

Public Hearing – Keuka Solar Village, LLC

Monday, May 17, 2021 – 9:00 A.M.

Minutes of Proceedings

Attendance: Steve Griffin, CEO Finger Lakes EDC, Mike Lipari, Economic Development Specialist, Finger Lakes EDC, Ryan Wallace, Partner, The Solar Village Company LLC, Gwendolyn Nelson, Nelson Miller, Mark Zimmer, John Wagner.

The Public Hearing on the proposed straight leaseback transaction by the Finger Lakes Economic Development Center on behalf of the Keuka Solar Village LLC was held in the Town of Milo Offices, 137, Main Street, Town of Torrey, Village of Penn Yan, Yates County New York on Monday, May 17, 2021 at 9:00 A.M.

Good morning, my name is Steve Griffin, and I am the CEO of the Finger Lakes Economic Development Center our legal entity name is the Yates County Industrial Development Agency (the “Agency”).

This Public Hearing is being held to make a statement, for the record, relating to the involvement of the Agency with a project (the “Proposed Project”), as described below, for the benefit of Keuka Solar Village LLC, a New York limited liability company.

Keuka Solar Village LLC (the “Company”) has requested that the Agency consider undertaking a project (the “Project”) consisting of: (A) the acquisition by the Agency of a leasehold or other interest in approximately 16 acres of real property located at 2447 Bath Road, Town of Milo, Yates County, New York (the “Land”, being more particularly described as tax parcel No. 61.50-1-4); (B) the planning, design, construction and operation of an approximately 71,000 square foot, eighty-five (85) unit residential apartment facility, consisting of forty (40) luxury-style apartments and forty-five (45) residential apartments serving households making 80% Area Median Income, together with related site work, parking, curbage and related exterior improvements (collectively, “the Improvements); and (C) the acquisition and installation in and around the Improvements of certain items of equipment, machinery and other tangible personal property (the “Equipment”; and collectively with the Land and the Improvements, the “Facility”).

Please Note Special Public Hearing Conduct Instructions and Information:

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Applicant’s Project Application, which is also available for viewing on the Agency’s website at: <https://www.fingerlakesedc.com/keuka-solar-village-llc>. However given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo and local distancing restrictions at municipal facilities, the Agency will have limited accommodations for in-person public attendance or participation at this hearing for ten (10) or less individuals at the same time. In addition to this limited capacity gathering, and in furtherance of the provisions of Section 859-1 of the Act a reasonable opportunity, both orally and in writing to present their views with respect to the Project, the Agency will also conduct a concurrent virtual public hearing live on a video conference at:

<https://us02web.zoom.us/j/85266705120?pwd=SDdEU2plNzFCQ3dDQ1UxM0tUdnpsZz09>,

with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: **+1 (929) 205-6099**, Meeting ID: **852 6670 5120**, Passcode: **388652**. The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to the Agency, Attention: Steve Griffin, Chief Executive Officer, Yates County Industrial Development Agency, One Keuka Business Park, Suite 104, Penn Yan, New York, 14527; Telephone (315) 536-7328, no later than May 17, 2021 at 4:00 p.m.

Legal Authorization and Powers of the Agency

The provisions of Chapter 1030 of Laws of 1969 of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of Consolidated Laws of New York as amended, and Chapter 113 of the 1975 Laws of the State of New York, as amended, codified as Section 893-b of said General Municipal Law (collectively, the "Act"), authorize the Agency to promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, and equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others.

Purpose of this Hearing

Pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act"), prior to the Agency providing any "financial assistance" (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project. Since the proposed "financial assistance" to be provided by the Agency with respect to the Proposed Project may exceed \$100,000, the Agency must hold a public hearing on the nature and location of the Facility and the proposed "financial assistance" to be provide by the Agency with respect to the Proposed Project.

After consideration of the Application received from the Company, the members of the Agency adopted a resolution on April 21, 2021 ("the Initial Resolution") authorizing the Chief Executive Officer of the Agency to conduct this Public Hearing with respect to the Proposed Project pursuant to Section 859-a(2) of the Act.

The Chief Executive Officer of the Agency caused notice of this Public Hearing to be (a) mailed on May 4, 2021 to the chief executive officers of Yates County, the Town of Milo, and the Penn Yan Central School District, (B) published on May 6, 2021 in The Finger Lakes Times, a newspaper of general circulation available to the residents of the Town of Milo, Yates County, New York. In addition, the Chief Executive Officer of the Agency caused notice of this Public Hearing to be Posted (1) on May 4, 2021 on a public bulletin board located at the Yates County Courthouse, located at 415 Liberty Street in the Village of Penn Yan, Yates County, New York, (2) on May 4, 2021 on the public bulletin board located at the Town of Milo Offices, located at 137 Main Street in the Village of Penn Yan, Yates County, New York.

We have made arrangements to prepare a video recording of this Public Hearing in order to accurately make a record of the public comments. Copies of the notice of this Public Hearing are available on the table.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of this Public Hearing, and instead request that the full text of the notice of this Public Hearing be inserted into the record of this Public Hearing.

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

The comments received today at this Public Hearing will be presented to the members of the Agency at or prior to the meeting at which the members of the Agency will consider whether to approve the undertaking of the Project by the Agency and the granting by the Agency of any "financial assistance" in excess of \$100,000 with respect to the Project.

Written Comments

The notice of this Public Hearing indicated that written comments could be addressed to: Steve Griffin, the Chief Executive Officer of the Agency. No written comments have been received by the prior to this Public Hearing.

Steve Griffin commented that he will have Ryan Wallace provide an overview of the project. S. Griffin reported, following the overview he will provide detail on how the Agency will be involved in the proposed project. At conclusion of the incentive overview the hearing will be open for public comments.

Ryan Wallace – The Solar Village Company LLC is a developer of residential multi-family developments using modular construction. Developments are geared towards downsizing retirees and workforce housing, specifically middle income. The Keuka Solar Village project is proposing to construct four (4) next zero energy buildings with eight-five (85) apartments. Forty units are designed as luxury units with large outdoor living spaces and lake views. Forty-five units are designed as workforce housing that are geared toward middle income workers such as nurses and first responders. Rents are all inclusive of utilities and internet. From an Economic Development perspective, while this does not directly create jobs in Yates County it will attract individuals to the community to help fill the job openings at local businesses. Rents will range from \$1,100 per month up to \$2,500 per month. We anticipate submitting final site-plans to the Town of Milo this summer/fall for their review and to complete the approval process.

S. Griffin reviewed the economic impact summary. The total project investment is \$15,111,732 for the construction of 85 units. The total economic benefit is projected to be \$16,638,290.36 over ten years based on the proposed PILOT schedule. The economic benefit is determined by the company investment including any wages paid for local jobs created by the project. The projected property tax abatement over ten years is \$880,511, projected sales tax abatement is \$642,502 and the projected mortgage tax abatement is \$128,237. The total projected incentives over ten years are \$1,651,250. This is a 10:1 economic benefit to community investment ratio.

S. Griffin reported one of the primary reasons we are trying to bring new housing developments into the community is one of the largest ongoing challenges there is no employees. One of the biggest challenges employers here from there employees is the lack of available of housing. We can use a variety of types of housing, including single family homes and multi-family residences.

There was a housing study done when the Village of Penn Yan was awarded the \$10 million DRI grant. The independent consultant who completed the study determined that if the Penn Yan area had a 2% population decrease, we would need 838 new units of which 816 renters occupied. If we were to gain 2.5%, we would need 1,500 new units of which just under 1,000 being renter occupied.

If we increased population by 5%, we would need 1,700 new housing units with 1,064 being renter occupied units. The study shows how significant the demand for housing is and why we are incentivizing new housing developments across the County. The single biggest hurdle to economic growth in the area is the access to employees. Creating additional housing opportunities will attract more employees creating more opportunity for our local business.

S. Griffin opened the Public Hearing to public comment at 9:21 a.m.

By way of operating rules, if you wish to make a public comment, please raise your hand, and I will call on you. Please wait to be recognized, once recognized, please state your name and address for the record. Please sign in if you haven't already done so.

Please keep your comments to about three (3) minutes so that all those present today may have a chance to comment for the record. If your comments mirror those of someone who has already spoken, you may so indicate and then relinquish the podium to another speaker so that all views represented at this hearing may be heard.

When everyone has had the opportunity to speak, I will conclude this Public Hearing. A record of this Public Hearing will be prepared and reviewed by the members of the Agency in connection with the Agency's consideration of the Proposed Project.

Again, the purpose of this Public Hearing is to solicit public comment. We are not here to answer questions. However, we will in the course of this Public Hearing consider questions if we have the information to answer the question and there is sufficient time to consider such questions. Further, questions or comments regarding environmental, zoning, design, and related issues regarding the Proposed Project are outside the scope of this Public Hearing. In addition, comments regarding the general operations of the Company are not relevant to the consideration of the Proposed Project. Lastly, general comments regarding industrial development agencies are not relevant to this Public Hearing.

I will now ask if there is anyone in attendance who wishes to comment on either the nature or location of the Facility or the proposed "financial assistance" being contemplated by the Agency with respect to the Proposed Project.

For the record, please state your name and indicate your comments on either the Proposed Project or the proposed "financial assistance" being contemplated by the Agency with respect to the Proposed Project.

- 1.) John Wagner – Stated, you described four buildings that will be constructed, do you have any renderings or drawings identifying the locations of each building on the property? Ryan Wallace responded, not currently that should be available in about three weeks. Ryan Wallace reported that they are currently conducting their water infiltration study for storm water run-off, which will affect the final site plan determination. Ryan Wallace reported, generally speaking we would like the buildings to be back off the road. John Wagner stated that this proposed project has a very similar number of units to the recent Keuka Shores project across from Red Jacket

Park. John asked is there any research that shows the demand for additional units beyond the Keuka Shores Project? Ryan Wallace responded; we are not apart of that project but we have heard that the Keuka Shores units are currently on a waitlist. Ryan continued, every time that we begin a project, we receive hundreds of calls to rent units. We determine feasibility of our projects based off studies similar to the one Mr. Griffin referenced, which indicate a lack of available housing. Steve Griffin stated, that this is a unique type of housing, it is the first renewable energy housing development. Having a variety of housing options within the community is needed and will be a positive. Steve Griffin discussed the benefits of attracting additional people to the community; in addition to the tax revenue received by the municipalities, it helps expand the local business as those people will go to dinner in town, shop at local businesses, etc.

- 2.) Mark Zimmer – Indicated that the construction of these buildings would be overlooking his property which was a significant investment, a year ago. Will the buildings be on the flat part of the property or on the slope overlooking my house? Residents will be able to watch our comings and goings and determine our work schedule. Ryan Wallace responded, regarding site plan and location of the buildings, that he does not want to comment on anything that doesn't have a final determination. Ryan Wallace replied, I understand the concern but at the same time the property was for sale to be purchased by anyone. We are not an out of State developer coming in, we are based out of Geneva. We want to make reasonable accommodations; we want to push the buildings back father as it is more economical to build on flat surfaces rather than sloped. M. Zimmer stated his home would be losing value because of approximately 300 renters living behind his house. Ryan Wallace responded, there is no evidence that market rate multi-family residences lower the value of single-family homes nearby. Mark Zimmer stated, the project will be a public safety hazard as there is already high traffic volume including, construction vehicles, Mennonite buggies, and boats being trailered between Morgan Marina and their storage facility. Mark presented pictures showing the amount of space on the side of the road, stating there is only about a foot and a half of space to walk on the road. Residents of these apartments will want to walk to Red Jacket Park or into town and will it will be a safety hazard. Mark stated, there is now ay to add a sidewalk or foot egress; this is an inappropriate location for this project, someone will be injured or killed walking from these apartments. Ryan Wallace responded; it is a car culture most people drive into town. Safety is certainly a concern and am not downplaying the safety issues with walking however we are a home developer and not the municipality. At a certain point if pedestrian traffic is to heavy the town will need to come together and address it, Keuka Solar Village LLC is not opposed to being a part of the financial solution to that. Mark Zimmer stated, I am concerned about the increase in traffic. With upwards of 150 cars leaving this complex every morning those headlights will be on my house negatively impacting my quality of life. Mark stated, NY State is not giving me a PILOT I am paying my full tax liability. This is very unsettling and it is not in the character of the neighborhood. They are not aesthetically y pleasing and are not in character with the bucolic setting of this area. Mark finished his comment by thanking for the opportunity to provide his concerns but that he stands by his stance that the project is fundamentally unsafe. People will walk, they always walk and there is no safe way for them to get to the Village from this proposed location.

- 3.) Nelson Miller – Do you have similar units to these built elsewhere? Ryan Wallace answered, not currently but we will in the Spring of 2022. We are currently working on a similar project in Geneva and are currently completing the site-work.
- 4.) Gwendolyn Nelson – Inquired what is going in the front of the property? Ryan Wallace responded, anytime more than an acre of land is disturbed New York State requires a system to be installed to collect and property dissipate access water flowing off of buildings and pavement. What you are going to see are some areas that appear to be flat or plateaus that will be grassed and landscaped, really it will be a 6ft bed of sand that will capture water runoff. Ryan Wallace reported, that the buildings will be constructed behind the storm water system but that he is sure a building would be visible from Bath Road. Gwendolyn asked, what is your target population you are looking to attract? Ryan Wallace responded, that the lowest price point is \$1,100/month and the highest priced units are \$2,500/month. This will not be subsidized or section 8, it is market rate housing. We could have done 60 units and had them all priced at \$2,500/month, the point of having the PILOT is to have some that are affordable to average income people such as nurses and first-responders. These units are designed to be affordable to middle income folks. Gwendolyn stated, allegedly our local employers are looking for employees and are unable to find them because they don't have a place to live? Steve Griffin responded, I wouldn't say allegedly, I would say that is 100% true. Discussion took place regarding the additional unemployment benefits being offered as a result of the COVID-19 pandemic and how it is affecting employer's ability to hire employees. Steve Griffin mentioned that the employment challenges were ongoing prior to COVID and is currently being heightened as a result of unemployment benefits. A major challenge is recruiting employees from surrounding areas such as: Canandaigua, Geneva, and Bath. Employees commuting from these communities are passing similar paying positions closer to home. People will only commute so far, for so long. Increasing the available housing in the community will attract additional people to live in the community and fill the open positions at our local businesses. Gwendolyn asked will you keep us informed throughout the process as we are directly impacted by this project. Steve Griffin responded; yes, we will keep you informed. Steve Griffin discussed our process for completing the request for financial incentives; we will take these comments to our Board of Directors for their input. We can not formally approve the request until the Town of Milo has completed their process and provide all approvals for site-plan, environmental review, etc. Ryan Wallace added, we will be working through our final site plans and submitting to the town in the Summer and Fall, the Town of Milo will hold a Public Hearing and you are all invited to provide your comments. Gwendolyn questioned if there will be any other outbuildings or just the 4-5 proposed units. Ryan Wallace answered their may be some additional outbuildings at the rear of the property for maintenance storage.

There being no more comments, Steve Griffin closed the Public Hearing at 9:49am.

Submitted By:



Mike Lipari, Economic Development Specialist, FLEDC