Taken-

Members

Present:

Mr. Joseph Higgins
Mr. Brent Driscoll
Ms. Ginger Schroder
Mr. Thomas Cullen

Excused:

Mr. Thomas Buffamante-Chairman
Mr. James (Joe) Snyder
Mr. Michael Wimer

Mr. Higgins called the CCCRC meeting to order at 11:34 a.m.

A roll call of the Board of Directors of the CCCRC was taken Mr. Higgins, Mr. Driscoll, Ms. Schroder and Mr. Cullen were present. Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

***Proposed 2026 CCCRC Operating Budget**

The budget needs to be posted to the PARIS website prior to October 31, 2025 in order to be in compliance with the Authority Budget Office (ABO).

A Motion was made by Brent Driscoll seconded by Thomas Cullen to accept the 2026 CCCRC Operating Budget as presented to the Board. All in Favor - **Motion Carried.** Mr. Buffamante, Mr. Synder and Mr. Wimer were excused.

***Election of Officers for CCCRC - 2026 Proposed 2026 Board Meeting Schedule:**

(#1.) Proposed 2026 Slate of Officers & Committees - CCCRC

(#2.) Proposed 2026 – CCCRC Board of Director’s Meeting Schedule

A Motion was made by Brent Driscoll seconded by Thomas Cullen to accept the CCCRC Slate of Officers and Committees and Board of Director’s Meeting Schedule as presented to the Board. All in Favor - **Motion Carried.** Mr. Buffamante, Mr. Synder and Mr. Wimer were excused.

-Mr. Wiktor: As we are in the CCCRC Meeting, we will most likely have a CCCRC Meeting in January as we have been in consideration of a 501(c) 3 tax exempt bond with one of our not-for-profits. I will know more probably in December as their board and accountant are reviewing interest rates, as well as the project.

-Mr. Wiktor: The CCCRC was developed with the IDA back around 2008 or 2009 when the State stopped IDAs to do tax exempt bonds, 501(c)3s so we did create with our County Legislature to adopt the CCCRC which allows us to issue tax exempt debt for not-for-profits such as Olean YMCA, JCC and St. Bonaventure.

A Motion was made by Brent Driscoll seconded by Ginger Schroder to close the CCCRC Meeting and return to the regular CCIDA meeting at 11:46 p.m. All in Favor – **Motion Carried.** Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

A Motion was made by Brent Driscoll seconded by Ginger Schroder to return to the regular CCIDA meeting at 11:47 p.m. All in Favor – **Motion Carried.** Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

-Mr. Wiktor: Not to put Tom on the spot, but I’ll preface with a Revolution Rail update. On Friday October 2, 2025 at 3:00 p.m. was the ribbon cutting event. Ginger, thank you for coming to that event, I know Brent had twisted an ankle, Mr. Higgins was there. It was wonderful and we were joined by many members and leaderships of the Cattaraugus County Legislature. Again, they helped support us and immensely helped the project so we appreciate our partners, the Village, the Town, the stakeholders and the businesses. I cannot understate that enough as again, Tom was the Josh Allen of the project and it is wonderful to have a lot of partners that all saw the vision and regardless of the pitfalls, trials and tribulations stuck with it. I would be remised if I did not thank Tom Chupa from Chupa and Sons for his and his son’s work as well as Scott Symans. The contractors put in a lot of hard work in an incredibly wet Spring. I appreciate everyone and the Board’s support. Tom, with that, if you would be so kind to give an update.

-Mr. Cullen: Sure, ABC News did a segment on it and within 2 hours of them releasing it, all the bikes sold out for the month. It’s incredible! Corey emailed RevRail and asked if they could add some more dates so they added Columbus Day and a fourth weekend. Those dates all sold out within a couple of hours. They ended up bringing an extra bike or two. There were 300 people on the waiting list and this is an in-demand thing. About 20% of the people that came (by my calculation, not actual official data), had been to the Village of Cattaraugus in the past, so a lot of people from the Buffalo and Rochester area traveled in 2 or 3 hours to do this. I went around to the businesses after the first weekend and they all had a big uptick in business, the businesses in the Village, even the Dollar General. It was a success all around, and we are grateful for all of the IDA’s support to get the tracks done. The energy level in the Village is higher than it’s ever been. The Village finalizes the recommendations for the DRI in the next couple of weeks. RevRail will start selling tickets soon for next year. Currently they are open Friday, Saturday and Sunday. When they reopen, it should be similar and by the time they are open a month it will be close to the 4th of July and then I think they will be open 6 days. They did 4 rides a day at 10:00 a.m., 12:00 p.m., 2:00 p.m. and 4:00 p.m. and they will likely add a 6:00 p.m. so there will likely be 5-6 rides per day. There are a lot of people coming in that were coming and going to Ellicottville, so people were asking what can we do next, where do we go, where can we eat and what other things are there to do?

I would say about 75% of people coming in were new visitors for that day in the County so it has been an investment by the County and the IDA. Based on just 4 weekends, we are happy.

-Mr. Driscoll: Is there any place to stay in Cattaraugus?

-Mr. Cullen: Not yet, just Airbnbs.

-Ms. Schroder: What is the closest boutique hotel?

-Mr. Driscoll: Probably Ellicottville.

-Mr. Cullen: Yes, Ellicottville. A hotel in the Village is proposed on the DRI project. There is a 26-room boutique hotel on the project list for the DRI. The other proposed project on the DRI list is the lot at 1 Main Street where the rail bikes leave from. The proposed plan is an outdoor amphitheater, event space, treehouse complex, fire pits, bathrooms and a place where you could have a festival or Christmas market. A cross between a town park and a theme park.

-Mr. Driscoll: That's great!

-Mr. Higgins: Do you think people will want to come and ride the bikes more than once?

-Mr. Cullen: We had lots of people come again when they opened up more and booked. The excitement people have over this was insane. It's great! It's like Disney people.

-Mr. Wiktor: Yes, I know 2 people who did the ride twice. There is a following of people for these rail bikes. The waiting list really started on day one. Where the ride stops at the big wash out, we have already begun discussion with a few partners on potential funding and getting that fixed so we could continue on another 5-6 miles.

-Mr. Driscoll: It certainly is a destination place for tourism in the County.

-Mr. Cullen: The company, RevRail does marketing everywhere, including Toronto and elsewhere. They are working with tour companies that are bringing tourists in from Asia and Europe. They are proposing, for example, taking a bus and going to the Adirondacks, Niagara Falls and start including this and then maybe Watkins Glen on the way back. These are the kinds of things they are thinking about that having them as a partner is great. They drove all the traffic here.

-Mr. Wiktor: Yes, and we have some further ideas with them as well that would include much more of the County. There are very positive movements, just alone with the one month, incredible.

-Mr. Driscoll: Just to add to that, the Salamanca trail, they redid all of that. Has anyone noticed that? It's all well marked, fresh pavement and runs from the old hospital to the casino. If you get a chance, it's not very long, it's very nicely done, it's lighted, they have lights all along the way. Good things, little things like this really enhances the livability of Cattaraugus County.

-Mr. Higgins: Yes.

-Mr. Driscoll: We need these types of things to attract people here. Our scenery is beautiful in this area.

-Mr. Cullen: I will add this, in the Village, Mark Pritchard in the 90s put in an RC car track above Pritchard Hardware and his son, who was in my class, would race RC cars and this is a big thing, it costs thousands of dollars. Recently, a few months ago, a gentleman who is big into bicycles and these RC cars and works for a

company that makes the components for RC cars has leased this space. He has a hobby shop up there that sells the RC cars and in just 2 weeks has done thousands of dollars of business selling these cars and doing these races. Fifty people came from as far as four hours away on Sunday to race RV cars. There are tracks in Rochester, Pittsburgh and somewhere in Ohio. Now they are going to have national races there so he has fixed it up and put in special carpet for official races purposes. It's just another little thing for Cattaraugus.

-Mr. Driscoll: We do many million-dollar projects but you take this small project and look at what a great impact it has on the County and our area. It will bleed out to other towns like Little Valley, Gowanda and Ellicottville.

-Mr. Cullen: There were over a thousand people that came to the County in those 4 weekends.

-Mr. Wiktor: The next topic, CATTalyst Collective Event. The CATTalyst Group is a group that was formed when Crystal Abers, the Director of Cattaraugus County Economic Development and Tourism Department formed the Economic Development Team back in 2008 or 2009. This group has been meeting collectively twice a month as OBDC has really grown in their services and the footprint in Economic Development. They wrote the grant to the Ralph Wilson Fund and the group were recipients of \$1 million, being \$250,000 a year for the next 4 years so 1 year has been funded. We are going to have the kickoff event to introduce ourselves as the IDA is a part of this as well really so the Cattaraugus Economic Development team is another tool in this box. We do have 3 programs that those dollars are really in charge with supporting.

-Mr. Driscoll: It is an effort to bring all the people involved in Economic Development together and set up a plan so that it can be expanded so they are not working against each other, but together with each other.

-Mr. Cullen: To get it going, all of those groups came together and worked with a third-party planner and they created an entrepreneur economic development plan for the County. That plan we took to The Ralph Wilson Foundation and they said they would like to fund that with \$1 million as a leverage fund to help to move those recommendations forward.

-Mr. Driscoll: Who is in the group?

-Mr. Wiktor: Crystal Abers for Cattaraugus County Economic Development Planning and Tourism, myself for CCIDA, Tom Cullen for The Laine Accelerator and St. Bonaventure, Bob Fornes for OBDC, Kim for Southern Tier West, Jason with the Workforce Investment Board, JCC, and SBDC out of Jamestown which serves both Chautauqua and Cattaraugus County. We would love to have everyone join us on the 13th at HoliMont at 5:00 p.m. It will be very interactive and Crystal will give an opening and remarks about the team and we will have some overviews. We look forward to that event on the 13th.

-Mr. Wiktor: For some purposes of updates, I have had a few meetings with Keith Turner regarding the property at Bear Creek Lake Resort, roughly 750 acres of a gorgeous piece of property in Machias, formerly The Woods at Bear Creek, that was shuttered for the last few years. Keith is a multiple business owner from Niagara on the Lake in Ontario, recently acquired the grounds, and last year acquired Colden Lake Resort, not too far from Kissing Bridge. We have been talking about several projects that are quite sizable that he is proposing for the resort. I have some great discussions with him and I think the project is going to be a gem.

-Mr. Wiktor: We continue to meet with Crosby's in hope of getting them interested in a site in the Village of Cattaraugus for a gas station. We have also had a few meetings with a manufacturing group out of Ontario regarding a potential project in the Olean/Allegany area.

-Mr. Wiktor: Are there any other questions as I would be happy to entertain those? We appreciate everyone's time and support.

-Internal (IDA Meetings/Discussions, Snapshot):

- ✓ Meeting with Keith Turner from Bear Creek Lake Resort regarding potential project with various investments and improvements that are proposed to the Resort.
- ✓ Attend County Legislature Meeting in Little Valley to give a project update.
- ✓ Met with Crosby's as a follow-up with respect to hoping to lure them to a site within the County.
- ✓ Meeting with Earl Wells with E3 Communications regarding some ideas on future projects and announcements.
- ✓ Meeting in Ontario with developer of potential new project in Cattaraugus County.
- ✓ Attend CATTalyst Collective quarterly retreat in Olean.
- ✓ Meeting with a regional manufacturer for possible locations in Cattaraugus County to purchase for potential project (north part of the County).
- ✓ Meeting with Clark Patterson team to discuss some ideas on site development and targeted attraction for ecumenic development.
- ✓ Attend Ellicottville Crosby's Grand Opening.
- ✓ Attend RevRail Grand Opening Event on October 2nd.
- ✓ Meeting about trying to help market and bring a buyer to the former Olean Bimbo location. Trying everything we can to help fill it.
- ✓ Presented to the Rural America Economic Development forum that was in Olean for a piece of their series. Was excellent! Participants from all over the US!
- ✓ Attended Cattaraugus County Economic Team Meeting.
- ✓ Had a site tour on a parcel of land in Olean with a possible buyer.
- ✓ Conference with Village of Ellicottville Mayor regarding potential project.
- ✓ Attend call regarding Empire State Development various projects.
- ✓ Attend ECIDA roundtable presentation.
- ✓ Attend Village of Cattaraugus DRI Meeting #5 for public comments.
- ✓ Attend WILMA event in Little Valley.
- ✓ Interview with Channel 7 news regarding Daich Coatings project.
- ✓ Meeting with Legislature Chairman Anrew Burr for a catch-up meeting on various projects within the County.

- ✓ Meeting with Crystal Abers and Deb Miller regarding potential collaboration with Cattaraugus County on various projects.

-External (Points of Interest relating to the CCIDA):

- ✓ **Handout:** *"CATTalyst Collective Kick Off Event."*
- ✓ **NYSkiBlog:** Article: *"Dennis Eshbaugh of Holiday Valley."*
- ✓ **Tapinto Greater Olean:** Article: *"Olean Completes Downtown Revitalization Initiative Projects."*
- ✓ **Handout:** *"DiNapoli: State Tax Receipts Remain Above Budget Division Projections Through Mid-Year."*
- ✓ **The Villager:** Article: *"Revolution Rail Co. Rail Bike Tour Now Open in Cattaraugus, NY."*
- ✓ **Buffalo Toronto Public Media:** Article: *"State Assembly minority members say rush to go all electric hurts consumers, businesses."*

A Motion was made by Brent Driscoll seconded by Thomas Cullen to adjourn the meeting at 12:34 p.m. All in Favor – **Motion Carried.** Mr. Buffamante, Mr. Snyder and Mr. Wimer were excused.

*** Next CCIDA Board of Directors Meeting: November 18, 2025 at 11:15 a.m.**
at the CCIDA Offices
9 E. Washington Street
Ellicottville, NY
and also, via Zoom

APPLICATION FOR FINANCIAL ASSISTANCE



Name of Applicant: Edelweiss Dairy LLC

Date Submitted: April 2, 2024

County of Cattaraugus Industrial Development Agency
P. O. Box 1749
9 East Washington Street
Ellicottville, New York 14731
Phone (716) 699-2005
fax (716) 699-2942
e-mail info@cattcoida.com
web www.cattcoida.com

I. Eligibility Questionnaire - Applicant Background Information

Answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving benefit:

Applicant Name: Edelweiss Dairy LLC
Applicant Address: 10826 Osmun Road
City/Town: Freedom State: NY Zip: 14065
Phone: (716) 560-8312
E-mail: ilovemyfarm@yahoo.com

B) Business Organization (check appropriate category):

Corporation	☐	Partnership	☐
Public Corporation	☐	Joint Venture	☐
Sole Proprietorship	☐	Limited Liability Company	☐
Other (specify) <u>Partnership LLC</u>			
Year Established: <u>2016</u>		State in which Organization is established: <u>NY</u>	

C) Individual Completing Application:

Name: John M. Borer
Title: Member
Address: 10826 Osmun Road
City/Town: Freedom State: NY Zip: 14065
Phone: (716) 560-8312 E-Mail: ilovemyfarm@yahoo.com

D) Company Contact (if different from individual completing application):

Name: _____
Title: _____
Address: _____
City/Town: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

E) Company Counsel:

Name of Attorney: Bob Kutzuba
Firm Name: Ward & Kutzuba
Title: Partner
Address: 364 Main Street P.O. Box 321
City/Town: Arcade State: NY Zip: 14009
Phone: (585) 492-1178 E-Mail: wardkutzuba.com

F) Benefits Requested (select all that apply):

- | | |
|-------------------------------------|--|
| 1. Exemption from Sales Tax | ☒ Yes or ☐ No |
| 2. Exemption from Mortgage Tax | ☒ Yes or ☐ No |
| 3. Exemption from Real Property Tax | ☒ Yes or ☐ No |
| 4. Tax Exempt Financing * | ☒ Yes or ☐ No |

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

G) Applicant Business Description:

Describe in detail company background, history, products and customers. Description is critical in determining eligibility:

Edelweiss Dairy LLC was formed in 2016 as an off-shoot of Edelweiss Farms, Inc. As a multi-generational family farming business, the formation of Edelweiss Dairy LLC has allowed the third generation to work into ownership. Edelweiss Dairy LLC is a dairy farm wholesaling milk, meat, and grain products to business partners in Cattaraugus County and surrounding areas.

Estimated % of sales within Cattaraugus County: 2 0%

Estimated % of sales outside Cattaraugus County but within New York State: 8 0%

Estimated % of sales outside New York State but within the U.S.: n/a

Estimated % of sales outside the U.S.: n/a

(*Percentage to equal 100%)

For your operations, company, and proposed project, what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Cattaraugus County 25 %

Identify vendors within Cattaraugus County for major purchases:

Wiley Well Drilling, Garnatt Asphalt, Rock City Chrysler Jeep Dodge, Peirce Milling, Haley Concrete, D&H Trucking

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 10826 Osmun Road

City/Town: Freedom School District: Pioneer Central Schools

SBL Number(s) for proposed Project 044200

Current Address (if different): _____

City/Town: _____

What are the current real estate taxes on the proposed Project site? \$14,396.92

If amount of current taxes is not available, provide assessed value for each

Land: \$ _____ Buildings(s): \$ _____ *If available include a copy of current tax receipt.*

Are Real Property Taxes current at project location? ☒ Yes or ☐ No. If no, explain: _____

Does the Applicant or any related entity currently hold fee title have an option/contract to purchase the Project site? ☒ Yes or ☐ No If No, indicate name of present owner of the Project site: _____

Describe the present use of the proposed Project site (vacant land, existing building, etc.):

Vacant Land

B) Project Description

Provide a narrative of the purpose of the proposed Project (new build, renovations, expansion), square footage of existing buildings (if any) and new construction contemplated 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. Add an attachment if necessary.):

The purpose of the new build is to update 50 year old facilities to provide a healthier atmosphere for our cattle. The new build will also provide cleaner, more efficient work environments for our employees. The new parlor will help us milk cows more efficiently, allowing them to produce more milk. The manure processing facility will allow us to recycle bedding for reuse. The facility would also be capable of providing sand-free manure for two methane digesters, if the Dairy were to enter an agreement with an RNG company.

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? ☐ Yes or ☒ No

If the Proposed Project is located in a different municipality within New York State 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? ☐ Yes or ☐ No ☐ If Yes, you will need to complete Section V, *The Inter-municipal Move Determination*

Is the project reasonably necessary to prevent the project occupant from moving out of New York State? ☐ Yes or ☒ No. If yes, explain and identify out-of-state locations investigated, type of assistance offered and what competitive factors led you to inquire about sites outside of New York State? Provide supporting documentation if available: _____

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? ☐ Yes or ☒ No. If yes, indicate the Agency and nature of the inquiry below: _____

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary): _____

Without the Agency's funding, the project will take much longer to complete as traditional financing costs much more and takes longer to acquire.

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? In other words, by way of example only, you would check the "yes" box if you believe, in the event the Agency was unable to provide financial assistance, that it is likely that you would not undertake the Project. ☐ Yes or ☒ No

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: _____

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? Edelweiss will not be able to finish the project to its potential and won't be able to hire additional labor.

C) Site Characteristics

Will the Project meet zoning/land use requirements at the proposed location? ☒ Yes or ☐ No

Describe the present zoning/land use: Agricultural

If a change in zoning/land use is required, provide details/status of any request for change of zoning/land use requirements: N/A

Has a project related site plan approval application been submitted to the appropriate planning department?
☒ Yes or ☐ No

If Yes, include the applicable municipality's and/or planning department's approval resolution, the related State Environmental Quality Review Act ("SEQR") "negative declaration" resolution, if applicable, and the related Environmental Assessment Form (EAF), if applicable.

If No, list the CCIDA as, or ensure that the CCIDA is listed as, an "Involved Agency" on the related EAF that will be submitted to the appropriate municipality and/or planning department for site plan approval and provide to the EAF to the lead agency and to the CCIDA.

If No, because site plan approval is not otherwise required, complete and submit the EAF along with this Application to the CCIDA.

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 or ☐ No If yes, explain:

Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed project site? ☐ Yes or ☒ No If yes, provide a copy.

D) Project Type

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

Acquisition of Existing Facility	☐	Life Care Facility (CCRC)	☐
Affordable/Workforce Housing	☐	Market Rate Housing	☐
Assisted Living	☐	Mixed Use	☐
Back Office	☐	Multi-Tenant	☐
Civic Facility (not for profit)	☐	Renewable Energy	☐
Commercial	☐	Research/Design	☐
Senior Housing	☐	Retail	☐
Facility for Aging	☐	Warehousing	☐
Industrial/Manufacturing	☐	Other <u>Dairy</u>	☒
Tourism Facility/Project	☐		

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

Retail Sales: ☐ Yes or ☒ No

Services: ☐ Yes or ☒ No

*For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the New York Tax Law (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.

For the proposed Project Facility, indicate the square footage for each of the uses outlined below:

****If applicant is paying for FFE for tenants, include in cost breakdown**

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing			n/a
Warehouse			n/a
Research & Development			n/a
Commercial			n/a
Retail (see retail questionnaire)			n/a
Office			n/a
Renewable Energy			n/a
Specify Other — Freestall barns and parlor	656,180	16,500,000	51%

What is the estimated project timetable (provide dates):

1. Start date: acquisition of equipment or construction of facilities: March 2024
2. Estimated completion date of project: November 2024
3. Project occupancy – estimated starting date of occupancy: November 2024

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition \$ _____
_____ acres _____ square feet
2. New Building Construction 656,180 square feet \$ 16,500,000
3. New Building Addition(s) _____ square feet \$ _____
4. Infrastructure Work \$ 12,000,000
5. Reconstruction/Renovation _____ square feet \$ _____
6. Manufacturing Equipment \$ 2,400,000
7. Non-Manufacturing Equipment (furniture, fixtures, etc.) \$ 1,500,000
8. Soft Costs: (Legal, architect, engineering, etc.) \$ _____
9. Other, Specify: _____ \$ 100,000

TOTAL Costs: \$ 32,500,000

Construction Cost Breakdown:

Total Cost of Construction \$ 28,500,000 (sum of 2,3,4 and 5 above)
 Cost of materials: \$ 25,000,000
 % sourced in Cattaraugus County 20 %

Have any of the above costs been paid or incurred as of the date of this application? ☒ Yes or ☐ No

If yes, describe: (Date) We have paid 60% of the excavation \$700,800 down payment on parlor \$270,000, all building costs for the first barn \$4 million.

Sources of Funds for Project:

Bank Financing	\$ 17,500,000
Equity (excluding equity that is attributed to grants/tax credits)	\$ _____
Public Sources (Include sum total of all state and federal grants and tax credits)	\$ _____
Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)	
<u>Proposed Industrial</u>	\$ 15,000,000
<u>Revenue Bonds</u>	\$ _____
	\$ _____
Total Sources of Funds for Project Costs:	\$ 32,500,000

Have you secured financing for the project? ☐ Yes ☒ No. If yes, provide a copy of the loan commitment to the Agency.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only): \$ n/a

Sales and Use Tax Benefit: 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 (multiply 8.0% by the figure, above): \$ _____

*** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate above represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application, unless otherwise amended and approved by the Agency. The Agency may utilize the estimate above as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Mortgage Recording Tax Exemption Benefit: Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ 32,500,000

Estimated Mortgage Recording Tax Exemption Benefit (multiply the mortgage amount as indicated above by 1.25 %): \$ 4,062,500

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 (487, 485-b, other): _____

IDA PILOT Benefit: See Section VI of this Application. Agency staff will indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT.

F) Job Retention and Job Creation

Is the project necessary to expand project employment? ☒ Yes or ☐ No

Is project necessary to retain existing employment? ☒ Yes or ☐ No

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time (FT)	20	20	10	10
Part Time (PT)	1	1	2	2
Total ***	21	21	12	12

** The Labor Market Area includes the Counties of Cattaraugus, Erie, Allegany, Chautauqua and Wyoming. For purposes of this question, estimate the number of FT 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 FT 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 FT jobs by dividing the number of PT jobs by two (2).

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

Category of jobs to be retained and/or created	# of employees retained and/or created	Average salary for Full Time	Average fringe benefits for full time	Average salary for part time, if applicable	Average fringe benefits for part time, if applicable
Management	7	80,000	20,000		
Professional					
Administrative	2	80,000	20,000		
Production	21	70,000	20,000	15,000	
Independent Contractor	3	100,000			
Other					

** Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Payroll Information:

Annual Payroll at proposed project site upon project completion		\$ 2,750,000
Estimated average annual salary of jobs to be retained (full time)		\$ 87,500
Estimated average annual salary of jobs to be retained (part time)		\$ 15,000
Estimated average annual salary of jobs to be created (full time)		\$ 87,500
Estimated average annual salary of jobs to be created (part time)		\$ 15,000
Estimated salary range of jobs to be created		
From (full time)	\$ 65,000	To (full time) \$ 110,000
From (part time)	\$ 10,000	To (part time) \$ 20,000

III. Part A: Facility Type - Multi-Tenant Determination

If this is a Single-Use facility fill in section A. If this is a Multi-Tenant fill in section B.

A) For Single Use Facility (to be filled out by developer):

Occupant Name: Edelweiss Dairy, LLC
Address: 10826 Osmun Road
City/Town: Freedom State: NY Zip: 14065
Contact Person: John Borer
Phone: (716) 560-8312 Fax: _____
E-Mail: ilovemyfarm@yahoo.com
Federal ID #: 81-1698776 NAICS Code: 112120

B) Multi-Tenant Facility (to be filled out by developer):

Have any tenant leases been entered into for this project ☐ Yes or ☐ No.

If yes, list below and provide square footage to be leased to tenant and NAICS Code for tenant and nature of business.

Tenant Name	Current Address (city, state, zip)	# of sq. ft. and % of total to be occupied at new project site	Briefly describe type of business, products services

Part B: Tenant Form

**** This section must be completed for each proposed tenant ****

A Retail Questionnaire will need to be prepared for each proposed tenant if customers will personally visit the tenant to either participate in a retail sale transaction or pay for a service.

An Inter-Municipal Move Determination will need to be completed for each proposed tenant that is relocating from another municipality or abandoning an existing facility.

Property Address: _____
City/Town: _____

Tenant Name: _____

Amount of space to be leased: _____ SF. What percentage of the building does this represent? _____ %

Are terms of the lease: GROSS ☐ or NET ☐

If GROSS lease, explain how Agency benefits are passed to the tenant: _____

Estimated date of occupancy: _____, 20____

Company Name: _____

Current Address: _____

City/Town: _____ State: _____ Zip: _____

Local Contact Person: _____ Title: _____

Phone: _____ E-mail: _____

Company President/General Manager: _____

Number of employees to be relocated to new project location:

Full-Time: _____ Part-Time: _____ Total: _____

List the square footage which the proposed tenant will lease at the Project location: _____ SF

List the square footage which the proposed tenant leases at its present location(s): _____ SF

Will the project result in relocation from one municipality to another and/or abandonment from other tenant/user(s) facilities in New York State?

☐ Yes or ☐ No.

If Yes, fill out Inter-Municipal-Move Determination form.

What will happen to the existing facility once vacated? _____

If leased, when does lease expire? _____, 20____

Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit? ☐ Yes or ☐ No. If yes, provide details as to location, and amount of leased space, how long leased? _____

IV. Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Answer the following:

A. Will any portion of the project (including that portion of the cost 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?

☐ Yes or ☒ No. If the answer is yes, continue below. If no, proceed to next section

For purposes of Question A, 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.

B. 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? ____%. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to 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:

1. Will the project be operated by a not-for-profit corporation ☐ Yes or ☐ No.
2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (Cattaraugus, Erie, Allegany, Chautauqua and Wyoming counties) in which the project will be located? ☐ Yes or ☐ No
3. 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 within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? ☐ Yes or ☐ No
4. 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 or ☐ No.

If yes, explain _____

5. Is the project located in a Highly Distressed Area? ☐ Yes or ☐ No

V. Inter-Municipal Move Determination

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, then it must be shown that 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.

Current Address: _____
City/Town: _____ State: _____ Zip: _____

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? ☐ Yes or ☐ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? ☐ Yes or ☐ 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: _____

Does the Project involve relocation or consolidation of a project occupant from another municipality?

Within New York State ☐ Yes or ☐ No
Within Cattaraugus County ☐ Yes or ☐ No

If Yes to either question, explain: _____

What are some of the key requirements the project occupant is looking for in a new site (for example minimum of number of sq. ft., 12 foot ceilings, truck loading docks, thruway accessibility. etc.)

If the project occupant is currently located in Cattaraugus County and will be moving to a different municipality within Cattaraugus County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located? ☐ Yes or ☐ No

What factors have led the project occupant to consider remaining or locating in Cattaraugus County? _____

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

Provide a list of properties considered, and reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.)

Property (Address)

Reason

VI. Estimate of Real Property Tax Abatement Benefits* and Percentage of Project Costs financed from Public Sector sources**

**** This Section of the Application will be: (i) completed by CCIDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet

CCIDA Staff will insert and/or prepare appropriate PILOT Benefit information.

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

Calculate % (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: _____%

Attachment A: Representations, Certifications and Indemnification

John M. Borer _____ (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the member _____ (title) of Edelweiss Dairy LLC _____ (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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") 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. Copies of all filings shall be provided to the Agency.
- D. **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, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
- E. **The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05 and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.**

- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.
- G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.
- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency:
- (i) a non-refundable \$1,500.00 application processing and publication fee (the "Application Fee") at time of application submission payable CCIDA;
 - (ii) Unless otherwise agreed to by the Agency, an amount equal to one and one quarter percent (1.0625%) of the total project costs, at the time of issuance of Financial Assistance/closing;
 - (iii) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's

bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

- J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.
- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
- M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
- N. The Applicant has read and understands the Agency's Policy Respecting Recapture of Agency Benefits (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture or modification of Agency financial assistance so provided and/or previously granted.
- O. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would 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, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- Q. The Applicant confirms and acknowledges 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 exemption claimed by reason of the Agency's involvement the Project.

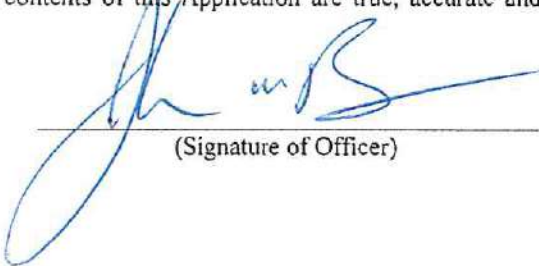
- Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

STATE OF NEW YORK)
COUNTY OF CATTARAUGUS) ss.:

John M. Borer

, being first duly sworn, deposes and says:

1. That I am the member (Corporate Office) of Edelweiss Dairy LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 17th day of November, 2025

Carolyn M. Francis
(Notary Public)

CAROLYN M. FRANCIS
Notary Public, State of New York
Qualified in Allegany County #01FR6237783
Commission Expires 03/23/2027

Attachment B: CCIDA Insurance Requirements

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (Insurance Specifications as of November 1, 2022)

A summary of CCIDA insurance requirements follows. Please note that insurance is to be provided by the Company and/or Project owner after Board approval and prior to utilization of CCIDA financial assistance, and shall be maintained during the term of any applicable Agent Agreement and/or Lease Agreement by and between the CCIDA and the Company.

During the term of an Agent Agreement and/or a Lease Agreement entered into with the County of Cattaraugus Industrial Development Agency an **ACORD 25-Certificate of Liability Insurance and ACORD 855 NY-New York Construction Certificate of Liability Addendum** shall be provided evidencing the following insurance is currently maintained and in force with an insurance carrier approved to do business in the State of New York and maintaining an A.M. Best Rating of A- or better showing County of Cattaraugus Industrial Development Agency as Certificate Holder. It is our suggestion that you share these requirements with your current insurance agent, broker or insurance company.

Acceptable Certificates of Insurance shall indicate the following minimal coverage, limits of insurance, policy numbers and policy effective and expiration dates.

Commercial General Liability: Agent and subcontractors shall provide such coverage on an occurrence basis for the named insured's premises & operations and products-completed operations. Blanket Contractual Liability provided within the "insured contract" definition may not be excluded or restricted in any way. Property damage to work performed by subcontractors may not be excluded or restricted nor shall the Additional Insured's coverage for claims involving injury to employees of the Named Insured or their subcontractors be excluded or restricted. The "insured contract" exception to the Employers Liability exclusion also may not be removed or restricted in any way.

These coverages are to be properly evidenced by checking the appropriate box(es) on the **ACORD 855-NY Construction Certificate of Liability Addendum's** Information Section, Items G, H, I and L. Policy shall have attached **Designated Location(s) General Aggregate Limit CG 25 04** endorsement.

Limits expressed shall be no less than:

General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	\$2,000,000
Per Occurrence	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Fire Damage Liability	\$ 100,000
Medical Payments (per person)	\$ 5,000

County of Cattaraugus Industrial Development Agency shall be named as Additional Insured per **ISO Form CG 20 26-Additional Insured Designated Person or Organization** to provide coverage for the Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis. All insurance required of the Company shall waive any right of subrogation of the insurer against any person insured under such policy, and waive any right of the insurer to any off-set or counterclaim or any other deduction, whether by attachment or otherwise, in respect of any liability of any person insured under such policy.

ACORD 855 NY-New York Construction Certificate of Liability Insurance: It is not uncommon for insurers to modify the standard ISO policy language with endorsements that result in modifications to language preferred by the insurer. This addendum is required to supplement the **ACORD 25-Certificate of Liability Insurance** with additional information that provides a more detailed expression of the types of coverage required. Specifically required coverages may be excluded or limited by the attachment of exclusionary or limitation endorsements. This

addendum provides the insurer the ability to certify coverage provided by the absence of such exclusionary or limiting modifications.

Blanket Additional Insured endorsement to include — Owner, Lessees or Contractors - Automatic Status For Other Parties When Required in Written Construction Agreement — Wording should include any other person or organization you are required to add as an additional insured under the contract or agreement (**Paragraph 2 of CG 20 38 04 13 or equivalent**).

Any scheduled person or organization section of the additional insured endorsement containing wording other than designated names shall not be accepted.

Automobile Liability: Business Auto Liability with limits of at least \$1,000,000 each accident. Business Auto coverage must include coverage for liability arising out of all owned, leased, hired and non-owned automobiles.

County of Cattaraugus Industrial Development Agency shall be included as Additional Insured on a Primary & Non-Contributory basis on the auto policy. All insurance required of the Company shall waive any right of subrogation of the insurer against any person insured under such policy and waive any right of the insurer to any off-set or counterclaim or any other deduction, whether by attachment or otherwise, in respect of any liability of any person insured under such policy.

Umbrella/Excess Liability: Commercial Umbrella or excess liability for a limit of at least \$5,000,000 per occurrence with a \$5,000,000 Aggregate. Coverage should respond on a follow-form basis and excess over the aforementioned underlying policy limits. County of Cattaraugus Industrial Development Agency shall be named as Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis.

Workers Compensation/Disability Insurance:

- i) The Company and/or Project Owner shall provide evidence of insurance and maintain Workers Compensation/Disability insurance as required by statute. County of Cattaraugus Industrial Development Agency shall be named as the Certificate Holder.
- ii) **Accepted Forms:**

Workers Compensation Forms			DBL (Disability Benefits Law) Forms	
CE-200	Exemption		CE-200	Exemption
C-105.2	Commercial Insurer		DB-120.1	Insurers
S1-12	Self-Insurer		DB-155	Self-Insured
GS1-105.2	Group Self-Insured			
U-26.3	New York State Insurance Fund			

If the Company and/or Project owner have no employees, the Company and/or Project owner shall provide a completed and signed Form CE-200 or later revision, which is found on the New York State Workers Compensation Board website: www.wcb.ny.gov/. This form is to be completed on-line, printed, and signed.

CCIDA Address: All evidence of insurance shall be sent to:

County of Cattaraugus Industrial Development Agency
9 East Washington Street
Ellicottville, NY 14731

Attachment C: CCIDA Attorney Fee Schedule

CCIDA Attorney Fees:

Project Amount	Standard Agency Counsel Fee
<=\$499,000	\$5,000
<=\$500,000 - < \$999,999	\$7,500
>\$1M - <\$1,999,999	\$9,000
>\$2M - <\$3,999,999	\$15,000
>\$4M - < \$5,799,000	\$20,000
>\$5,800,00	1/3 of Agency Administrative Fee (currently 1.0625% of the Project Amount)

If a project application is withdrawn or does not close, the applicant is responsible for any costs incurred by the agency on behalf of the project.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Site Expansion		
Project Location (describe, and attach a general location map): 10826 Osmun Road, Freedom NY 14065, Tax parcel: 14.004-1-7.1 Farm is on east side of Osmun Rd		
Brief Description of Proposed Action (include purpose or need): Edelweiss Dairy LLC is a dairy farm wholesaling milk, meat, and grain products to business partners in Cattaraugus County. The Expansion Project will update 50-year-old facilities at the farm to provide a healthier atmosphere for cattle. The Expansion Project will be phased and will include the construction of a new parlor building, five new barns, and a new sand separation building encompassing an aggregate floor area of 656,180 square feet. A covered and lined liquid waste impoundment with a volume of 19.3 million gallons will also be constructed to manage manure from the expanded facility. These facility components and the appurtenant infrastructure will encompass approximately 60 acres and will enable the farm to consolidate from multiple milking facilities to a single facility, modernize the operation, and increase production. The facility would also be capable of providing sand-free manure for two methane digesters if the dairy enters into an agreement with an RNG company. This expansion includes the construction of a new parlor building, 5 new barns, and a new sand separation building. This will allow the farm to consolidate from multiple milking facilities to one site.		
Name of Applicant/Sponsor: Sponsor: Edelweiss Dairy LLC		Telephone: (716)-560-8312
		E-Mail: ilovemyfarm@yahoo.com
Address: 10826 Osmun Rd		
City/PO: Freedom	State: New York	Zip Code: 14065
Project Contact (if not same as sponsor; give name and title/role): John M Borer, Member		Telephone: 716-560-8312
		E-Mail: ilovemyfarm@yahoo.com
Address: 10826 Osmun rd		
City/PO: Freedom	State: New York	Zip Code: 14065
Property Owner (if not same as sponsor): Edelweiss Farms INC		Telephone: 716-560-8312
		E-Mail: ilovemyfarm@yahoo.com
Address: 10826 Osmun rd		
City/PO: Freedom	State: New York	Zip Code: 14065

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☐ Yes ☐ No or Village Board of Trustees		
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☒ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☒ Yes ☐ No	Cattaraugus County Soil and Water	10/24/24
e. County agencies ☒ Yes ☐ No	Cattaraugus County IDA	02-10-2025
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☒ Yes ☐ No	USDA. REAP GRANT	09-26-2024
h. Federal agencies ☒ Yes ☐ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☒ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

Agriculture

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action?

☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services

a. In what school district is the project site located? Yorkshire-Pioneer

b. What police or other public protection forces serve the project site?

Cattaraugus County Sheriff's Office

c. Which fire protection and emergency medical services serve the project site?

Farmersville TFPD S001

d. What parks serve the project site?

N/A

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Agricultural production

b. a. Total acreage of the site of the proposed action? 60 acres

b. Total acreage to be physically disturbed? 60 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 439.49 acres

c. Is the proposed action an expansion of an existing project or use? ☒ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases?

☒ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated

3

- Anticipated commencement date of phase 1 (including demolition)

5

month 2025 year

- Anticipated completion date of final phase

6

month 2030 year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

the first phase will be the parlor and two barns, the second phase will be two more barns to the south, the third would be another barn to the north. Phase one will be completed or nearly completed prior to the start of phase 2, and phase 2 will be completed or nearly completed prior to the start of phase 3.

f. Does the project include new residential uses? ☐ Yes ☒ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No If Yes,	
i. Total number of structures <u>8</u>	
ii. Dimensions (in feet) of largest proposed structure: _____ height; <u>127</u> width; and <u>856</u> length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☒ Yes ☐ No If Yes,	
i. Purpose of the impoundment: <u>Manure Storage</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. <u>Manure Storage for Dairy Manure</u>	
iv. Approximate size of the proposed impoundment. Volume: <u>19.3</u> million gallons; surface area: <u>4.8</u> acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>Clay Liner - existing 172' x 495' x 17.5', 6.8 million. HDPE Liner - proposed 205' x 600' x 22' deep.</u>	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☒ No If yes, describe. _____ _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☒ No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☒ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 120,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____
Wells located on the farm _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ 30 gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 128,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Dairy Manure _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): Sand separation to separate sand bedding from manure to reuse as bedding; liquid to manure storage, with cover and flare; recycle to cropland to be used as fertilizer, following a Comprehensive Nutrient Management Plan.	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ Sand to be recycled to be reused as bedding.	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
☒ Yes ☐ No	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ 20.4 acres (impervious surface) _____ Square feet or _____ 294 acres (parcel size) ii. Describe types of new point sources. _____ Parlor and barn roofs, driveways	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? On-site detention pond, runoff reduction provided by manure storage	

• If to surface waters, identify receiving water bodies or wetlands: _____ Moores Pond	
• Will stormwater runoff flow to adjacent properties? _____	
☒ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
☐ Yes ☒ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
☒ Yes ☐ No	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) Heavy equipment, tractors, skid steers, etc. ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) N/A iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) N/A	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
☐ Yes ☒ No	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	
☐ Yes ☐ No	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☒ Yes ☐ No

If Yes:

i. Estimate methane generation in tons/year (metric): 400 ton

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): Cover the 12.5 million gallon storage to allow for the capture and flare of methane

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
4,000 Amps service upgrade

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Village of Arcade

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☒ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7am - 7pm
- Saturday: occasionally 7am - 7pm
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 24 hrs/day
- Saturday: 24 hrs/day
- Sunday: 24 hrs/day
- Holidays: 24 hrs/day

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: heavy equipment, construction tools, etc. during the hours of operation _____
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Perimeter lighting at 24', less than 100' cast _____
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☒ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ Dairy manure 24/7. Nearest neighbor 1,500 feet away _____
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____ _____ _____
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation: _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

Minimum fuel storage will be stored in dual-containment devices. Miscellaneous trash will be collected daily and stored in an appropriate container. _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)

☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	30	55	25
• Forested	20	20	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5	5	0
• Agricultural (includes active orchards, field, greenhouse etc.)	105	75	-30
• Surface water features (lakes, ponds, streams, rivers, etc.)	1	1	0
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: <u>Storages, lawns, stormwater, etc</u>	35	40	5

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No i. If Yes: explain: _____	
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No If Yes, i. Identify Facilities: _____ _____	
e. Does the project site contain an existing dam? ☐ Yes ☒ No If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No If Yes: i. Has the facility been formally closed? ☐ Yes ☐ No • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No ☐ Yes – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____ _____	

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? greater than 100 feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site:	
Yorkshire Channery Silt Loam	25 %
Napoli Silt Loam	75 %
_____	_____ %
d. What is the average depth to the water table on the project site? Average: 100 feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site	
☒ Moderately Well Drained: 25% of site	
☒ Poorly Drained 75% of site	
f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 100 % of site	
☐ 10-15%: _____ % of site	
☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No	
ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name <u>un-named tributary of Moores Pond</u> Classification ^{C(TS)} _____	
• Lakes or Ponds: Name _____ Classification _____	
• Wetlands: Name _____ Approximate Size _____	
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? ☐ Yes ☒ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: Deer, turkey _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. <u>Designated Public Resources On or Near Project Site</u>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No If Yes, provide county plus district name/number: <u>Cattaraugus County</u>	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☒ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☒ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No	
If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

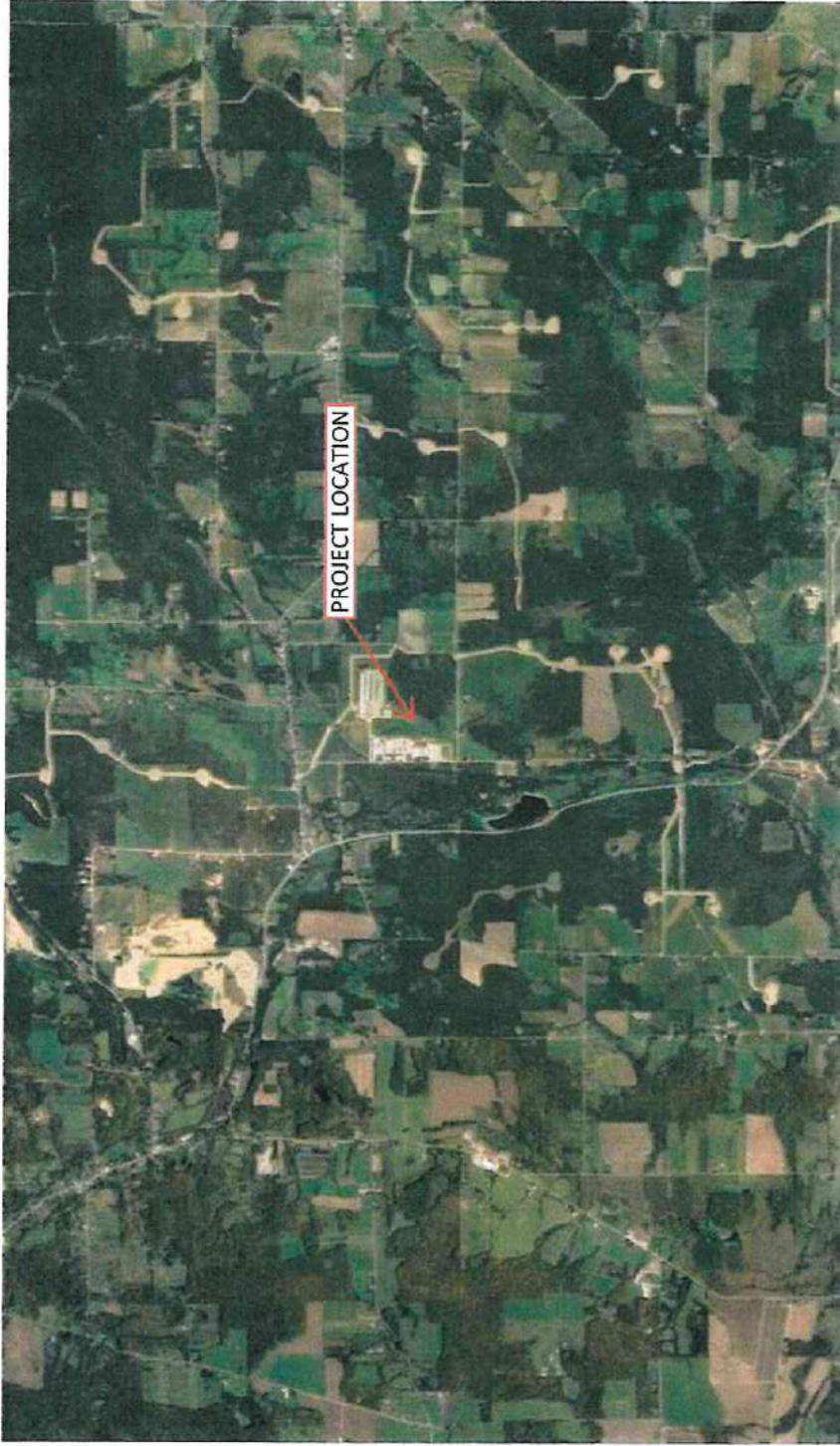
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

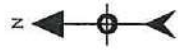
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name John Borer Date 09/07/2025

Signature  Title Member



NOT TO SCALE



Edelweiss Dairy Expansion
10826 Osmon Road

Project Location Map

Town of Freedom, Cattaraugus County, NY
Project No: 2254010



NOT TO SCALE



Edelweiss Dairy Expansion
10826 Osmon Road

Project Location Map

Town of Freedom, Cattaraugus County, NY
Project No: 2254010

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]	
Project :	Edelweiss Dairy Proposed Expansion
Date :	11/7/25

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> ☐ NO ☒ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☒
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☒
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts: _____ _____		☒	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☒	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☒	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☒	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☒	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☒	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☒	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☒	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☒	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☒	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☒	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☒	☐

1. Other impacts: <u>Increased stormwater runoff generated by expansion of impervious surfaces.</u>		☐	☒
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☒
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☒	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☒	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☒	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☒	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☒	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☒	☐
h. Other impacts: _____		☒	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	☐ NO	☒ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☒	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☒	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☒	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☒	☐
f. Other impacts: <u>The Project will increase methane generation from the expanded operation. See Part 3 narrative.</u>		☐	☒

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	☐ NO	☒ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☒	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☒	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☒	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☒	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☒	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☒	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☒	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☒	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☒	☐
j. Other impacts: The project site is located near an active Bald Eagle nest. Further consult with the NYSDEC. _____		☒	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☒ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☒	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☒	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☒
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☒	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☒	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☒	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☒	☐
h. Other impacts: _____		☒	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☒	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☒	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☒ ☒
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☒ ☒	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☒	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☒	☐
g. Other impacts: _____ _____		☒	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2c, E1b, E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

☐ NO☒ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts: <u>The Project construction and operations would create a small increase in truck traffic on the adjacent roadway network associated with the expansion.</u>		☒	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☐ NO☒ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☒	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☒	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☒	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☒	☐
e. Other Impacts: _____		☒	☐

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)

☐ NO☒ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☒	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts: _____ _____		☒	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See FEAF Part 3 Narrative Attached

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Cattaraugus County Industrial Development Authority as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Type | Action

Name of Lead Agency: Cattaraugus County Industrial Development Authority

Name of Responsible Officer in Lead Agency: Corey Wiktor

Title of Responsible Officer: Executive Director

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) *Krithika Prabhakaran*

Date: 11/4/25

For Further Information:

Contact Person: Rob Napieralski, LaBella Associates

Address: 300 Pearl Street, Suite 130, Buffalo, NY 14202

Telephone Number: 716-551-6283

E-mail: napieralski@labellapc.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

EAF Part 3 Narrative Attachment

Edelweiss Dairy Proposed Expansion

Edelweiss Dairy LLC is a dairy farm wholesaling milk, meat, and grain products to business partners in Cattaraugus County. The project site is located on one tax parcel (Tax parcel: 14.004-1-7.1) near 10826 Osmun Road, in the Town of Freedom, New York, 14065; the farm is located on the east side of Osmun Road. The dairy farm proposes to expand its facility operations (the 'Project'). The Project will update and expand 50-year-old facilities at the farm to provide a healthier atmosphere for cattle. The Project will be phased and will include the construction of a new parlor building, five new barns, and a new sand separation building encompassing an aggregate floor area of 656,180 square feet. A covered and lined liquid waste impoundment with a volume of 19.3 million gallons will also be constructed to manage manure from the expanded facility. These facility components and the appurtenant infrastructure will encompass approximately 60 acres and will enable the farm to consolidate from multiple milking facilities to a single facility, modernize the operation, and increase production. The New York State Historic Preservation Office (NYSHPO) evaluated the project in 2017 and provided a Letter of No Adverse Impact.

The Project is determined to be classified as a Type I Action pursuant to SEQRA 6 NYCRR Part 617. The Cattaraugus County Industrial Development Agency, as the designated Lead Agency under SEQRA, has considered the impacts of short-term construction activities, as well as the long-term operation of the Project in preparing its determination of significance for the Project.

The Lead Agency carefully reviewed the information and answers provided in the Part 1 Full EAF. This information informed the preparation of Parts 2 and 3 of the Full EAF. The Lead Agency evaluated the potential impacts from the Project utilizing the criteria provided in the SEQR regulations (6 NYCRR 617.7) to determine if significant adverse impacts to the environment would reasonably be expected.

Based on this analysis, the Lead Agency has not identified any large or significant adverse impacts on the environment resulting from the Project. Instead, the potential impacts identified using Part 2 of the EAF were found to be minimal or moderate, particularly in consideration of their magnitude, geographic scope, irreversibility, duration, number of people affected, and probability. The Lead Agency therefore intends to issue a Negative Declaration for the Project.

The following is provided to document the reasoning and the findings of the Lead Agency regarding the significance of potential environmental impacts, including the conclusion that no potentially significant adverse environmental impacts have been found.

The information below documents the potential small impacts that could result from the Project.

Impact on Land

The Project may create moderate impacts to land during construction of the dairy farm expansion and will alter the topography of the site as a result of grading and earthwork

associated with project components. The Project will be constructed in three phases that will take place from 2025 to 2030 and will include the construction of a new parlor building, five new barns, and a new sand separation building encompassing an aggregate floor area of 656,180 square feet. The Project also includes an approximately 4.9-acre manure storage area for dairy manure. This proposed impoundment area carries a volume of approximately 19.3 million gallons.

Grading and excavation activities will disturb and redistribute native soils on the project site to create level building pads, as well as manure and storm water management facilities. Surplus soil and excavation spoils will be retained on site, re-graded and seeded. These activities will be performed in accordance with engineering plans developed by a Professional Engineer licensed to practice in New York State. Additionally, disturbed areas and soil stockpiles will be subject to erosion and sediment controls pursuant to a Storm Water Pollution Prevention Plan (SWPPP) developed pursuant to New York State regulations.

Phased construction may be necessary in alignment with winter construction requirements. Phase one will include the construction of the parlor and two barns, phase two will include the construction of two more barns to the south, and phase three would include the construction of the fifth barn to the north. Phase one will be completed or nearly completed prior to the start of phase 2, and phase 2 will be completed or nearly completed prior to the start of phase 3.

As such, no significant adverse impacts to land have been identified as a result of the Project.

Impacts on Surface Waters

The Project will disturb approximately 60 acres during phased construction and will increase the area of impervious surfaces (i.e., barn roofs, paved surfaces, etc.) by approximately 20.4 acres upon completion. No physical impacts to wetlands, watercourses or floodplains have been identified in connection with the project.

Standard construction practices would be used to minimize ground disturbance, erosion, and excess drainage that may result during and after construction. The Project is seeking a SPDES General Permit GP-0-25-001 from the New York State Department of Environmental Conservation (NYSDEC), and implementation of a SWPPP will avoid or minimize impacts to stormwater during construction.

Increased stormwater volumes generated from expanded impervious surfaces on the site will be controlled by an on-site stormwater management system. This system includes an engineered detention pond to attenuate stormwater flows and prevent sediment laden stormwater discharges.

Based upon the use of appropriate erosion control measures during construction and engineered stormwater management controls during operation, no significant adverse impacts to surface waters have been identified in connection with the Project.

Impacts on Groundwater

The Project will increase the quantity of water required for the operation of the facility, as well as the volume of liquid waste generated and stored on the site. Water will continue to be supplied by private wells on the site that withdraw groundwater from underlying sand and gravel deposits. To meet the Project's water usage/demand of approximately 120,000 gallons per day, the existing on-site well network will be augmented with the installation of an additional well. Based upon the historic production and yield of the existing private water supply wells on the site, and the planned installation of the additional well, groundwater resources are anticipated to be sufficient to meet Project operational needs.

The Project will generate approximately 128,000 gallons per day of liquid waste from the dairy manure storage area. Proposed wastewater treatment will include sand separation to separate sand bedding from manure to reuse as bedding. Following sand removal, the liquid waste will be stored in an engineered impoundment. The impoundment will be constructed with a liner to prevent infiltration into the subsurface and will be covered to prevent precipitation from entering the impoundment. The manure will be used as fertilizer on a nearby cropland and applied in accordance with a Comprehensive Nutrient Management Plan.

As discussed above, the augmentation and continued operation of the private water supply well network on the site and the use of a lined and covered liquid waste impoundment is not anticipated to result in significant adverse impacts to groundwater resources.

Impact on Air

Methane generation at the dairy facility will increase because of the expansion. The Project is estimated to generate approximately 400 tons of methane per year from the biological degradation of dairy manure. The liquid manure waste will be in a covered impoundment that is designed to capture and flare the generated methane gas. The Project is not anticipated to result in significant adverse impacts to air resources.

Impact on Plants and Animals

According to the NYSDEC Environmental Assessment Form (EAF) Mapper and the Environmental Resource Mapper (ERM), there are no known occurrences of endangered, threatened, or rare species, on or in the vicinity of the Project Site.

According to the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) official species list, there is potential for the following species in the vicinity of the Project site:

- Northern Long Eared Bats (endangered)
- Monarch Butterfly (proposed threatened); however, habitat for the monarch butterfly is not anticipated to be found on the Project Site as it is agricultural land.

Based on information available to USFWS, the potential habitat range of these two species includes the project site area. As no tree clearing is proposed as part of the project scope, the project is not anticipated to have an adverse impact on the NLEB.

As per the NYSDEC letter dated October 29, 2025, the Applicant should request an updated Part 182 Jurisdictional Determination (JD), as the current 2024 JD was valid for one year, which expired on October 19, 2025. The prior Part 182 Jurisdictional Determination concluded the project "is not likely to result in any NYS-listed threatened or endangered species and accordingly, no Incidental Take permit is required at this time."

It should also be noted that an active Bald Eagle nest is known to exist to the west of the existing dairy facility in the vicinity of Moore's Pond, which is situated over 1,200 feet from the current facility. The bulk of the expansion is occurring to the northeast of the current dairy facility, in an area that is more than 2,500 feet from Moore's Pond. Given the distance, temporary nature of the construction activities, and consistency with existing dairy operations occurring on the Project Site for over 50 years, the Project is not anticipated to impact this nesting location.

Impact on Agricultural Resources

The Project will involve the excavation and compaction of the soil profile to construct the new dairy structures and impoundments. According to the NYSDEC EAF Mapper, the Project Site is located within the Town of Freedom's Agricultural District and Cattaraugus County Agricultural District No. 5; however no agricultural lands consisting of highly productive soils are currently present on the approximately 60-acre Project Site. The existing land use at the Project site is agricultural in nature and consists of farmland. As the Project will continue farm operations, the Applicant is seeking a NYS Agriculture and Markets Notice of Intent (AG NOI) waiver.

As such, no significant adverse impacts to agricultural resources have been identified as a result of the Project.

Impact on Aesthetic Resources

The Project involves the construction of a new milking parlor and five new barns in an area of an existing dairy farm that was previously open agricultural land. The new structures will be visible from the public road in the immediate vicinity of the Project site and from a limited number of nearby residences, both seasonally and year-round. Additionally, the new structures will be visible to visitors to the Freedom Cemetery located at the corner of Freedom and Osmun Roads.

Based upon the 50-year history of dairy operations at the project site and the coherent design/appearance of the new structures, the Project is not anticipated to result in significant adverse impacts.

Impact on Transportation

The Project will generate an increase in the number of vehicle trips during construction and operational phases. Construction vehicles entering and exiting the Project Site would result in minor, temporary impacts to local traffic and create minor slowdowns during the 5-year and three-phase duration of the construction phase. Additionally, an increase in the number

of delivery and employee vehicle trips during the farm's operational phase may create small impacts on transportation. However, the existing roadway network has the capacity to accommodate the small increase in vehicle trips associated with the Project.

As such, no significant adverse impacts to transportation have been identified as a result of the Project.

Impact on Energy

The energy demand/consumption of the expanded dairy facility will increase and require an estimated 4,000-amp service upgrade from the Village of Arcade's municipal electrical utility system. The Village agreed to construct the required substation upgrade to accommodate the Project.

Furthermore, the consolidation of dairy operations from other locations into the Project's modernized facility will result in long-term energy use efficiencies.

As such, no significant adverse impacts to energy have been identified as a result of the Project.

Impact on Noise and Odor

The Project is anticipated to create minor, temporary noise impacts as a result of construction activities that may exceed existing ambient noise levels during construction activity, which may occur between 7:00 AM and 7:00 PM Mondays to Fridays (and occasionally on Saturdays) in accordance with the Town of Freedom's Municipal Codes. Backup beepers on trucks, operating work vehicles, equipment transport and installation (i.e. excavators, loaders, dump trucks), and other related activities would likely produce above-average noise levels at the Project site during construction. However, any impact on noise would be short in duration based on these types of activities.

Odors inherent with agricultural dairy operations, manure storage and cropland application of manure as fertilizer have been produced by the existing dairy operated at the Project location for over 50 years. The expanded and modernized operation will utilize a covered liquid waste impoundment that will capture and flair methane generated as a result of the biological degradation of the manure. As a result, no increases in odor are expected to occur in association with the Project.

As such, no significant adverse impacts to noise or odor have been identified as a result of the Project.

PUBLIC HEARING SCRIPT

Edelweiss Dairy LLC Project

Public Hearing to be held on
Tuesday, March 18, 2025, at 2:00 p.m., local time
at the Town of Freedom Town Hall (Meeting Room)
at 1188 Eagle Street, Town of Freedom (Sandusky), New York 14133

ATTENDANCE:

Russ Gaenzle - Harris Beach

☐ Members of the General Public

1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 2:00 p.m. My name is Corey R. Wiktor. I am the Executive Director for the County of Cattaraugus Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at www.cattcoida.com.

2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the Edelweiss Dairy LLC project. This public hearing is being recorded and will be transcribed for the Board Members of the Agency for their review and comments before they take any further action. We have a sign in sheet for anyone who would like to participate in this public hearing either by presenting oral comments or we would be happy to take written statements. Notice of this hearing appeared in Olean Times Herald on March 4, 2025.

3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of the proposed issuance by the Agency of its Solid Waste Disposal Tax-Exempt Revenue Bonds (Edelweiss Dairy, LLC Project), Series 2024, in the maximum aggregate face amount not to exceed \$15,500,000 (the "Bonds") to finance all or a portion of the cost of a certain project (the "Project") consisting of: (A) the acquisition or retention by Edelweiss Dairy LLC (the "Company") of certain property and improvements located at 10826 Osmun Road in the Town of Freedom, Cattaraugus County, New York (the "Land"); (B) the construction and equipping on the Land of a new dairy facility consisting of (i) a 120-stall rotary milking parlor containing in the aggregate

approximately 58,800 square feet, (ii) four (4) cattle barns containing in the aggregate approximately 526,480 square feet, and (iii) a manure separation sand recycling facility containing in the aggregate approximately 20,400 square feet (collectively, the "Improvements"); (C) the acquisition in and around the Improvements and of certain items of equipment and other tangible personal property and equipment (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); (D) the payment of all or a portion of the costs of issuing the Bonds, credit enhancement fees relating to the Bonds, if any, funding a debt service reserve fund, if any, and capitalized interest, if any; and (E) the retention by the Agency of a leasehold or other interest in the Facility and the lease or sale of the Agency's interest in the Facility back to the Company pursuant to an agreement which shall require the Company to make payments sufficient to fund the debt service payments on the Bonds and make certain other payments. All of the facilities financed and/or refinanced with the Bonds are or will be owned and/or operated by the Company and are or will be located on the Land.

The proposed financial assistance contemplated by the Agency includes (i) the issuance of the Bonds all or a portion of the costs associated with the qualifying portions of the Project, (ii) an exemption from mortgage recording taxes, (iii) sales and use tax exemptions and (iv) a partial real property tax abatement, all consistent with the policies of the Agency.

☒ **4. FORMAT OF HEARING:** Review the rules and manner in which the hearing will proceed.

Hearing Officer: All those who have joined this conference call will be given an opportunity to make statements and/or comments on the Project if they so desire.

Minutes of the Public Hearing will be transcribed and posted on the Agency's website (www.cattcoida.com). Additional information can be obtained from, and written comments may be addressed to: Corey R. Wiktor, Executive Director, County of Cattaraugus Industrial Development Agency, 9 East Washington Street, P.O. Box 1749, Ellicottville, New York 14731; Telephone: 716-699-2005 and electronically at corey@cattcoida.com or Info@cattcoida.com.

☒ **5. PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: Those interested in making a statement or comment will be called upon. Please begin by stating your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes or less.

The Hearing Moderator introduces each participant in the order they registered for this meeting.

[Insert transcription of public comments here.]

-OR-

☒ Hearing Officer: Note that no one in attendance wished to make a statement or comment.

☒ **6. ADJOURNMENT:**

2:15 As there are no further statements and/or comments, I will close the public hearing at
p.m.

SIGN IN SHEET FOR PUBLIC HEARING

Public Hearing to be held on
Tuesday, March 18, 2025, at 2:00 p.m., local time
at the Town of Freedom Town Hall (Meeting Room)
at 1188 Eagle Street, Town of Freedom (Sandusky), New York 14133

Edelweiss Dairy LLC Project

Project Location: 10826 Osmun Road in the Town of Freedom, Cattaraugus County,

[illegible]

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date: April 8, 2024
 Project Title: Edelweiss Dairy
 Project Location: 10826 Osman Road, Freedom NY

Construction Phase - Project Assumptions

Project Costs

Enter total project costs:
 Local Construction Spending*
 % of locally sourced materials and labor
 In-region construction spending

Project Costs

Value

\$32,500,000

20%

\$6,500,000

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$6,500,000
(Not Applicable)	0		\$0
(Not Applicable)	0		\$0
Most projects will only have one line related to construction type.		100%	\$6,500,000

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

[NAICS Lookup](#)

Year 1 - Enter NAICS	NAICS	Count	Per Job Annual Earnings	Total Earnings
0	112120	21	\$75,000	\$1,575,000
0	112120	0	\$0	\$0
0	112120	0	\$0	\$0
0	112120	0	\$0	\$0
0				\$0
0				\$0
Total		21		\$1,575,000

Year 2	NAICS	Count	Per Job Annual Earnings	Total Earnings
0	112120	7	\$80,000	\$560,000
0	112120	2	\$80,000	\$160,000
0	112120	21	\$70,000	\$1,470,000
0	112120	3	\$100,000	\$300,000
0	0			\$0
0	0			\$0
Total		33		\$2,490,000

Year 3+ (Full Employment)	NAICS	Count	Per Job Annual Earnings	Total Earnings
0	112120	7	\$80,000	\$560,000
0	112120	2	\$80,000	\$160,000
0	112120	21	\$70,000	\$1,470,000
0	112120	3	\$100,000	\$300,000
0	0			\$0
0	0			\$0
Total		33		\$2,490,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

	%	Value	PILOT Term (Years)	
Sales Tax Exemption			10	
Local Sales Tax Rate	4.00%	\$0	Escalation Factor	2%
State Sales Tax Rate	4.00%	\$0	Discount Factor	2%
Mortgage Recording Tax Exemption		\$406,250		
Local	0.75%	\$243,750		
State	0.50%	\$162,500		
Total Costs		\$1,632,992		

Property Tax Exemption

Year #		Property Tax WITHOUT Project	Estimated PILOT	Property Tax on Full Assessment	Difference in Current: vs. PILOT	Difference PILOT vs Full Taxes
1	2024	\$14,397	\$14,397	\$224,327	\$0	-\$209,930
2	2025	\$14,685	\$36,098	\$228,813	\$21,413	-\$192,715
3	2026	\$14,979	\$58,661	\$233,389	\$43,682	-\$174,728
4	2027	\$15,278	\$82,112	\$238,057	\$66,834	-\$155,946
5	2028	\$15,584	\$106,478	\$242,818	\$90,894	-\$136,341
6	2029	\$15,895	\$131,785	\$247,675	\$115,890	-\$115,890
7	2030	\$16,213	\$158,062	\$252,628	\$141,849	-\$94,566
8	2031	\$16,538	\$185,338	\$257,681	\$168,800	-\$72,343
9	2032	\$16,868	\$213,640	\$262,834	\$196,772	-\$49,194
10	2033	\$17,206	\$243,002	\$268,091	\$225,796	-\$25,089
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Total		\$157,642	\$1,229,572	\$2,456,314 Discounted->	\$1,071,930 \$926,159	-\$1,226,742 -\$1,131,977

Other Benefits to Public and Private Individuals - If Applicable

[illegible]

Notes

Other Local Municipal Revenue - Fire District Tax
Real Property Tax based on estimated new value of \$10,000,000
10 year new construction PILOT

Does the IDA believe the project can be accomplished in a timely fashion?

Yes

Cattaraugus County Industrial Development Agency
MRB Cost Benefit Calculator



Date April 8, 2024
Project Title Edelweiss Dairy
Project Location 10826 Osman Road, Freedom NY

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Project Total Investment
\$32,500,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	30	11	41
Earnings	\$2,381,160	\$493,827	\$2,874,986
Local Spend	\$6,500,000	\$1,796,489	\$8,296,489

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	33	0	33
Earnings	\$25,436,593	\$0	\$25,436,593

Figure 1

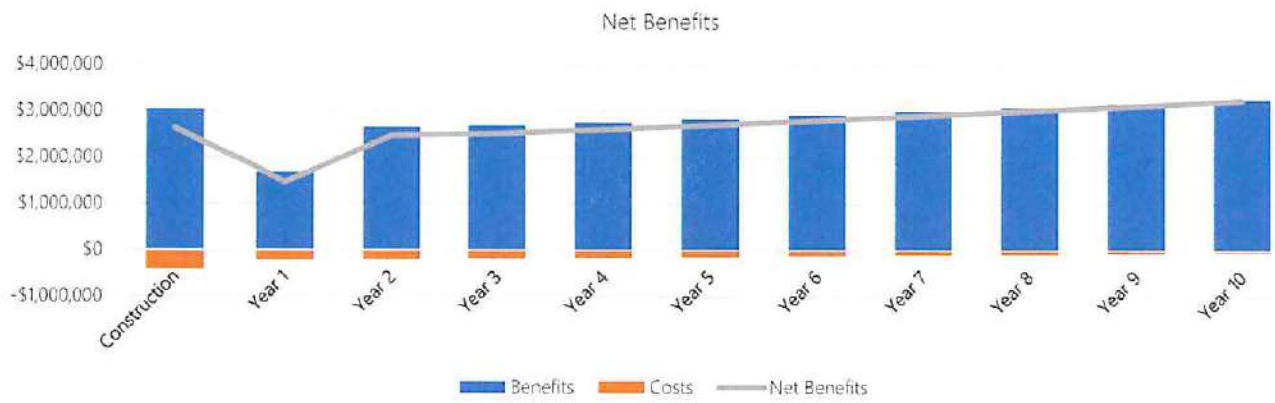


Figure 2

Total Jobs



Figure 3

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,226,742	\$1,131,975
Sales Tax Exemption	\$0	\$0
Local Sales Tax Exemption	\$0	\$0
State Sales Tax Exemption	\$0	\$0
Mortgage Recording Tax Exemption	\$406,250	\$406,250
Local Mortgage Recording Tax Exemption	\$243,750	\$243,750
State Mortgage Recording Tax Exemption	\$162,500	\$162,500
Total Costs	\$1,632,992	\$1,538,225

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$29,649,094	\$26,749,069
To Private Individuals	\$28,311,579	\$25,583,475
Temporary Payroll	\$2,874,986	\$2,874,986
Ongoing Payroll	\$25,436,593	\$22,708,489
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,337,515	\$1,165,594
Increase in Property Tax Revenue	\$1,071,930	\$926,159
Temporary Jobs - Sales Tax Revenue	\$20,125	\$20,125
Ongoing Jobs - Sales Tax Revenue	\$178,056	\$158,959
Other Local Municipal Revenue	\$67,404	\$60,351
State Benefits	\$1,472,202	\$1,330,341
To the Public	\$1,472,202	\$1,330,341
Temporary Income Tax Revenue	\$129,374	\$129,374
Ongoing Income Tax Revenue	\$1,144,647	\$1,021,882
Temporary Jobs - Sales Tax Revenue	\$20,125	\$20,125
Ongoing Jobs - Sales Tax Revenue	\$178,056	\$158,959
Total Benefits to State & Region	\$31,121,296	\$28,079,410

Benefit to Cost Ratio

	Local	State	Benefit*	Cost*	Ratio
			\$26,749,069	\$1,375,725	19:1
			\$1,330,341	\$162,500	8:1
Grand Total			\$28,079,410	\$1,538,225	18:1

*Discounted at 2%

Additional Comments from IDA

Other Local Municipal Revenue - Fire District Tax
Real Property Tax based on estimated new value of \$10,000,000
10 year new construction PILOT

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

ACT NO. 459-2025

by Mr. Boberg, Mr. Burr, Mrs. Hanson, Mr. Helmich and Ms. Schröder
who ask immediate consideration

**RESOLUTION AUTHORIZING THE CHAIR OF THE LEGISLATURE TO APPROVE THE
PROPOSED ACTION BY THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY
FOR THE ISSUANCE OF BONDS FOR THE EDELWEISS DAIRY, LLC PROJECT**

Pursuant to Section 862 of the General Municipal Law.

BE IT ENACTED by the Legislature of the County of Cattaraugus, as follows:

I. WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 536 of the 1971 Laws of New York (collectively, the "Act"), the Legislature of Cattaraugus County (the "Legislature") has heretofore appointed the members of County of Cattaraugus Industrial Development Agency (the "Issuer") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York, and

II. WHEREAS, in order to assist in the financing of a certain Project (as defined below) for the benefit of Edelweiss Dairy, LLC, a New York limited liability company ("Edelweiss"), or an entity formed or to be formed by or on behalf of itself, the general partner of managing member of which will be Edelweiss (collectively, the "Company"), the Issuer proposes to issue, contingent upon the adoption of this Resolution, its Solid Waste Disposal Tax-Exempt Revenue Bonds (Edelweiss Dairy, LLC Project), Series 2025 in the maximum aggregate principal amount not to exceed \$15,500,000 (the "Series 2025 Bonds"), in one or more series, as part of a plan of finance, for the purpose of assisting with the Project (the "Project"), consisting of: (A) the acquisition or retention by the Company of certain property and improvements located at 10826 Osmun Road in the Town of Freedom, Cattaraugus County, New York (the "Land"); (B) the construction and equipping on the Land of a new solid waste disposal facility at a dairy facility consisting of (i) a 120-stall rotary milking parlor containing in the aggregate approximately 58,800 square feet, (ii) four (4) cattle barns containing in the aggregate approximately 526,480 square feet, and (iii) a manure separation sand recycling facility containing in the aggregate approximately 20,400 square feet (collectively, the "Improvements"); (C) the acquisition in and around the Improvements and of certain items of equipment and other tangible personal property and equipment (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and (D) paying costs incidental to the issuance of the Bonds, including issuance costs of the Bonds and any reserve funds as may be necessary to secure the Bonds, as well as capitalized interest on the Bonds. All of the facilities financed and/or refinanced with the Bonds are or will be owned and/or operated by the Company, and are or will be

located at 10826 Osmun Road, Town of Freedom, Cattaraugus County, New York 14065; the Bonds will constitute exempt facility bonds for solid waste disposal facilities under Section 142(a)(6) of the Internal Revenue Code of 1986, as amended (the "Code"), and

III. WHEREAS, pursuant to Section 147(f) of the Code, interest on the Series 2025 Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Series 2025 Bonds is approved by the County Legislature after a public hearing to consider both the issuance of the Series 2025 Bonds and the nature and location of the facilities located within the County financed therewith has been conducted following reasonable public notice, and

IV. WHEREAS, on Tuesday, March 18, 2025, the Issuer held such a public hearing (the "Public Hearing") upon proper notice in compliance with the Code and Section 859-a of Title 1 of Article 18-a of the General Municipal Law of the State of New York, as amended, and Chapter 569 of the Laws of 1972 of the State of New York (hereinafter collectively called the "Act"), with notice of such Public Hearing having been submitted to the *Olean Times Herald* for publication, and

V. WHEREAS, to aid the Legislature in its deliberations, the Issuer has made available to the members of the Legislature prior to this meeting (a) the Company's application to the Issuer for financial assistance; (b) the notice of public hearing published in the *Olean Times Herald* on March 4, 2025, together with proof of publication, and (c) the minutes of such public hearing held on March 18, 2025, and

VI. WHEREAS, the Legislature, after due consideration of the foregoing, as the "applicable elected representative" of Cattaraugus County, New York, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Series 2025 Bonds and the application of up to \$15,500,000 maximum principal amount thereof to undertake the Project, provided the principal, premium, if any, and interest on the Series 2025 Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Cattaraugus County, New York and neither the State nor any political subdivision thereof including, without limitation, Cattaraugus County, New York shall be liable thereon, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby gives its approval of the issuance by the Issuer of the Series 2025 Bonds, and the application thereof to finance Project; *provided* that, the Series 2025 Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York or any political subdivision thereof including, without limitation, Cattaraugus County, New York and neither the State of New York nor any political subdivision thereof including, without limitation, Cattaraugus County, New York, shall be liable thereon,

and be it further

II. RESOLVED, this Resolution shall be deemed to be made for the benefit of the holders of the Series 2025 Bonds, and be it further

III. RESOLVED, this Resolution shall take effect immediately.

SEQRA RESOLUTION
(Edelweiss Dairy Proposed Expansion)

A regular meeting of the County of Cattaraugus Industrial Development Agency was convened on Tuesday, November 18, 2025, at 11:15 a.m.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY ISSUING A NEGATIVE DECLARATION
PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY
REVIEW ACT FOR THE EDELWEISS DAIRY PROPOSED EXPANSION**

WHEREAS, the County of Cattaraugus Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 536 of the 1971 Laws of New York, as amended, constituting Section 890-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Edelweiss Dairy LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies) or Entity(ies) formed or to be formed on its behalf (individually and/or collectively, the "Company") has submitted an application (the "Application") for certain financial assistance to the Agency with respect to a project (the "Project") consisting of (A) the acquisition or retention by the Company of certain property and improvements located at 10826 Osmun Road in the Town of Freedom, Cattaraugus County, New York (the "Land"); (B) the construction and equipping on the Land of a new dairy facility consisting of (i) a 120-stall rotary milking parlor containing in the aggregate approximately 58,800 square feet, (ii) four (4) cattle barns containing in the aggregate approximately 526,480 square feet, and (iii) a manure separation sand recycling facility containing in the aggregate approximately 20,400 square feet (collectively, the "Improvements"); (C) the acquisition in and around the Improvements and of certain items of equipment and other tangible personal property and equipment (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, the Agency must comply with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R Part 617 (collectively referred to as "SEQRA"), and determine whether or not the Project presents a potential significant adverse environmental impact; and

WHEREAS, to assist the Agency in determining whether the undertaking of the Project may have a potential significant adverse effect upon the environment, the Company has prepared and submitted to the Agency a Full Environmental Assessment Form (the "EAF") and supporting correspondence (the EAF and supporting correspondence collectively referred to as the "SEQRA Materials"), and copies of said SEQRA Materials are on file in the office of the Agency and are readily accessible to the public; and

WHEREAS, the Agency retained a consultant, Labella Associates ("Labella"), to support the Agency in its review and analysis of the Project and SEQRA Materials; and

WHEREAS, by letter dated October 9, 2025, the Agency distributed notice of its intent to act as lead agency to complete the SEQRA review of the Project to all involved and interested agencies, forwarded copies of the EAF to all such involved and interested agencies, and requested that each involved agency consent to the Agency acting as lead agency pursuant to SEQRA and provide any applicable comments to be considered by the Agency in reaching its determination of environmental significance for the Project; and

WHEREAS, none of the involved agencies objected to the Agency acting as lead agency within the regulatory 30-day time period pursuant to SEQRA; and

WHEREAS, the Agency desires to declare itself as Lead Agency under 6 N.Y.C.R.R. §617.6 of SEQRA; and

WHEREAS, the Agency has reviewed all information provided in the Part 1 of the EAF and the SEQRA Materials submitted by the Company regarding the activities proposed for the Project and the potential impacts of the Project on the environment, and completed the responses required in Parts 2 and 3 of the EAF, as such Parts 1, 2, and 3 of the EAF are enclosed herein within Exhibit "A"; and

WHEREAS, the Agency has considered the significance of the potential adverse environmental impacts of the Project by; (a) using the criteria specified in 6 N.Y.C.R.R § 617.7 of the SEQRA regulations; (b) examining the EAF and the SEQRA Materials for the Project in order to identify potential environmental impacts; and (c) thoroughly analyzing the identified potential environmental impacts to determine their significance and scope.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Upon due consideration by the Agency of the SEQRA Materials, the comments provided by the involved agencies and the public, as well as the surveys and studies completed, the Agency makes the following findings:

Section 1. The Agency has considered the Project pursuant to the parameters set forth in 6 N.Y.C.R.R. §§ 617.2(b) and 617.3(g) of the SEQRA regulations.

Section 2. The Agency classifies the Project as a Type I action pursuant to the SEQRA regulations.

Section 3. The Agency declares itself “Lead Agency” as said term is defined by SEQRA with respect to undertaking a coordinated review of the Project pursuant to SEQRA;

Section 4. The Agency has carefully reviewed the SEQRA Materials, the Application and the criteria set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, as well as considered the comments received from the involved agencies and the public regarding the Project. Based on the foregoing, the Agency has thoroughly and comprehensively analyzed the potential relevant areas of environmental concern, and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

(a) Land. While the Project may create moderate impacts to land, the Project will not have a significant adverse impact on land. The Project site total acreage is approximately 60 acres, and the total acreage to be physically disturbed is 60 acres. The Project will be constructed in three phases and will include the construction of a new parlor building, five new barns, and a new sand separation building encompassing an aggregate floor area of 656,180 square feet. Phase one will include the construction of the parlor and two barns, phase two will include the construction of two more barns, and phase three will include the construction of the fifth barn. The phased construction may be necessary to align with winter construction requirements and is anticipated to take place from 2025 to 2030. The Project will also include an approximately 4.9-acre manure storage area for dairy manure, which will carry a volume of approximately 19.3 million gallons. Impacts to land may occur as grading and excavation activities to create level building pads and manure and storm water management facilities will disturb and redistribute native soils on the project site and alter the topography. However, impacts to these disturbed areas and soil stockpiles will be mitigated as the Project site will be subject to erosion and sediment controls pursuant to a Storm Water Pollution Prevention Plan (SWPPP) developed pursuant to New York State regulations. As such, no significant adverse impacts to land have been identified as a result of the Project.

(b) Air Quality. Methane generation at the dairy facility will increase as a result of the expansion. The Project is estimated to generate approximately 400 tons of methane per year from the biological degradation of dairy manure. The liquid manure waste will be in a covered impoundment that is designed to capture and flare the generated methane gas. As such, the Project is not anticipated to result in significant adverse impact to air quality.

(c) Water Resources. The Project will not result in a potential significant adverse environmental impact to water quality. With respect to impacts to surface waters, the Project is

anticipated to disturb approximately 60 acres during phased construction and will increase the area of impervious surfaces (i.e., barn roofs, paved surfaces, etc.) by approximately 20.4 acres. However, no physical impacts to wetlands, watercourses or floodplains have been identified in connection with the Project. Standard construction practices would be used to minimize ground disturbance, erosion, and excess drainage that may result during and after construction. Company seeks a SPDES General Permit GP-0-25-001 from the New York State Department of Environmental Conservation (NYSDEC), and implementation of a SWPPP will avoid or minimize impacts to stormwater during construction. Any increased stormwater volumes generated from expanded impervious surfaces on site will be controlled by an on-site stormwater management system. This system includes an engineered detention pond to attenuate stormwater flows and prevent sediment laden stormwater discharges. Based upon the use of appropriate erosion control measures during construction and engineered stormwater management controls during operation, no significant adverse impacts to surface waters have been identified in connection with the Project.

Further, this Project is also not anticipated to result in a significant adverse impact to groundwater resources. The Project will increase the quantity of water required for the operation of the facility, as well as the volume of liquid waste generated and stored on the site. Water will continue to be supplied by private wells on the site that withdraw groundwater from underlying sand and gravel deposits. As a part of the phased plan, the existing on-site well network will be augmented to meet the Project's projected eventual water usage/demand of approximately 120,000 gallons per day. Applicant will comply with all applicable regulatory requirements associated with the increased withdrawal volume. Based on the historic production and yield of the existing private water supply wells on the site, and the planned installation of an additional well, groundwater resources are anticipated to be sufficient to meet the operational needs of the Project. Approximately 128,000 gallons per day of liquid waste from the daily manure storage area is anticipated to be generated by the Project. Proposed wastewater treatment includes sand separation to separate sand bedding from manure to reuse as bedding. Following sand removal, the liquid waste will then be stored in an engineered impoundment which will be constructed with a liner to prevent infiltration into the subsurface and will also be covered to prevent precipitation from entering. This manure will then be used as fertilizer on nearby cropland and applied in accordance with a Comprehensive Nutrient Management Plan. For these reasons, the Project is not anticipated to result in significant adverse impacts to groundwater resources.

(d) Traffic and Transportation. The Project will not have a significant adverse impact on existing traffic and transportation levels. The Project will generate an increase in the number of vehicle trips during construction and operational phases. Construction vehicles entering and exiting the Project site would result in minor, temporary impacts to local traffic and create minor slowdowns during the 5-year, three-phase duration of the construction phase. Additionally, an increase in the number of delivery and employee vehicle trips during the farm's operational phase may create small impacts on transportation. However, the existing roadway network has the capacity to accommodate the small increase in vehicle trips associated with the Project. Therefore, it is not anticipated that the Project will have a significant adverse impact on traffic and transportation levels.

(e) Noise. The Project is anticipated to create minor, temporary noise impacts as a result of the construction activities that may exceed existing ambient noise levels. Construction activities will occur between 7:00 am and 7:00 pm Mondays to Fridays (and occasionally on Saturdays) in accordance with the Town of Freedom's municipal codes. Backup beepers on trucks, operating work vehicles, equipment transport and installation (i.e. excavators, loaders, dump trucks), and other related activities would likely produce above-average noise levels at the Project site during construction. However, any noise impacts associated with construction activities are expected to be temporary in nature and in compliance with the Town of Freedom's municipal codes. Therefore, the Project is not anticipated to generate significant noise levels that would adversely impact the surrounding areas.

(f) Odor. Odors inherent with agricultural dairy operations, manure storage and cropland application of manure as fertilizer have been produced by the existing dairy facility operated at the Project location for over 50 years. The expanded and modernized operation will utilize a covered liquid waste impoundment that will capture and flair methane generated as a result of the biological degradation of the manure. As a result, no increases in odor are expected to occur in association with the Project and therefore no significant adverse impacts to odor have been identified as a result of this Project.

(g) Erosion. The Project will not have a significant adverse impact on soil resources resulting in erosion. The construction site will have appropriate erosion and sediment control measures in place to manage groundwater and prevent contamination. The Company will be required to obtain, and comply with, all applicable NYSDEC permits relating to wastewater and stormwater discharges. Further the Company will be required to comply with all NYSDEC permitting requirements and regulations governing erosion and sediment control.

(h) Vegetation and Wildlife. The Project will not result in a potential significant adverse impact to existing vegetation and potential wildlife located on, and in the vicinity of, the Project Site. According to the NYSDEC Environmental Assessment Form (EAF) Mapper and the Environmental Resource Mapper (ERM), there are no known occurrences of endangered, threatened, or rare species, on or in the vicinity of the Project site. However, according to the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) official species list, there is potential for Northern Long Eared Bats and Monarch Butterflies to be within the vicinity of the Project site as the potential habitat range of these two species includes the Project site area. As no tree clearing is proposed as a part of the Project, the project is not anticipated to have an adverse impact on the Northern Long Eared Bat. Further, habitat for the Monarch Butterfly is not anticipated to be found on the Project Site as it is agricultural land. There is also an active Bald Eagle nest to the west of the existing dairy facility in the vicinity of Moore's Pond, which is over 1,200 feet from the current facility. And the bulk of the expansion would occur more than 2,500 feet from Moore's Pond. Given the distance, temporary nature of the construction activities, and consistency with existing dairy operations on the Project site for over 50 years, the Project is not anticipated to impact this nesting location. Further, the prior Part 182 Jurisdictional Determination letter issued by NYSDEC, dated October 29, 2025, concluded that the Project "is not likely to result in any NYS-listed threatened or endangered species and accordingly, no Incidental Take permit is required at this time." As such

no significant adverse impacts to vegetation and wildlife are anticipated as a result of this Project.

(i) Critical Environmental Area. The Project Site is not located in nor does it adjoin a state listed critical environmental area therefore no potential adverse impacts to a critical environmental area are anticipated.

(j) Aesthetic and Historical Resources. The Project involves the construction of a new milking parlor and five new barns in an area of an existing dairy farm that was previously open agricultural land. The new structures will be visible from the public road in the immediate vicinity on the Project site and from a limited number of nearby residences, both seasonally and year-round. Additionally, the new structures will be visible to visitors to the Freedom Cemetery located at the corner of Freedom and Osmun Roads. Based on the 50-year history of dairy operations at the project site and the coherent design and appearance of the new structures, the Project is not anticipated to result in significant adverse impacts to aesthetic and historical resources.

(k) Energy. The electrical energy demand of the expanded dairy facility will increase and require an estimated 4,000-amp service upgrade from the Village of Arcade's municipal electrical utility system. The Village agreed to construct the required substation to upgrade to accommodate the Project. Further, long-term energy use efficiencies are anticipated from the consolidation of dairy operations. The Project also would be capable of providing manure for two methane digesters if Company enters into an agreement with an RNG company, thereby the Project could potentially contribute to the production of energy. Therefore, no significant adverse impacts to energy are anticipated as a result of the Project.

(l) Agricultural Resources. The Project involves the excavation and compaction of the soil profile to construct the new dairy structures and impoundments. The Project site is located within the Town of Freedom's Agricultural District and Cattaraugus County Agricultural District No. 5. However, the approximately 60-acre site does not contain agricultural lands consisting of highly productive soils. The existing land use at the Project site is agricultural in nature and consists of farmland. As such, no significant adverse impacts to agricultural resources have been identified as a result of the Project.

(m) Open Space and Recreational Uses. The Project site is currently used for agricultural use and not recreational use. The Project site will occupy a footprint of approximately 60 acres, however, it will not result in a significant reduction in open space or recreational lands. As such, there will be no significant adverse impacts to open spaces and recreational uses.

(n) Public Health. The Project will not create a hazard to public health. To the contrary, the Project will present a significant improvement to the environment, particularly with respect to modernizing the facility by constructing a new covered and lined liquid waste impoundment. Proper precautions will be taken to safeguard human health and the environment, including implementing appropriate safety measures and handling procedures. As a result, the Project will not present a potential significant adverse impact to public health and safety.

(o) Growth and Community Character. The Project will not have a significant adverse impact on the character of the community or neighborhood. The Project is consistent with community character as it involves the expansion of an existing dairy farm in an Agricultural District. Therefore, the Project does not represent a potential significant adverse environmental impact to growth and community character. To the contrary the Project represents a potential benefit to improving the community character by revitalizing and modernizing a currently operating dairy farm within an Agricultural District.

Section 5. Based on the foregoing, and the additional analyses set forth in Parts 1, 2 and 3 of the EAF, the Agency finds that the Project will not have a potential significant adverse impact on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and, in particular, pursuant to the criteria found at 6 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. The Agency therefore issues a Negative Declaration for the Project pursuant to SEQRA.

Section 6. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law by the Members of the County of Cattaraugus Industrial Development Agency, 9 Washington Street, Ellicottville, NY 14731. Additional information regarding this Resolution may be obtained from the Agency at its office, telephone number (716) 699-2005.

Section 7. The Agency further directs that notice of this resolution shall be filed and circulated to the extent required by any applicable ordinance, statute or regulation.

Section 8. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 9. This Resolution shall take effect immediately upon adoption.

Dated: November 18, 2025

BOND RESOLUTION
(Edelweiss Dairy, LLC Project)

A regular meeting of the County of Cattaraugus Industrial Development Agency (the “Issuer”) was held on November 18, 2025 at 11:15 a.m. (local time) at 9 East Washington Street, Ellicottville, New York 14731.

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the proposed issuance of up to \$15,500,000 Solid Waste Disposal Tax-Exempt Revenue Bonds for the benefit of Edelweiss Dairy, LLC (the “Company”).

RESOLUTION (i) AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY'S SOLID WASTE DISPOSAL TAX-EXEMPT REVENUE BONDS (EDELWEISS DAIRY, LLC PROJECT), SERIES 2025, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,500,000; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (iv) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A MORTGAGE RECORDING TAX EXEMPTION BENEFIT FOR FINANCING RELATED TO THE PROJECT AND (B) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH A PILOT AGREEMENT;- AND (v) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE AND PROJECT AGREEMENT AND RELATED DOCUMENTS.

WHEREAS, the County of Cattaraugus Industrial Development Agency (the “Issuer”) is a not-for-profit local development corporation duly organized and is validly existing pursuant to Section 1411 of the Not-for-Profit Corporation Law (“N-PCL”) of the State of New York (the “State”); and

WHEREAS, pursuant to the N-PCL the Issuer was established as a not-for-profit corporation for the purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities and lessening the burdens of government and acting in the public interest, and has the powers, among other things, to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants, to assist financially in such construction, acquisition, rehabilitation and improvement, to acquire real or personal property and to issue bonds, notes and other obligations thereof; and

WHEREAS, the N-PCL authorizes the Issuer to lease and sell any or all of its facilities, to issue its bonds for the purpose of carrying out any of its corporate purposes and, as security

for the payment of the principal and redemption price of and interest on any such bonds so issued and any agreements made in connection therewith, to pledge the revenues and receipts from the lease or sale thereof to secure the payment of such bonds and interest thereon; and

WHEREAS, **EDELWEISS DAIRY, LLC**, for itself or an entity formed or to be formed (collectively, the "Company"), has submitted an application (the "Application") to the Issuer requesting the Issuer to issue up to \$15,500,000 of its Solid Waste Disposal Tax-Exempt Revenue Bonds (Edelweiss Dairy LLC Project), Series 2024 (the "Bonds") to finance all or a portion of the cost of a certain project (the "Project") consisting of: (A) the acquisition or retention by the Company of certain property and improvements located at 10826 Osmun Road in the Town of Freedom, Cattaraugus County, New York (the "Land"); (B) the construction and equipping on the Land of a new dairy facility consisting of (i) a 120-stall rotary milking parlor containing in the aggregate approximately 58,800 square feet, (ii) four (4) cattle barns containing in the aggregate approximately 526,480 square feet, and (iii) a manure separation sand recycling facility containing in the aggregate approximately 20,400 square feet (collectively, the "Improvements"); (C) the acquisition in and around the Improvements and of certain items of equipment and other tangible personal property and equipment (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and (D) the payment of all or a portion of the costs of issuing the Bonds, credit enhancement fees relating to the Bonds, if any, funding a debt service reserve fund, if any, and capitalized interest, if any; and (E) the retention by the Issuer of a leasehold or other interest in the Facility and the lease or sale of the Issuer's interest in the Facility back to the Company pursuant to an agreement which shall require the Company to make payments sufficient to fund the debt service payments on the Bonds and make certain other payments. All of the facilities financed and/or refinanced with the Bonds are or will be owned and/or operated by the Company and are or will be located on the Land; and

WHEREAS, the Issuer is contemplating (i) designating the Company as its agent for purposes of undertaking the Project pursuant to an Agent and Financial Assistance and Project Agreement (the "Agent Agreement"), (ii) negotiating and entering into a lease agreement (the "Lease Agreement") and related leaseback agreement (the "Leaseback Agreement") with the Company, pursuant to which the Agency will retain a leasehold interest in the Land, the Improvements, the Equipment and personal property constituting the Facility and PILOT Agreement (defined herein), and (iii) providing financial assistance to the Company with respect to the Project (collectively, the "Financial Assistance") in the form of (A) the issuance of the Bonds in an amount not to exceed \$15,500,000, (B) an exemption from all mortgage recording taxes with respect to any qualifying mortgage on the Land and the Improvements to secure the Bonds; and (C) a partial real property tax abatement structured through a certain Payment-in-Lieu-of-Tax Agreement (the "PILOT Agreement"), all consistent with the policies of the Issuer; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and in a manner consistent with Section 859-a of the General Municipal Law of the State of New York, as so required by the Issuer's governing documents, the Issuer held a public hearing with respect to the issuance of the Bonds and provision of the Financial Assistance on March 18, 2025 at 2:00 p.m. (local time), at the Town of Freedom Town Hall

(Meeting Room) located at 1188 Eagle Street, Sandusky New York 14133, following the publication on March 4, 2025 in the *Olean Times Herald* of a notice of said public hearing; and

WHEREAS, by resolution dated November 12, 2025, the County Legislature of Cattaraugus County, New York (the "Legislature"), as the applicable elected representative (as such term is defined under Section 147(f)(2)(E) of the Code), gave its unconditional approval of the issuance of the Bonds; and

WHEREAS, by resolution dated November 18, 2025, the Agency adopted a negative declaration with respect to the Project in compliance with the New York State Environmental Quality Review Act; and

WHEREAS, the Bonds are being issued pursuant to a certain Bond Purchase Agreement, dated on or about December 1, 2025 (or such other appropriate date as agreed to by the Chairman, Vice Chairman and/or Executive Director of the Issuer, each an "Authorized Officer") (the "Bond Purchase Agreement"), by and among the Issuer, the Company, and Tompkins Community Bank, as purchaser and holder of the Bonds (the "Bank"), with the payments made by the Company thereunder being sufficient to pay the principal of, premium, if any, purchase price and interest on the Bonds; and

WHEREAS, the Issuer will loan the net proceeds derived from the issuance of the Bonds to the Company pursuant to a certain Financing Agreement, dated on or about December 1, 2025, by and among the Issuer, the Company and the Bank (the "Financing Agreement"); and

WHEREAS, the Company, to secure the Company's obligations under the Bond Purchase Agreement, Financing Agreement and related documents, will grant to the Issuer a first priority mortgage lien on and security interest in the Facility pursuant to one or more mortgage and security agreements, each dated on or about December 1, 2025 (or such other appropriate date as agreed to by the Authorized Officer) (collectively, the "Mortgage"); and

WHEREAS, the Issuer will: (i) assign to the Bank its rights under the Mortgage, pursuant to the Assignment of Mortgage dated on or about December 1, 2025 (or such other appropriate date as agreed to by the Authorized Officer), from the Issuer to the Bank (the "Assignment of Mortgage") and (ii) assign certain of its right, title and interest in any and all moneys due or to become due to the Issuer under the Financing Agreement pursuant to a certain Pledge and Assignment, dated on or about December 1, 2025, from the Issuer to the Bank (the "Pledge and Assignment Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration.

Section 2. It is among the purposes of the Issuer to promote, develop, encourage, and assist in the acquisition, construction, rehabilitation and improvement of facilities for not-for-profit corporations and thereby relieve and reduce unemployment, better and maintain job opportunities and less the burdens of government.

Section 3. Based on representations made by the Company to the Issuer, the Issuer makes the following findings and determinations:

- (a) the Project is in furtherance of the purposes of the Issuer; and
- (b) the issuance of the Bonds will be an inducement of the Company to undertake the Project in Cattaraugus County, New York; and
- (c) it is desirable and in the public interest for the Issuer to issue its Bonds to finance the costs of the Project, together with certain related costs and amounts, in an aggregate amount not to exceed \$15,500,000; and
- (d) the Company is not undertaking the Project in place of, on behalf of, for the benefit of, or at the request of, the Issuer.

Section 4. In consequence of the foregoing, subject to receipt of the approval of the Legislature, the Issuer hereby determines to:

- (a) execute the Bond Purchase Agreement with such amendments or modifications as the Authorized Officer deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer, and loan the net proceeds derived from the issuance of the Bonds to the Company to the terms thereto; and
- (b) issue and deliver the Bonds to the Bank on or before December 31, 2025 (or such other date acceptable to an Authorized Officer), subject, however, to the approval of the final terms for the Bonds and the terms and conditions of the Bond Purchase Agreement are consistent with this Resolution, and the prior written approval of all terms contained therein, and the terms of the Bonds, by the Authorized Officer and by the Company; and
- (c) accept the Mortgage from the Company; and
- (d) assign certain of its rights under the Financing Agreement and Mortgage to the Bank pursuant to the Pledge and Assignment and Assignment of Mortgage, respectively; and
- (e) use the proceeds of the Bonds to finance all or a portion of the Project, including payment of all or a portion of the costs of the undertaking of the Project and to pay necessary incidental expenses in accordance with the Bond Purchase Agreement; and
- (f) execute a Tax Compliance Agreement, to be dated the date of delivery of the Bonds, by and between the Company and the Issuer and a contemplated Internal Revenue

Service Form 8038 (Information Return for Private Activity Bonds) relating to the Bonds (the "Information Return") and file the Information Return with the Internal Revenue Service in connection with the issuance of the Bonds; and

(g) execute and deliver all other certificates and documents required in connection with issuance and sale of the Bonds including the documents identified in a certain Closing Memorandum and Index (the "Closing Memorandum") and any other documents as may be required by the Bank or otherwise required to accomplish the Project and qualify the interest on the Bonds for tax-exempt status under Section 103 of the Code (collectively with the Bond Purchase Agreement, the Financing Agreement, the Bonds, the Mortgage, the Assignment of Mortgage, the Pledge and Assignment Agreement, the Tax Compliance Agreement, the Agent Agreement, Lease Agreement, Leaseback Agreement, PILOT Agreement and related documents, the "Financing Documents").

Section 5. The Issuer is hereby authorized to undertake the Project, to finance the Project Costs and costs of issuance, by the issuance of the Bonds and to grant the other Financial Assistance and all acts previously taken by the Issuer with respect to the undertaking of the Project, the grant of Financial Assistance with respect to the Project and the issuance of the Bonds are hereby approved, ratified and confirmed.

Section 6. Subject to receipt of the approval of the Legislature of the issuance of the Bonds pursuant to, and solely for the purposes of, Section 147 of the Code and any other limitation contained herein, the Issuer is hereby authorized to issue, execute, sell and deliver the Bonds to the Bank in accordance with the provisions of the Bond Purchase Agreement and the terms authorized in this Resolution. Each of the Authorized Officers of the Issuer are hereby authorized, on behalf of the Issuer, to execute (by manual or facsimile signature) and deliver the Financing Documents, on such terms and conditions as shall be consistent with this Resolution and approved by an Authorized Officer, the execution thereof by such Authorized Officer constituting conclusive evidence of such approval.

Section 7. Subject to receipt of the approval of the Legislature of the issuance of the Bonds pursuant to, and solely for the purposes of, Section 147 of the Code and any other limitations contained herein, the Issuer through an Authorized Officer, is hereby authorized to issue, execute, sell and deliver to the Bank the Bonds in the aggregate principal amount of up to \$15,500,000 in the form heretofore approved in Section 4 of this Resolution, pursuant to the Act and in accordance with the Bond Purchase Agreement; provided that:

(a) the Bonds authorized to be issued, executed, sold and delivered pursuant to this Section 7 (i) shall be issued, executed and delivered at such time as an Authorized Officer shall determine, (ii) shall be in such aggregate principal amount (not to exceed \$15,500,000) as is hereinafter approved by an Authorized Officer, (iii) shall bear interest at such rates as are set forth in the Bonds and the Bond Purchase Agreement or as are hereinafter approved by an Authorized Officer, and (iv) shall be subject to prepayment prior to maturity, and have such other provisions and be issued in such manner and on such conditions as are set forth in the Bonds and the Bond Purchase Agreement, all of which provisions are specifically incorporated herein with the same force and effect as if fully set forth in this Resolution; and

(b) the Bonds shall be issued solely for the purpose of providing funds to assist the Company to finance the Project Costs, the administrative, legal, financial, and other expenses of the Issuer in connection with such assistance and incidental to the issuance of the Bonds, as such costs are more specifically set forth in the Financing Documents; and

(c) the Bonds and the interest thereon are not and shall never be a debt of the State of New York or Cattaraugus County, New York, and neither the State of New York nor Cattaraugus County, New York, shall be liable thereon; and

(d) the Bonds, together with interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the payments made by the Company pursuant to the Financing Agreement or from the enforcement of the security provided by the Financing Documents.

Section 8. Notwithstanding any other provision of this Resolution, the Issuer covenants that it will make no use of the proceeds of the Bonds or of any other funds which, if such use had been reasonably expected on the date of issue of the Bonds, would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code.

Section 9. The Authorized Officers of the Issuer are hereby authorized and directed for and in the name and on behalf of the Issuer to do all acts and things required or provided by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, including the Financing Documents and the Information Return, and to do all such further acts and things as may be necessary or in the opinion of the Authorized Officer acting on behalf of the Issuer with all of the terms, covenants, and provisions of the Financing Documents binding upon the Issuer.

Section 10. It is hereby found and determined that all formal actions of the Issuer concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Issuer; and that all deliberations of the Issuer and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 11. The law firm of Harris Beach Murtha Cullina PLLC is hereby appointed Issuer Counsel and to the Issuer and Bond Counsel to the Issuer in connection with the issuance of the Bonds. Counsel to the Issuer and Bond Counsel to the Issuer are hereby authorized to work with counsel to the Institution and others to prepare, for submission to the Issuer, all documents necessary to effect the authorization, issuance and sale of the Bonds.

Section 12. Due to the complex nature of this transaction, the Issuer hereby authorizes its Authorized Officers to approve, execute and deliver such further agreements, documents and certificates as the Issuer may be advised by counsel to the Issuer and/or Bond Counsel to be necessary or desirable to effectuate the foregoing, such approval to be conclusively evidenced by the execution of any such agreements, documents or certificates by the Authorized Officer acting on behalf of the Issuer.

Section 13. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Thomas Buffamante				
Joseph Higgins				
Michael Wimer				
Brent Driscoll				
James Snyder				
Ginger Schroder				
Thomas Cullen				

The Resolutions were thereupon duly adopted.

	A	B	C	D	E	F
2	County of Cattaraugus	OPERATING STATEMENT				
3	Industrial Development Agency					
4	October, 2025	2025	2025	2025	2025	2024
5		APPROVED	M-T-D	Y-T-D	BALANCE	Y-T-D
6		BUDGET	ACTUAL	ACTUAL	REMAINING	COMPARISON
7						
8	INCOME:					
9	Interest on Accounts	\$42,000	\$14	\$105	\$41,895	\$6,004
10	Apps & Fees	\$425,000	\$13,281	\$247,953	\$177,047	\$502,392
11	CCCRC/Other Misc. Income	\$0	\$0	\$173	\$1,778	\$3,578
12	Total	\$467,000	\$13,295	\$248,231	\$220,720	\$511,974
13						
14						
15	EXPENSES:					
16	Wages	\$209,000	\$16,046	\$176,508	\$32,492	\$170,077
17	Fringe Benefits	\$82,000	\$5,585	\$55,981	\$26,019	\$50,735
18	A- Performance Bonus	\$20,900	\$0	\$20,100	\$800	\$21,637
19	Board Meeting/Operations	\$2,000	\$264	\$1,396	\$604	\$1,210
20	L- Business Development	\$15,000	\$5,025	\$18,303	-\$3,303	\$12,672
21	Office Supplies/Service Contracts	\$2,400	\$21	\$1,259	\$1,141	\$1,241
22	D- Office Maint./Repairs/Equip	\$5,000	\$130	\$8,727	-\$3,727	\$5,832
23	E- Office Phones/Cell/fax/internet serv	\$8,000	\$589	\$7,305	\$695	\$8,252
24	Postage	\$1,200	\$0	\$358	\$842	\$685
25	I - Public Hearings	\$700	\$0	\$866	-\$166	\$733
26	Travel/Mileage	\$3,000	\$286	\$1,605	\$1,395	\$106
27	Service Charges	\$360	\$25	\$305	\$55	\$360
28	Rent	\$20,700	\$1,425	\$14,250	\$6,450	\$14,250
29	Real Estate Taxes	\$100	\$0	\$90	\$10	\$87
30	K- Utilities	\$4,000	\$737	\$4,209	-\$209	\$3,328
31	Property/Fire/Liability Insurance	\$5,200	\$0	\$4,896	\$304	\$3,937
32	Education/Training/Prof. Development	\$4,000	\$0	\$0	\$4,000	\$0
33	Professional Associations	\$8,500	\$200	\$6,723	\$1,777	\$5,220
34	C- Professional Services	\$30,000	\$2,662	\$31,153	-\$1,153	\$63,233
35	F- Publications	\$200	\$0	\$0	\$200	\$1,498
36	G- Marketing/Promotion/Networking	\$1,000	\$474	\$2,495	-\$1,495	\$0
37	J-Railroad Services**	\$25	\$149,780	\$405,873	-\$405,848	\$0
38	Miscellaneous	\$100	\$0	\$0	\$100	-\$1
39	H -Project Expenses	\$5,000	\$0	\$20,316	-\$15,316	\$4,500
40	B- Consulting Expense	\$15,000	\$0	\$28,000	-\$13,000	\$46,140
41	Great Lakes Cheese					\$55,500
42	Total Expenses	\$443,385	\$183,249	\$810,718	-\$367,333	\$471,232
43						
44	Net Difference	\$23,615	-\$169,954	-\$562,487	\$588,053	\$40,742
45						
46	A-Yearly payment					
47	B-Includes Yearly payment and assistance with Cattaraugus DRI					
48	C-Includes payments due Harris Beach					
49	D- Includes IT invoices, accounting software, computer storage, monthly office cleaning, yearly window cleaning, lawn, flower,					
50	E- Includes monthly cell phones, internet, apple storage, storage back up and office phone lines					
51	F- Publications and ads made in local directories					
52	G- Advertisements in local newspaper					
53	H- Includes Stenographer for Alle-Catt project and SEQR work on Olean Town Centr					

I- Costs have increased and more projects than anticipated

J- Rail Repairs/Feasibility **\$120,000 reimbursed by County

K-Increase in energy costs

L- Includes sponsoring events

COUNTY OF CATTARAUGUS IDA

Balance Sheet
October 31, 2025

ASSETS

Current Assets

CATT CO. BANK	\$	345,857.80	
CATT. CO. CAPITAL RES. CORP.		48,666.27	
New CCB ISC Account 800027476		1,271,005.63	
Savings 476		2,367.04	
MMM 476		9,227.05	
CD's		80,276.75	
PETTY CASH		43.21	
SECURITY DEPOSIT - RENT		1,350.00	
Prepaid rent		1,425.00	
Accounts Receivable		10,000.00	
lease asset		73,708.92	
Deferred Outflows		90,350.00	
lease liability		(42,042.16)	
ACCTS RECEIVABLE		(138,293.42)	
PREPAID EXPENSES		150.06	
Total Current Assets			1,754,092.15

Property and Equipment

EQUIPMENT		38,423.95	
LEASEHOLD IMPROVEMENTS		22,173.08	
LAND		149,298.92	
RAILROAD/IMPROVEMENTS		907,199.96	
ACCUM DEPRECIATION		(870,546.17)	
Total Property and Equipment			246,549.74

Other Assets

Total Other Assets			0.00
Total Assets	\$		2,000,641.89

LIABILITIES AND CAPITAL

Current Liabilities

Employee Health Ins Payable	\$	3.00	
Federal Payroll Taxes		(16,009.84)	
NYS WITHHOLDING		9,002.44	
Social Security Tax Payable		4,965.47	
Medicare Withholding Tax Pay		2,049.64	
NYS PENSION-EMPLOYEE PORTION		58.85	
NYS Retirement Employer Portio		25,570.00	
Deferred Inflows		61,811.00	
accumulated amort lease asset		31,666.76	
ACCOUNTS PAYABLE		1,844.67	
ACCRUED PAYROLL		5,654.02	
ACCRUED PAYROLL TAXES		560.21	
Total Current Liabilities			127,176.22

Long-Term Liabilities

Pension Liability		112,808.00	
Total Long-Term Liabilities			112,808.00

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
October 31, 2025

Total Liabilities		239,984.22
Capital		
Retained Earnings	2,013,073.52	
CONTRIBUTED CAPITAL	310,072.06	
Net Income	(562,487.91)	
Total Capital		<u>1,760,657.67</u>
Total Liabilities & Capital	\$	<u><u>2,000,641.89</u></u>

COUNTY OF CATTARAUGUS IDA
Balance Sheet
October 31, 2024

ASSETS

Current Assets		
CATT CO. BANK	\$	254,560.47
CATT. CO. CAPITAL RES. CORP.		58,415.62
New CCB ISC Account 800027476		1,438,706.05
CD's		216,506.91
KeyBank Investment		114,137.83
PETTY CASH		75.21
SECURITY DEPOSIT - RENT		2,775.00
Accounts Receivable		10,000.00
lease asset		73,708.92
Deferred Outflows		79,305.00
lease liability		(56,156.72)
ACCTS RECEIVABLE		(8,223.14)
PREPAID EXPENSES		150.06
Total Current Assets		2,183,961.21
Property and Equipment		
EQUIPMENT		38,423.95
LEASEHOLD IMPROVEMENTS		22,173.08
LAND		149,298.92
RAILROAD/IMPROVEMENTS		907,199.96
ACCUM DEPRECIATION		(870,546.17)
Total Property and Equipment		246,549.74
Other Assets		
Total Other Assets		0.00
Total Assets	\$	<u><u>2,430,510.95</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
NYS RETIREMENT LOAN ACCT.	\$	(126.69)
Employee Health Ins Payable		3.00
Federal Payroll Taxes		(15,868.39)
NYS WITHHOLDING		8,078.12
Social Security Tax Payable		3,729.19
Medicare Withholding Tax Pay		872.15
NYS PENSION-EMPLOYEE PORTION		447.58
NYS Retirement Employer Portio		23,470.00
Deferred Inflows		10,002.00
accumulated amort lease asset		17,552.20
ACCTS. PAYABLE SERV. AGREEME		15,000.00
ACCRUED PAYROLL		7,883.29
Total Current Liabilities		71,042.45
Long-Term Liabilities		
Pension Liability		133,287.00
Total Long-Term Liabilities		133,287.00
Total Liabilities		204,329.45

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
October 31, 2024

Capital		
Retained Earnings	1,875,367.40	
CONTRIBUTED CAPITAL	310,072.06	
Net Income	40,742.04	
Total Capital		2,226,181.50
Total Liabilities & Capital	\$	2,430,510.95

Economic Impact of the Seneca Nation of Indians



OCTOBER 2025

The Seneca Nation commissioned Meister Economic Consulting, LLC ("MEC") to calculate the economic and fiscal impacts of Seneca Nation government operations and gaming and non-gaming businesses on the Western New York¹ economy. MEC utilized an input-output analysis (commonly referred to as an economic impact analysis) to determine the direct and secondary effects of the Seneca Nation's impact on the regional economy. MEC's analysis measured the Seneca Nation's economic and fiscal impacts in Western New York in 2024 but measured the results in 2025 dollars.

The results of MEC's analysis are stunning. Every year, the Seneca Nation's government and business operations generate **\$1.9 billion in output** (i.e., value of sales), support **8,014 full-time jobs**, and pay **\$542.7 million in wages**. Additionally, they generate **\$365.9 million in taxes and other payments for federal, state, and local governments**.

Economic Impact of Operations, 2024 Seneca Nation on Western New York			
Type of Effect	Output	Jobs	Wages
Direct	\$1,055,284,265	3,678	\$275,335,303
Indirect	\$450,160,645	2,090	\$140,204,490
Induced	\$443,261,828	2,247	\$127,180,793
Total	\$1,948,706,739	8,014	\$542,720,587
Detail may not equate to total due to rounding.			
Output and Wages in 2025 Dollars.			
Jobs are measured as full-time equivalents (FTEs).			

It is important to note that these numbers do not include any construction related impacts or the impacts of the private sector businesses operated by Seneca members on Seneca Nation Territory. MEC also observed that if these construction related impacts and privately owned business impacts were included in the study, then the total economic impact of the Seneca Nation would be significantly larger.

¹ For the purposes of this economic impact study, Western New York was defined as the counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Erie, Wyoming, Livingston, Ontario, Yates, Schuyler, Niagara, Orleans, Genesee, Monroe, and Wayne.

The Reader-Ranked Top 20 Resorts in the East for 2026

The results are in! There's a brand-new top dog in the East.



(Photo: Courtesy of Andy Gange)



Samantha Berman Follow

Updated October 29, 2025 03:44PM

East Coast skiers notoriously have an (icy) chip on their shoulders. Wickedly cold winters, high winds, unpredictable snowfall, rain, ice, grass, and dirt are all part of the game. As a result, those who learn to ski on the East Coast also learn how to ski just about anything.

Unsurprisingly, East Coasters often believe themselves to be better skiers, or at least more rugged. We can't argue with that. There's also something extra special about East Coast resorts: Despite having fewer bells and whistles than their Western counterparts, they often have more soul, authenticity, and straight-up classic expert terrain.

To create the rankings below, we sent out our annual Reader Resort Survey in last spring, where we ask SKI readers like you for feedback on your favorite resorts. We ask respondents to rank resorts in 18 different categories, from on-hill metrics like snow and lifts to post-ski activities, places to stay, and overall satisfaction. We try to get a sense of each resort's unique characteristics, which is why we ask tailored questions about things that matter to different types

of skiers, like how family-friendly a resort feels, or if it has a lively nightlife scene. We then take these resorts, analyze them every which way, and present them to you as the 2026 Resort Guide.

So, whether you've never skied east of Denver or grew up on the #IceCoast, you'll appreciate the Top 20 resorts on this list and the passionate skiers who spend their winters bracing for cold and basking in the few sunny days they get. We hope this helps you plan your perfect ski trip this winter, and we hope to hear from you again in spring.

The Top 20 Resorts in the East

No. 20: Seven Springs, Pa.

With an investment in snowmaking and better-than-expected skier amenities, this Laurel Highlands resort is carving out a niche in the region.

- **Last Year's Ranking:** n/a
- **Strengths:** Access, Nightlife
- **Weaknesses:** Terrain Variety, Value
- **Likelihood to Return:** 20/20
- **Pass:** Epic

)

One of Pennsylvania's most popular ski areas, Seven Springs offers 285 skiable acres and a 750-foot vertical drop, making it a good-sized resort for the state. The Vail Resorts-owned property pleases readers with its impressive amenities, including several après bars, restaurants, and convenient lodging choices.

Of course, the local and regional skiers coming here aren't expecting knee-knocking terrain, but overall, they're pleased with the diversity of the slopes, especially the accessible beginner and intermediate runs. They also love the night skiing and the multiple terrain parks featuring all manner of rails, jumps, boxes, and more.

Where readers think the place can be improved is with better snowmaking; speaking of which, the resort added additional snowguns this season with the hopes of opening earlier with a better-quality surface. They're also in the process of upgrading their grooming fleet.

At the end of the day, Seven Springs offers up a quality experience for daytrippers and weekenders needing a ski fix, with a range of solid lodging to choose from and more than a few bars to belly up to at après. Camaraderie, convenience, and ski amenities? We'll take it.

Most Insightful Reader Comment

"Old-school vibe, excellent staff, locals are awesome. Management is starting to be proactive in terms of actual skier support, with a good terrain park, some moguls, and opening more terrain. The grooming crew is starting to get it."

No. 19: Okemo Mountain Resort, Vt.

A family-friendly destination that's light on challenge but heavy on well-groomed cruisers and off-slope fun.

- **Last Year's Ranking:** 19
- **Strengths:** Grooming, Lifts
- **Weaknesses:** Terrain Variety, Challenge
- **Likelihood to Return:** 16/20
- **Pass:** Epic

Holding steady at the second-to-last spot, Okemo remains a solid choice for ski families thanks to its focus on snowmaking, its efficient lift network, and its consistent grooming. A medium-sized resort by Vermont standards, Okemo's 667 skiable acres lean heavily toward intermediate-focused, which is just fine by the many families who frequent the destination. That same crowd also appreciates the convenient lodging options, especially at the Jackson Gore base, as well as the off-slope amenities like the heated outdoor pool, the ice rink, and group fitness classes. From a more advanced skier's perspective, the resort lacks good challenging terrain (coming in dead last in that category) and can get crowded on the weekends, leading to long lift lines and bottlenecks in certain areas. But readers did note that Okemo takes the time and effort to groom many of the black runs they do have, saying it doesn't go unnoticed. They also appreciate the bubble lifts that serve the upper mountain, especially on those frigid New England days when the wind blows right through you. "High-speed lifts to the upper mountain terrain make gaining vertical so easy. Bubbles are a huge bonus in New England!"

Most Insightful Reader Comment

"A great resort on the East Coast. Fast lifts and nice terrain variety. A fun place to ski."

No. 18: Loon Mountain, N.H.

New Hampshire's most accessible major ski area serves up plenty of interesting terrain served by speedy lifts, but it can get very crowded.

- **Last Year's Ranking:** 18
- **Strengths:** Access, Après
- **Weaknesses:** Parking, Value
- **Likelihood to Return:** 19/20
- **Pass:** Ikon

Being one of the closest ski resorts to Boston comes with its pluses and minuses, and Loon, set in the scenic White Mountain National Forest, knows all about those. Boasting an impressive vertical drop across 403 skiable acres, Loon

benefits from an efficient lift system that works hard to move skiers up and out of the base as quickly as possible. But as a weekend crowd magnet, that's often easier said than done, according to Loon skiers.

The ski area has also positioned itself to be a place where folks like to congregate after their ski day, with a decent selection of bars and restaurants, and a lodging scene that landed itself just outside of the Top 10. Not too shabby. Readers would like to see the resort take better care of its snow surface with more snowmaking and better grooming efforts, and many mentions were made of the difficult parking situation. But then again, that's the cost of being easy to get to with a charming ski town, Lincoln, that's a draw in and of itself. "Great lift system and terrain variety, and I just love the town of Lincoln!"

Most Insightful Reader Comment

"Has many charming bits that make it special—the train in the parking lot, amazing trail names—plus the mountain is so windy and hilly you feel like you are traveling in a new place every direction you ski."

No. 17: Stratton Mountain Resort, Vt.

A southern New England hotspot for well-groomed cruisers with a quiet, family-oriented village at its base.

- **Last Year's Ranking:** 17
- **Strengths:** Family Friendly, Grooming
- **Weaknesses:** Local Flavor, Snow
- **Likelihood to Return:** 17/20
- **Pass:** Ikon

Another destination resort holding steady at last year's ranking, Stratton's easy access from many parts of New England and the Tri-State metro areas makes it a popular spot on peak winter weekends. ("It's 'Lord of the Flies' out there some days," commented one reader.) Home to just under 100 runs across 600 skiable acres, the place can accommodate said crowds fairly well, thanks in part to its fast lift network, which it continues to upgrade to help keep up with the masses. A plan to replace the old Tamarack triple with a quad was recently announced, but that won't debut until next season.

Crowds aside, readers like Stratton's family-friendly terrain and amenities, think the grooming is consistent throughout the season, and like the wide-open feel of the runs. They'd like to see better snowmaking earlier in the season, as well as more amenities—dining, bars, etc.—with a little more personality. But those coming for a ski weekend will have everything they need, even if they're sharing it with more people than they'd like.

Most Insightful Reader Comment

"They really take care of their snow. Grooming seems to be first-rate most of the time. I like that they have enough terrain to leave some areas bumped up with moguls."

No. 16: Mont Tremblant, Que.

A little slice of the French Alps in North America, with just the right mix of skiing, dining, après, and winter-wonderland vibes.

- **Last Year's Ranking:** 16
- **Strengths:** Après, Dining
- **Weaknesses:** Access, Terrain Variety
- **Likelihood to Return:** 13/20
- **Pass:** Ikon

There are some destinations where the skiing is just one part of the experience. Tremblant is one of those. Home to a Euro-meets-Disneyland type of vibe, Tremblant has an incredible, amenity-rich village with some of the best ski-town dining outside of the Alps. From the après-ski to the chi-chi lodging, a trip here is about the entire experience. That's not to say that the skiing isn't worth the trip. While not the biggest mountain, Tremblant's 763 skiable acres are enough to satisfy most comers, though skiers looking for serious steeps, terrain variety, or sustained vertical might be left wanting.

Readers laud Tremblant for its unique setting and ski experience. Much care is taken in the village and on the slopes to offer a manicured blend of guest service, international culture, and attention to detail. Things like ice-skating under the lights and soaking in the Scandinavian spa give this place an elevated feel. Accordingly, readers felt incredibly welcome and taken care of, and that's no small thing. "The staff at Tremblant treat us like family," shared one survey respondent.

It's not the easiest place to get to, but that helps keep some of the crowds at bay. No matter how you slice it, it's easier to travel to than the Alps, so when you're craving a little "je ne sais quoi" without the added expense or vacation time, it'll more than do.

Most Insightful Reader Comment

"It may not be the gnarliest or snowiest, but it is the best for a family vacation to give you all the best apres as well as a fun time in the snow."

No. 15: Waterville Valley, N.H.

A little gem beloved by families and chock-full of charm and community spirit.

- **Last Year's Ranking:** 10
- **Strengths:** Access, Family Friendly

- **Weaknesses:** Nightlife, Terrain Variety
- **Likelihood to Return:** 8/20
- **Pass:** Indy

It might be small—265 skiable acres—but what Waterville lacks in size and scope, it makes up for in charm and hospitality. With a scenic White Mountains setting, a character-filled little village, and a solid community feel, Waterville attracts young families who want their kids to learn to ski at a smaller, independent resort. In fact, many survey respondents said that they themselves learned to ski here and were thrilled to pass the tradition down to their own kids.

Other pluses for Waterville include the easy access from Boston, 100 percent snowmaking, and ample beginner and intermediate terrain to satisfy learners for the entire winter. Not surprisingly, true expert terrain is in short supply, and the village, while charming, is positively sleepy in the evenings. But when the kids are going to bed early anyway, that works out just fine.

Most Insightful Reader Comment

“Waterville is the best, with a well-laid-out trail system that makes the slopes feel open and inviting. The town is also a real gem, an island in the middle of the forest. Just love it.”

No. 14: Sugarbush Mountain Resort, Vt.

A classic northern Vermont ski destination steeped in history and authenticity.

- **Last Year's Ranking:** 14
- **Strengths:** Guest Service, Terrain Variety
- **Weaknesses:** Lifts, Grooming
- **Likelihood to Return:** 15/20
- **Pass:** Ikon

Known for its terrain variety and challenging slopes, Sugarbush will always be a winning combination for a certain type of skier: namely, one who flocks to the ski area's iconic gladed terrain and the technical steeps. But survey respondents were also quick to call attention to the ski area's solid offerings for intermediates and wide-open low-angle runs at the bottom of the mountain. “Unsurpassed for its variety of terrain for steeps, trees, and groomers,” commented one reader.

Survey respondents love Sugarbush's authentic vibe, but some feel that its commitment to its ski legacy keeps it from moving into the future. Citing slow lifts and a lack of grooming, SKI readers lamented that the place can feel overly

crowded on the weekends. However, others said that they keep coming back because they love Sugarbush's old-school vibe.

Regardless of where you stand on that, the excellent terrain itself can't be knocked. Whether you prefer the tight trees of Castle Rock or Jester's classically New England hairpin turns, the 'Bush is a proud skier's mountain. Off the hill, village amenities keep skiers comfortable with ample lodging, dining, and après options, but it's worth noting that this is not a place with hopping nightlife. Gotta get up early anyway to crush all that expert terrain, anyway.

Most Insightful Reader Comment

"Sugarbush is a long-standing favorite of mine, with excellent terrain and reasonable crowds compared to resorts further south in Vermont."

No. 13: Cannon Mountain, N.H.

Steep, rugged, and au naturel, this state-owned ski area with a cult following is tailor-made for advanced and expert skiers.

- **Last Year's Ranking:** 12
- **Strengths:** Challenge, Access
- **Weaknesses:** Nightlife, Après
- **Likelihood to Return:** 10/20
- **Pass:** Indy

Cannon's category rankings and comments paint a pretty clear picture of the vibe, culture, and experience on tap at this ski area. With high marks in challenging slopes and the overall variety of terrain, this is a place beloved by experts and advanced skiers looking to test themselves on the narrow, steep trails of the upper mountain. Positive scores in Local Flavor and Overall Satisfaction reveal that Cannon has a strong community and the support of many locals who spend a lot of time there every winter.

If the comments are any indication, Cannon skiers remain mostly pleased with the experience. Many acknowledged that the state-owned ski area is limited in what it can upgrade and improve due to low budgets, and praised it for remaining a good value compared to other resorts in the region. But other readers vented that certain improvements are needed to keep the place safe and running smoothly. "They need to improve the lifts. The ones they have are mostly old and unreliable and they often have several key lifts closed because of staffing issues," one reader shared. The bottom line is that dedicated skiers come to Cannon for the old-school vibe, natural and ungroomed terrain, and the unique culture that the place is steeped in. Yes, it's cold, steep, and bumped up, and the cult of Cannon wouldn't have it any other way. "Cannon is a real-deal skier's mountain. Enough said."

Most Insightful Reader Comment

"Being state-owned and in a state park has put it at a disadvantage to other private resorts, but it maintains the classic New England skiing charm. The staff are great, the atmosphere is optimistic, and I have had some of the best chairlift conversations with locals who have skied here for the last 50 years! A cult following for those unapologetically Cannon lovers."

No. 12: Stowe Mountain Resort, Vt.

A true destination resort with terrain for everyone and an authentic Vermont town that charms all visitors.

- **Last Year's Ranking:** 13
- **Strengths:** Challenge, Lodging
- **Weaknesses:** Value, Parking
- **Likelihood to Return:** 18/20
- **Pass:** Epic

Moving up one spot in the rankings, Stowe remains one of the most beloved and quintessential ski destinations in New England. Skiers adore the Mount Mansfield terrain, giving the resort high marks for both challenge and terrain variety. "As legendary as Stowe's Front Four trails are, there's plenty of great beginner and intermediate terrain," commented one survey respondent.

Gripes persist in the areas of crowding and parking—two issues that are no doubt related—with readers concerned with overcrowding at the base, safety in the most choked-up areas, and the high cost to park on weekends and holidays. "Charging \$30/day for parking Fri - Sat is a ripoff," complained one reader. Another skier was more understanding of the parking fees, but would prefer to see the resort limit skier numbers to keep crowding in check. Across the board, everyone praised the charming ski town of Stowe, with its clapboard buildings, great dining and shopping, and Norman Rockwell nostalgia. "The town of Stowe is a foodie heaven," commented one skier. Indeed, high rankings in all of the skier amenities, from lodging to nightlife, confirm that the resort values the off-slope vacation experience and strives to be a place that appeals to all skiers. "Stowe combines the best of skiing, charm, family-friendliness, and up-to-date facilities and lodging."

Most Insightful Reader Comment

"The resort itself has a lot of great terrain for all abilities, from gentle groomers for beginners to steep bump runs for experts and everything in between. And the town of Stowe is full of great restaurants, coffee shops, bars, and lodging."

No. 11: Gore Mountain, N.Y.

A no-frills ski area with legit terrain and a throwback vibe.

- **Last Year's Ranking:** 8

- **Strengths:** Value, Lifts
- **Weaknesses:** Nightlife, Lodging
- **Likelihood to Return:** 14/20
- **Pass:** SKI3

Gore might have fallen a bit in the rankings, but if the comments are any indication, this state-run ski area is doing just fine by its clientele. Home to 450 skiable acres, this medium-sized mountain packs a surprising punch when it comes to the overall ski experience. Readers love the resort not only for its solid terrain that's great for all ability levels, but also for the great value it offers. "It's probably the best deal in the country, lift-ticket-wise," advised one reader.

Gore skiers also appreciate the efficient lift network and the resort's accessibility from several metro areas. Located in the Adirondack Park, Gore, operated by the state of New York, offers no slopeside lodging and few skier amenities than other comparable resorts. The closest places to bed down for the night are in North Creek, just down the road from the mountain. But Gore skiers love the lack of the development, saying it keeps the place pristine and preserves its back-to-nature feel. "Everywhere you look, you see Adirondack wilderness and less development," said one survey respondent. "A true experience of nature on the mountain."

Most Insightful Reader Comment

"Great local vibe with old-school feel and ease of use. No frills, but still great amenities. Trail variety included surprisingly good expert trails for the East Coast. Great spot for folks who want a ski experience like they remember growing up."

No. 10: Sunday River, Maine

Fast lifts, great grooming, and a focus on families come together at this remote destination resort.

- **Last Year's Ranking:** 7
- **Strengths:** Grooming, Lifts
- **Weaknesses:** Access, Value
- **Likelihood to Return:** 12/20
- **Pass:** Ikon, Mountain Collective

Just hanging on in the Top 10, Sunday River's expansive terrain and attention to the details that matter to skiers—including high scores for grooming and lifts—keep visitors pretty pleased with the vacation experience. Survey respondents also ranked the resort highly for its breadth of lodging, its nightlife and dining scenes, and how

welcoming the ski area is for families. Add all of that together, and you get a well-rounded ski vacation that checks many boxes for ski travelers.

Readers ding Sunday River for being a bit spendy and hard to get to. The former is subjective; the latter can be a bonus, if you're one of those people who consider the journey to be part of the experience. It also helps keep crowds in check.

One place where the resort has excelled over the last several years is in upgrades to its lift network. As part of the Sunday River 2030, two high-speed, high-capacity chairs have been added or upgraded, and several more are planned. It's not gone unnoticed. "Terrain for miles. I like skiing peak to peak during the day and exploring. Best lifts in the East after recent upgrades."

Most Insightful Reader Comment

"I love everything about Sunday River. Some of the most unique glade runs I've skied, and some of the best après—if not the best on the East Coast—at the Foggy Goggle. Great restaurants and bars off the main drag."

No. 9: Jay Peak, Vt.

Home to the best snow in the East, complemented by excellent terrain variety and classic New England steepes.

- **Last Year's Ranking:** 3
- **Strengths:** Snow, Challenge
- **Weaknesses:** Lifts, Grooming
- **Likelihood to Return:** 9/20
- **Pass:** Indy

Jay Peak has its dedicated followers who know it boasts some of the most powder in the East, as well as the toughest and most brag-worthy terrain. That is not contested. It also has some loyal guests who love all of those things, but still want to see some capital improvements on the mountain, specifically when it comes to lifts.

Complaints about Jay's aging lift network made multiple appearances in the reader comments, which could be the answer to its six-spot drop on the rankings. The long lift lines often found at the beloved tram could be another. But if you look between the lines, you have no choice but to make note of the fact that skiers love Jay so much, they're driving past a dozen other resorts to get there.

"Jay has the best vibe on the East Coast," commented one reader. "It's a challenging mountain, but it just feels different thanks to the overall level of skiers and the quality of consistent snow."

Survey respondents lauded the resort for its off-slope amenities, including its nice slopeside lodging and family-friendly activities like the Pump House waterpark. The resort also cracked the Top 10 for its affordability, welcoming staff, and authentic vibe. But as it goes with skiers, the way to our heart is with pure, deep powder, and nowhere in the

East comes through like Jay. "For the East Coast, Jay has the best snow you could ask for and more, with the terrain to actually take advantage of it."

Most Insightful Reader Comment

"Great snow, great glades, great terrain. I felt like I was out West with the snow quality and quantity last year."

No. 8: Mad River Glen, Vt.

Vermont's most authentic, home-grown ski scene, with a cult-like following that likes it just the way it is.

- **Last Year's Ranking:** 1
- **Strengths:** Terrain Variety, Challenge
- **Weaknesses:** Lodging, Grooming
- **Likelihood to Return:** 3/20
- **Pass:** n/a

Mad River Glen might have dropped a bit in the rankings, but the ski area still claimed a record-high FIVE No. 1 category rankings—more than any other East Coast resort. Topping the list in terrain variety, challenge, value, local flavor, and overall satisfaction, MRG remains a reader favorite for its core skier attributes. Readers heaped praise on the place for its authenticity, snow quality (no manmade snow here), welcoming vibe, and its overall commitment to preserving the soul of the ski experience—something in short supply these days. "It's the last old-school low-key mountain in the U.S. that has expert terrain and lets you live-and-let-ski," shared one reader.

The small but mighty skiing-only area has a cult-like following that insists it can do no wrong, despite the fact that it's low on off-slope amenities like dining, lodging, and après-ski options. Actually, there is one complaint that's recurrent throughout the reader comments: parking. "The parking lot is horrific!" admitted one reader. "People park wherever they want with no regard for other cars and people." It also pulled in the dead-last score for grooming, but that seems just fine by most MRG faithfuls.

Indeed, MRG skiers like the resort just the way it is, and hope that management gets the message they're putting down. If that's not crystal clear by now, this survey respondent leaves no doubt: "Don't change a thing."

Most Insightful Reader Comment

"Not only is it the most fun skiing on the East Coast, the vibe and character are unmatched. It's a special place where people truly care about skiing. The 30-minute line for the single is well worth it as the slow lift keeps the trails uncrowded and the snow fresh. Plus, after a run there you need to rest your legs."

No. 7: Smugglers' Notch, Vt.

A proven family resort that doesn't disappoint experts looking to challenge themselves on some of the toughest terrain in the state.

- **Last Year's Ranking:** 5
- **Strengths:** Terrain Variety, Guest Service
- **Weaknesses:** Lifts, Dining
- **Likelihood to Return:** 5/20
- **Pass:** n/a

It's easy to see Smugglers' Notch's kid-friendly amenities and convenient lodging and assume that it's "just" a family resort. That would be a huge mistake. Yes, the northern Vermont destination resort nabs the top spot for its family-friendliness, but it also ranks in the Top 5 for the core-skier metrics of snow, terrain variety, challenge, and grooming. In other words, Smuggs proves that a resort can have it all—great terrain, character, and amenities—to appeal to a wide variety of skiers.

If there are knocks against Smuggs, they're mostly about the resort's slow, old lift infrastructure. Readers griped about long lift lines thanks to all of the slow double chairs, and said that adding some higher-capacity, faster lifts would help move skiers out the base areas quicker. However, one level-headed respondent dared to disagree: "I often wish the lifts were high-speed quads, but then that would mean that costs would increase and the self-righteous, always in a rush people would start showing up. So, I think I prefer to keep it just the way it is!"

He has a point. Skiers don't come to Smuggs to crush vertical and set Strava records. There are other places to do that. They come to soak in the beauty of the Green Mountain views; to cruise the groomers off Sterling Mountain and challenge themselves on the steep slopes of Madonna Mountain. They come to pass their love of the sport down to the next generation on the same slopes they learned to ski on. And there are few better places for all of those things than Smugglers' Notch. "Been skiing at Smuggs with my kids since they were preschoolers and now with the grandkids. This is a family resort for folks who love winter sports of all types. My grandkids have had the same instructor as my kids, and that's something!"

Most Insightful Reader Comment

"Smugglers' Notch offers a family-friendly, ski-in/ski-out atmosphere that's great for any skill level, at any age. Yeah, the lifts are slow and old; take advantage of the slower ride to chat with the family member or friend you ride up with, take in the beauty around you, and rest for the next run! Slowing down sometimes is good for the soul."

No. 6: Killington Resort, Vt.

The East Coast's biggest ski area dishes it out on the slopes by day and on the Access Road by night.

- **Last Year's Ranking:** 9
- **Strengths:** Lifts, Nightlife
- **Weaknesses:** Family Friendly, Value
- **Likelihood to Return:** 11/20
- **Pass:** Ikon

Killington clawed its way back into contention this year, proving that the "Beast of the East" is still a skier favorite. And really, what's not to like? The biggest ski area on the East Coast, the Ikon Pass resort is one of the few that can truly sustain a multi-day vacation and leave you wanting more.

With a central-Vermont location that makes it a convenient drive for not only New Englanders but also from metro-area New York and New Jersey, Killington's breadth of terrain is certainly a draw. This is a place where skiers of all abilities will find plenty of suitable terrain. But its offerings off the mountain are where Killington really shines. From lodging and dining to a hopping après scene and hands-down the best nightlife you'll find in the East, Killington closes the loop on the well-rounded destination ski trip. "Great nightlife, the best on the East Coast. Also, there's a TON of terrain when 100 percent open, which helps with the lift lines."

The not-so-great? Readers said that the prices are too high across the board, and that, combined with big weekend and holiday crowds, makes it less appealing for families. But when you're looking for a place to go hard—day and night—you can't do much better than The Beast.

Most Insightful Reader Comment

"Killington had more than double the number of open trails than any other New England resort I could day trip to when I went in December and on my last day of the season on April 9. A good option on cold days due to the multiple gondolas and the Snowdon Six bubble lift. I like some of the adjustments the new ownership group has made so far, and Killington already feels much more Vermont than it did several years ago."

No. 5: Bretton Woods, N.H.

The pinnacle of refined, classic New England skiing with fast lifts, perfect grooming, and the best snowmaking in the East.

- **Last Year's Ranking:** 4
- **Strengths:** Snow, Grooming
- **Weaknesses:** Challenge, Nightlife
- **Likelihood to Return:** 7/20
- **Pass:** n/a

New Hampshire's largest ski area, Bretton Woods, is the poster child for polished New England skiing. Tucked beneath the dramatic face of Mount Washington and framed by the historic Omni Mount Washington Hotel, the resort delivers an experience that feels both timeless and finely tuned. Known for its near-perfect grooming, Bretton Woods consistently ranks among the best in the East for snow surface quality, and readers noticed. "Snow conditions and grooming are always fantastic!" enthused one survey respondent.

Bretton Woods' guest service is another strength. From the moment you arrive, you feel incredibly welcome, and that extends to every interaction on the slopes. It's the type of destination where the attention to detail is everywhere—things like ski valets who lay out your skis every morning and guides who provide complimentary mountain tours. These are the things that make a vacation feel like one, and with high rankings in so many skier amenities—including lifts, parking, access, lodging, and dining—it's no surprise that Bretton Woods checks these boxes.

Readers' gripes were limited to the overall challenge of the slopes and the lack of nightlife. This is not a place you seek out for hard-charging by day or eve. Indeed, the Bretton vibe is relaxed and family-friendly— a spot for board games with the groms after a full day on the groomers or sipping an Irish coffee in front of the Omni Mount Washington's massive hearth. "We're in a pocket here in Northern New Hampshire with seven resorts all under an hour drive of each other and Bretton Woods continually outshines everyone else with the best snow and the least amount of traffic and lift lines. They're hard to beat around here."

Most Insightful Reader Comment

"This resort is ideal for families, beginners to intermediates, and those looking for a scenic, laid-back vibe. There's a solid ski school, friendly terrain, and a good range of slopes that allow for progression without being intimidating. Advanced skiers or hard-chargers may want more challenge or steeps, but I think they'll find the challenge if they focus on their skiing, not just ripping runs top to bottom."

No. 4: Holiday Valley, N.Y.

Western N.Y.'s beloved destination resort boasts perfect snowmaking and grooming, plus a charming ski town that pleases all comers.

- **Last Year's Ranking:** 11
- **Strengths:** Lifts, Lodging
- **Weaknesses:** Terrain Variety, Challenge
- **Likelihood to Return:** 4/20
- **Pass:** n/a



Resort)

(Photo: Courtesy of Holiday Valley

Ya'll love Holiday Valley. Like, really, really love this place. Survey after survey, the comments are filled with reasons why Holiday Valley deserves such a high ranking, and this year was no different. Suffice it to say, this place is doing something right despite its small size (290 skiable acres) and Western N.Y. location. Said one reader: "For an East Coast resort with less than 1,000 vertical feet, the terrain variety and the layout of the resort are very good."

So what do you love so much? Holiday Valley earned Top 5 rankings in the metrics of snow, lifts, guest service, parking, family-friendliness, and a few other categories. This is a place that's beloved by its regulars, and also rolls out the red carpet to new visitors, especially young kids. Skiers love the amenities on tap at the mountain, including some core-skier features like the modern and efficient lift system, the great snowmaking coverage, and the grooming program that serves up well-coiffed slopes every morning. Lodging, dining, and nightlife at Holiday Valley all can't be beat—literally, the resort scored No. 1 in all three, and No. 2 in après—thanks to the scene on tap down the road in quaint Ellicottville, one of the East's most underrated ski towns.

Survey respondents did find some fault with the place, namely, when it comes to terrain variety and challenge. There just isn't much expert terrain, nor enough total runs to keep intermediates and up engaged for longer than a weekend. But that doesn't bother the HV faithful, who've been returning for years to enjoy the complete vacation experience it serves up. "They continually pump money into it. The lifts are extraordinary, and the grooming is impeccable."

Most Insightful Reader Comment

The vertical isn't the greatest, but they make up for it with investing into everything they need, including snowmaking, grooming equipment, and attention to detail, as well as all the other supportive services such as friendliness of staff, numerous and unique festivals, amenities, and dining experiences."

No. 3: Whiteface Mountain, N.Y.

The Olympic mountain makes a triumphant return to the rankings and nabs a bronze medal for its rad terrain and well-rounded vacation experience.

- **Last Year's Ranking:** n/a
- **Strengths:** Lifts, Terrain Variety
- **Weaknesses:** Après, Family Friendly
- **Likelihood to Return:** 6/20
- **Pass:** Mountain Collective, SKI3

After a short hiatus, Whiteface not only returns to the Top 20 rankings but also with an impressive third-place finish. Not too shabby for this Olympic mountain with the ski chops to lure high-level skiers and the amenity-rich nearby town of Lake Placid to take care of them.

Boasting the longest vertical drop in the East—3,430—Whiteface ranks high in both its terrain variety and the challenge of its expert slopes. (There's nothing else East of the Rockies that compares to the expert skiing of The Slides," remarked one respondent.). Readers also pointed out that the ski area's lift network is one of the fastest on the East Coast, and especially appreciate the Cloudsplitter Gondola, which ferries skiers from the base to the top of Little Whiteface. While not the largest ski area—there are 288 skiable acres—survey respondents agreed that Whiteface makes the most of its small footprint, featuring enough long, cruisy blues and lower-mountain beginner terrain to satisfy all levels of skiers.

While there are limited off-slope amenities at the resort itself—it's located in development-limited Adirondack Park—the town of Lake Placid delighted readers with its authentic Main Street and its plethora of dining, lodging, and shopping outlets. Unlike some ritzier destinations, Placid and Whiteface keep it real: great skiing, comfortable bed, full bellies, and Adirondack views for miles. "Best skiing in the East, hands down. No frills. Rustic. A skier's and racer's mountain."

Most Insightful Reader Comment

"What I like most about Whiteface is the sheer vertical; it's the biggest in the East, and you can feel it in every run. The terrain is legit, with long cruisers, challenging steeps, and some of the best glades in the region. I also love the Olympic history and the rugged, authentic vibe of the mountain. It's a place for real skiers and riders, and when the snow hits right, there's nowhere better."

No. 2: Sugarloaf Mountain, Maine

Terrain for days, plenty of skier amenities, and that certain soulful vibe that turns a ski trip into a memorable vacation.

- **Last Year's Ranking:** 6
- **Strengths:** Terrain Variety, Challenge
- **Weaknesses:** Access, Lodging
- **Likelihood to Return:** 2/20
- **Pass:** Ikon

Sugarloaf kicks off the state of Maine's two-resort sweep of the East rankings this year, and if you're a skier who loves a good adventure, you'll get why the 'Loaf rose to the No. 2 spot this year. Lauded for its excellent terrain—both in its variety and its challenge—Sugarloaf has the skiable acres, topography, and infrastructure to keep high-level skiers busy for the better part of a week-long stay. It also boasts great snow and grooming, and nabbed Top 5 rankings for its friendly service and lively après and nightlife scenes. "This is the kind of resort where you'll have fun every visit." If there are knocks to be shared, survey respondents said that the grooming could be better, and the lodging scene can use a boost—specifically that it doesn't feel like there's enough of either to keep up with the demand. But that's what happens when skiers really love a place: they want to keep coming back (Note that Likelihood to Return score, above.) Filled with character—and characters—Sugarloaf knows how to turn a ski trip into a vacation for the ages. Or, as one skier deftly put it: "You know the cliché about how some ski resorts have 'soul'? Well, it's not a cliché at Sugarloaf. It's almost as if the mountain itself is happy you're there." We concur.

Most Insightful Reader Comment

"Sugarloaf ain't easy to get to, but that is its charm. People aren't expecting glitz and glamour, just a memorable experience with family and friends."

No. 1: Saddleback Mountain, Maine

Our new No. 1 resort in the East is an independent-minded ski area that values the local community and prioritizes the on-slope ski experience.

- **Last Year's Ranking:** 2
- **Strengths:** Grooming, Lifts
- **Weaknesses:** Access, Lodging
- **Likelihood to Return:** 1/20
- **Pass:** Indy

(Photo: Andy Gagne)

A ski resort doesn't clinch the No. 1 spot in our Top 20 rankings because it gets the highest scores across the board in every category. It earns the top spot by getting consistently high rankings in the categories that **matter most to serious**

skiers. With Top 5 scores in snow, terrain variety, challenge, lifts, grooming, and value, Saddleback was a shoe-in for the top spot in the East. (Bonus that it took the No. 1 rank for parking, too.)

Survey respondents dig this place not for any one specific reason. It's a vibe, a spot where rad terrain—2,000 vertical and 600 skiable acres—coexists with an authentic community feel that comes with being an independently owned mountain. Saddleback lures skiers the honest way, by staying affordable and making inroads with the local community; the resort makes visitors feel seen and valued, and you can't put a price on that.

Reopened in 2020 after being shuttered for five years, Saddleback also has the benefit of being the newish kid on the block, enticing curious Eastern skiers to make the trek to this northern Maine destination resort. Readers have been pleasantly surprised by the experience, from the classic narrow cruisers that wind down from the summit to the steep trees in the Casablanca glades.

Saddleback's lowest scores come in the categories of access—"move the mountain closer to civilization," joked one reader—lodging, and nightlife. In other words, don't drive all this way expecting to be wine-and-dined; the nearby town of Rangeley is home to ample lodging, dining, and après options. But if you've come to ski, you won't be disappointed. "Saddleback's expert terrain rivals the best of the Western mountains," one reader praised. "Think Jackson Hole or Snowbird, albeit in a smaller footprint."

Most Insightful Reader Comment

"A hidden gem, just hard to get to! Woods and glades off Kennebago Quad are outstanding! Crowds disperse well all over the mountain."

New York's all-electric building law faces legal challenge

New York's plan to phase out natural gas in new buildings just hit an unexpected snag. Here's what is putting the brakes on this major energy shift.

The state's All-Electric Buildings Act, which would ban natural gas hook-ups in most new construction, has been put on hold after several companies challenged it in federal court.

The companies argue that the state law conflicts with federal regulations. The law would ban gas connections in new buildings under seven stories starting Jan. 1, and in all other new buildings starting in 2029.

The federal court agreement temporarily suspends the state's new regulations while the case moves through the appeals process and possibly all the way to the U.S. Supreme Court.

Large renewable energy projects are blindsiding upstate communities

Renewable development brings in revenue for communities but is sited without local signoff creating tension between neighbors.

Solar arrays in upstate New York.

Jim Franco, Times Union

By [Ezra Bitterman](#), Staff Writer Nov 9, 2025

OAKFIELD — For much of this past summer, the piercing clangs of metal on metal penetrated the bucolic farm country surrounding Donna Harris' 30-acre hay farm nestled in the heart of Genesee County. The noise from the massive solar project was largely the result of steel beams being driven into the earth to hold up the thousands of panels that will convert sunlight into energy. For Harris, whose residence is part of the farm, the jarring work will forever change the viewshed of her property that sits about 40 miles west of Rochester.

"My horses can't take this," Harris recalled telling the developer at one point, referring to her equines she named Sonny, Fred Astaire, Tal and Lola.

Upon its scheduled completion next year, the project known as Cider Solar will be the state's largest solar facility, consuming 2,452 acres of rural farmland — a little more than 25 times the size of Albany's Washington Park.

For struggling farmers or landowners seeking to get compensation for their properties, the payoffs can be lucrative and often far exceed what can be reaped from raising crops. Jim Czub, a Schaghticoke soybean and corn grower, said he can make up to six times more on land dedicated to solar instead of harvesting crops.

Additionally, lucrative payments from renewable energy developers are lowering taxes and creating rainy day funds for many of the small upstate communities that house them.

The Genesee County project is one of many renewable energy endeavors being developed upstate to try and meet the state's clean energy mandates and the growing power demand expected from electrification regulations and artificial intelligence data centers.

And nearly all of the projects are being overseen by a first-of-its-kind office the state Legislature created five years ago to enable renewable energy projects to speed through review processes, even if that means pushing aside local control.

The Office of Renewable Energy Siting and Electric Transmission has established a one-stop shop for renewable power developers to get necessary siting and environmental approvals for their energy and transmission facilities.

The intent was to streamline the permitting process and also prevent local zoning regulations that are deemed "unreasonably burdensome" to be allowed to block or slow down projects. The fallout has been that local municipal agencies, and also the voices of their residents, have been frequently big-footed in the process, according to a Times Union review of multiple projects.

For example, South Ripley Solar, a large-scale project in Chautauqua County, was able to override several sections of the town of Ripley's Solar Law. And in some cases, municipalities agree to have local rules removed for renewable energy developers.

The rapid development of solar projects across upstate is helping New York try to reach the mandates of the 2019 Climate Act — which many have said are unattainable under the statute's time frame — but also dividing communities and families. Pastoral farmlands and environmentally sensitive terrain are often the recipient of the projects, which can bring a financial windfall for some while creating eyesores and consternation for their neighbors.

Back in Oakfield, the Cider Solar project has "put a strain on everybody's relationships," Harris said. She had considered leasing her land to solar developers because she supports "green energy," but decided against it after she said they became pushy. Harris and her two siblings each inherited a share of their family's farm. Now, Harris is the only one still farming for a living as her siblings have decided to lease their share of the property to energy developers.

"It's hard because I know how hard my parents worked for it," Harris said. "My property here is the only little thing left of my parents that is not going into solar, which is really sad."

Harris said she hardly speaks with her siblings anymore.

'Pitting neighbor against neighbor'

Some residents are turning to local officials like Robert Crossen, the supervisor in the town of Alabama in northwest Genesee County, to voice concerns over incoming renewable projects. On a recent drive through roads lined with colorful fall foliage, birds were soaring in tight formation overhead as Crossen listed off the names of residents who'd approached him with concerns about a proposed solar project. He pointed to a newly built house, saying, "young couple comes to find out, right up to their back door is going to be solar panels."

Renewable development puts him in a tough position because local governments have little ability to fight the projects and almost no say in whether to approve them.

"I feel bad because these people who lease the parcels, I understand why they're doing it with so much money (at stake)," he said. "But the people that are impacted by it, I also know, and they're very upset about it, too, so it's kind of pitting neighbor against neighbor."

Alabama Solar, which is slated to take 550 acres of land in Alabama and other neighboring towns, stands in stark contrast to other major projects in the community, Crossen said. The Science, Technology & Advanced Manufacturing Park in Alabama is home to advanced manufacturing facilities. Residents were able to negotiate some of the planning stipulations, ensuring the project presents limited visual impact. Municipalities are still responsible for approving small-scale solar projects that don't create enough electricity to fall under the state's jurisdiction. New York is also a nationwide leader in those smaller community solar projects.

Yet, growth is slowing because some towns are adopting more restrictive solar laws in response to the large projects getting built without oversight from the localities, said Noah Ginsburg, executive director of the New York Solar Energy Industries Association. The irony is that the state can preempt local zoning for big projects, meaning it mostly affects small projects.

'Exactly as is'

Jason Pfotenhauer, director of planning in St. Lawrence County, is all for renewable energy development. The county created a map of locations where solar would cause minimal disruption to the community's prime agricultural land. Pfotenhauer said that while the state process mandates public collaboration, it still gives developers the "upper hand."

"(I want) more genuine engagement with the local municipalities," Pfotenhauer said. "Let's listen to the local municipality, rather than saying, if their local (regulations) are excessive, we can override them, and (the state and developer) get to decide what's excessive." He added that when communities have come up with alternative plans, they're often "discounted" by regulators.

The tension described by Pfotenhauer surfaced during deliberations over the 1,700-acre Rich Road Solar Project in the St. Lawrence County town of Canton. Rich Road isn't going to be operational until 2028, but it has a permit from the Office of Renewable Energy Siting and Electric Transmission.

Residents expressed discontent with the developer over the project's impacts on the Route 11 corridor, which leads into Canton.

"Part of what makes Canton attractive to visitors and residents is our idyllic setting as an agricultural community situated between the St. Lawrence River and the Adirondacks, where there are plentiful rivers, lakes and ponds," Canton Village Trustee Anna Sorensen said at a public hearing.

The project bucked several local zoning rules and Canton's comprehensive master plan. Part of the project will occupy areas of Canton zoned residential-agricultural.

"If solar panels occupy these zones, all potential future residential development will be effectively destroyed," the town wrote in a review of the project. The town also asked for the development to occur outside its commercial district to give precedence to businesses with a greater potential to create jobs.

It appears the town's pleas went unanswered. The project's approved footprint is unchanged from a 2023 proposed version presented to community members.

Evergreen trees and shrubs are going to be planted along Route 11, where panels will be visible, but they'll take almost 10 years to reduce visual impact, according to filings from the developer. Even when constructed, they'll only partially obscure the panels. More vegetative screening will be added in response to community concerns, a spokesperson for the project said.

At a public hearing, Pfotenhauer had objected to a plan to remove "150 acres of forest land and hedgerows." But state regulators took no issue with the removal of the vegetation in a report filed afterwards, contending it was the minimum amount necessary to avoid shading the panels.

"Thank you for your input, we've heard you, and we're going to leave the project exactly as is," Pfotenhauer said, describing state officials' reaction to local issues with the Rich Road project.

James Denn, a spokesman for the Department of Public Service, said renewable energy developers are strongly encouraged to "resolve issues regarding local law compliance" with the municipal officials rather than push to overcome their rules. He also noted that the state has preempted local rules for siting renewable and other energy projects dating back decades.

But newer rules require projects to be approved or denied within one year. And as the number of large-scale solar projects has ramped up, the state office is facing more scrutiny from residents and municipal officials who are often blindsided by a process that's out of their hands. And according to New York State Energy Research and Development Authority data, there will be six times more large-scale renewable energy projects in service in the next five years than were brought online in the past decade.

20,000 pages

Developers usually enter agreements with local governments where in exchange for a property and sales tax abatement, they pay a lump sum each year.

The town of Mount Morris in Livingston County receives about \$300,000 a year from a utility-scale solar project, Supervisor David DiSalvo said. The payments make up roughly 25% of the town's budget, allowing DiSalvo to lower property taxes.

"The state agencies that were involved (in siting the project) were probably the best teams that I've ever worked with," DiSalvo said.

Renewable energy projects don't create many long-term jobs, but do have a "positive" impact, said Molly Ryan, director of economic development for Clinton County. The town of Clinton eliminated local property taxes with the money coming in from wind farms. Ryan said she isn't in favor of taking away local control but sees renewable development as a driver of the local economy.

Even though communities get financial benefits, it's unclear if they get a fair shake.

"There's an outsized power imbalance between industry and local government," said Edward W. De Barbieri, an Albany Law School professor who researches community benefit agreements.

Developers may obscure what they paid to lease land as a "trade secret or through other means," hindering transparent "benefits bargaining," De Barbieri added. Host benefit arrangements traditionally have been more common in cities rather than small towns. Now, with renewable development, AI data centers and a surge in advanced manufacturing, that dynamic is shifting with more large developments coming into rural areas.

Representatives of the Rich Road project delivered around 20,000 pages of documents to Pfothner to comply with the initial application requirements outlined under the Office of Renewable Energy Siting and Electric Transmission.

Reviewing so much material isn't feasible and likely futile because nearly every large renewable project has been approved by regulators, Pfothner said.

"You could produce one piece of paper and get the same result. It's going to get approved," he said.

The office denied Shepherd's Run, a solar project in the Columbia County town of Copake, after a group of farmers purchased some of the land targeted for development. The project was quickly redesigned and submitted again.

Local governments get funds from developers to hire attorneys, but Crossen said the amount is insufficient.

Alabama, Oakfield and Batavia will collectively split a pot of \$130,000 to work with the Alabama Solar project in Genesee County. Crossen said attorneys and consultants are expensive, but the state won't communicate with the town without them.

"It's absolutely crazy," Crossen said.

'We have bled'

Thirty years ago, Matt Landers sped 100 mph through the quiet, field-lined roads of Elba. Landers was excited to be home again from college. His eagerness was short-lived. Landers took a left directly into a forklift. Despite not wearing a seatbelt, he sustained no injuries but found himself buried in three crates of onions as they fell from the lift into his car through a shattered windshield.

Today, Landers is the manager of Genesee County, which includes Elba, a town 30 miles from Rochester that's so committed to growing onions there's a community effort to paint the local water tower to look like one.

Now, Landers doesn't travel the roads of Elba with reckless abandon.

But there are roads in Elba Landers has chosen to avoid because, "it's just too heartbreaking to see what is happening to the community that I've grown up in and chosen to stay in for the rest of my life."

Cider Solar and Excelsior Solar are consuming swaths of both Elba and the nearby town of Byron. More than 10% of Byron's tillable farmland is going to the Excelsior project, according to data from the town's comprehensive plan and the project's land use plan.

That's a significant impact, given 73% of the town's land is agricultural. No New York county dedicates a higher percentage of land to agriculture than Genesee County, according to a report last year from the state comptroller's office. Sheep will graze on about 300 acres of the Cider Solar project to keep some of the project's footprint in active agriculture. About 70% of projects approved by the energy siting office include a plan to use some land for both renewable energy and agriculture, Denn said.

Driving through Elba and Byron recently during the construction is striking. Colorful fall foliage frames Norman Rockwell-esque farm homes in parts of town. That pastoral imagery is offset by the construction vehicles pouring into fields of solar panels, with protruding metal posts and mounds of topsoil visible in many areas.

Landers' concerns are twofold. He's worried Genesee County is losing prime agricultural land to solar.

He's also wary that renewable development is growing so quickly that it will forever change the county's rural appeal.

Nearly half of the Cider Solar project is sited on high-quality soil, according to the New York State Energy Research and Development Authority. Most of the Excelsior project is on high-quality soil as well.

Genesee County has a smart growth plan in conjunction with municipalities to buttress the regional economy while preserving agricultural land. Rapid growth in renewable development without municipal control "throws that (plan) out the window," Landers said. "Allowing for thousands of acres of prime farmland to be gobbled up for these developments without local say is wrong," he added.

In announcements touting renewable energy development, the state sometimes refers to the farmland that the projects are built on as "vacant," drawing ire from residents.

"When they (downstate politicians) come up here and they see huge swaths of farmland, they think, 'Hey, look at all this vacant land available for development,'" Landers said. "That's not how we think of it."

Molly Torrey Anderson grows onions and other vegetables on more than 10,000 acres in Elba. She's a 12th-generation farmer and said she's a "hard no" on putting solar on her land.

"We're in the business of farming and producing vegetables and feeding this country, and I take pride in that," Anderson said. She added that farmers who lease land to solar builders are going against the "natural progression," where land is sold or passed on to the next generation.

Other farmers see solar as the only way to retire.

"(Farming) is not your legacy, take care of your family first," Ray Dykeman's dad used to tell him.

Farming is becoming more and more difficult because of high production costs from inflation and a combination of state and federal policies. New overtime wages for farmworkers are particularly burdensome, Dykeman said. Dairy producers are being asked to "overproduce milk," leading to break-even margins.

“They’re (the state) very concerned about my animals, they’re very concerned about my land, but I’ve learned over the years that they could really give a crap about the men and women that own these farms,” Dykeman said.

Over and over, Dykeman turned away solar developers who’d stop by to discuss leasing some of his 3,000-acre dairy and corn farm in Fultonville. Then the company that pasteurized the raw milk from Dykeman’s farm went out of business. He had to quickly scale up a distribution business of his own, sending milk to New Jersey and other buyers across upstate New York.

Dykeman’s father’s words kept echoing in his head amid the economic headwinds. He eventually leased around 1,400 acres to a solar developer.

“I want to live a life, just like everybody else does,” he said. “I don’t want to milk cows or be in charge of labor when I’m 75 years old, which a lot of farmers do.”

Dykeman also hopes dairy production will go down if producers lease land to solar. Then, the price of milk will rise, he said, allowing farmers to make a living instead of being forced out of business.

Agricultural land within two miles of energy infrastructure sold for about 18% more than farms further away, researchers from Cornell University found. This creates an incentive structure for landowners to lease and sell more to renewable energy developers instead of keeping valuable acres in production, the study asserts. Increasing property values may also push out “beginning farmers who depend on affordable land for agriculture,” the report found.

The New York Farm Bureau, a statewide organization that advocates for the interests of farmers and rural communities, is caught in the middle of the tension over renewable energy development. The organization “recognizes the inherent property rights” of land owners, but also supports a “prohibition” on government subsidies for solar projects built on “prime soils,” said Amanda Powers, a spokeswoman for the bureau.

Solar buildout in Genesee County is unlikely to slow anytime soon.

A high-voltage transmission line that carries electricity to central New York cuts through the county, allowing for solar generation projects to easily hook up to the grid. Prime farmland, which exists throughout the county, is usually flat and unshaded, allowing for the efficient setup of panels and maximum sun exposure. It creates a complex dynamic for the state because placing solar panels in strategic areas lowers the eventual cost to consumers but requires transformational shifts in towns like Byron.

The Office of Renewable Energy Siting and Electric Transmission is trying to strike a balance between listening to communities while also ensuring the regulatory environment isn't too burdensome for projects to be built, said Jeff Freedman, an atmospheric scientist and attorney at the University at Albany.

Other states committed to building renewable energy sources, like Texas, have very little local zoning, allowing for rapid and affordable development. New York's renewable siting process is "a balancing act," Freedman said.

Local governments, Freedman added, are "not shut out of the process, but they are not given unlimited veto power."

Seeing more solar production coming, Landers, the Genesee County manager, is preparing to fight future projects.

"We have bled; we have paid our fair share," he said.

The Genesee County Legislature passed a resolution formally opposing utility-scale solar projects but leaving the door open for localities to approve smaller projects. The county's economic development agency is not entering into tax abatement agreements with any future projects.

But it doesn't appear developers are going to be deterred.

Alabama Solar is "ready to be an economic engine for Genesee County," said Amy Varghese, a spokeswoman for EDP Renewables North America.

Hunger Games

Environmental groups in the North Country are concerned about solar project impacts on grassland birds. The state Department of Environmental Conservation is protecting 478 acres of former agricultural land in Fort Edward in Washington County to protect “grassland birds, whose numbers are in sharp decline in the country and in New York state.”

A solar development slated to be built around those protected lands is sparking opposition from the Grassland Bird Trust, a group focused on preserving the habitat for birds like the endangered short-eared owl.

As the name indicates, grassland birds build nests on the ground rather than in trees.

“Raptors like the northern harrier need a lot of space to hunt and forage ... and they can’t if you put solar panels down,” said Katherine Roome, a board member with the Grassland Bird Trust.

Right now, the area surrounding the 478 protected acres is farmland. Roome is concerned that if part of that surrounding area is covered with solar panels, the birds won’t have enough room for hunting and nesting. The trust is asking the developer, Boralex, to protect 567 acres of grassland bird habitat to make up for the project’s footprint.

Boralex is adding 216 acres connected to the 478-acre grassland preserve, increasing the protected area to nearly 700 acres. The solar arrays will be over 1,000 feet away from the preserve in an updated version of the project’s footprint. Construction on wintering bird habitat will only occur between April and November. Boralex remains committed to communicating with the Grassland Bird Trust to find “a mitigation plan that works for all parties,” spokesman Zachary Hutchins said.

Alexandra Fasulo, a Saratoga County resident, publishes a popular Substack newsletter focused on climate and environment. She’s been lambasting the Fort Edward solar project to her more than 600,000 Instagram followers.

"I don't see any checks or balances on these solar corporations because they're being coddled in the name of green energy," Fasulo said. "I think the ironic opposite is going to happen when there's major farmland and grassland catastrophes."

She compared renewable development upstate to "The Hunger Games," a popular novel where distant districts are forced to give up natural resources so residents of the capital can live opulent lives. "We're being pillaged to turn on data centers in the tri-state area," Fasulo said.

Some Genesee County residents are getting out before the impacts of renewable development set in. Harris' — the Oakfield farmer — neighbors are looking for homes in Tennessee. She isn't. Harris and others who can't afford to leave will be stuck with the noise, view and sullied relationships. "It just feels like we've been invaded," she said.

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Home Care and Hospice
Cimolai-HY LLC
Jamestown Community
College (JCC - Olean)
Cattaraugus-Allegany
Workforce Development
The Guidance Center
Cutco Cutlery

Olean General Hospital - Kaleida
South
NYS Office for People with
Developmental Disabilities
Cattaraugus-Allegany BOCES
New York State Police
Intandem
Cuba Memorial Hospital

Wolcott Construction Services
New York State Department of
Corrections and Community
Supervision
New York State Department of
Transportation
New York State Parks/ Allegany
Region
Accord Corp

JOB OPENINGS FOR ATTENDING BUSINESSES

Personal Care Aide	Programmer	Submerged Arc Welder- Will Train	Correction Officer Trainee
Submerged Arc Welder	MACHINE OPERATOR (2nd Shift)	RN, LPN, CNA	Highway Maintenance Worker Trainee
Plate & Processing Supervisor	MATERIAL HANDLER (1st & 2nd Shift)	Teacher Aide	Parks and Recreation Aide
Quality Control Certified Welding Inspector	Maintenance Technician - 1st & 2nd Shift	Laboratory Processor	Early Learning Mentor Coach
Purchasing Manager	Maintenance Supervisor	Cleaner	And More!
		Grill Cook	

December 10th, 2025, 10:00 a.m. – 12:00 p.m.

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For more information about this event, contact T.J.. Brol at Thomas.brol@labor.ny.gov