

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the Yates County Industrial Development Agency (the "Agency") on Monday, October 5, 2020, at 9:00 a.m., local time, in connection with the matter described below. **PLEASE NOTE THE SPECIAL PUBLIC HEARING LOGISTICS AND INSTRUCTIONS INCLUDED AT THE END OF THIS NOTICE.**

NY Benton I, LLC, for itself or on behalf of an entity to be formed (collectively, the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (A) the acquisition by the Agency of a leasehold or other interest in certain property located at State Route 14A, Town of Benton, Yates County, New York (the "Land", being more particularly described as a portion of tax parcel No. 17.01-1-5, as may be subdivided); (B) the planning, design, construction and operation of a 5MWac solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related 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").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interests will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, and equipping of the Facility, (b) a real property tax abatement structured within a payment-in-lieu-of-tax agreement, and (c) a mortgage recording tax exemption for financing or re-financing related to the Project (collectively, the "Financial Assistance").

### **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 Company's project Application, which is also available for viewing on the Agency's website at: <https://www.fingerlakesedc.com/ny-benton-i-solar>.

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live on a video conference (<https://fingerlakeseconomicdevelopmentcenter.my.webex.com/fingerlakeseconomicdevelopmentcenter.my/j.php?MTID=m05e33afb603ccbb8c437d84a5e02859a>), 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: **+1-408-418-9388**, passcode **132 007 3404**. 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 Monday, October 5, 2020.

Dated: September 16, 2020

YATES COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

By:   
Name: Steve Griffin  
Title: Chief Executive Officer