

Date: August 20, 2025

At a meeting of the Town of Brookhaven Industrial Development Agency (the "Agency"), held at 1 Independence Hill, 2nd Floor, Farmingville, New York 11738 on the 20th day of August, 2025, the following members of the Agency were:

Present: Frederick C. Braun III, Chairman
Martin Callahan, Vice Chair
Mitchell H. Pally, Treasurer
Frank C. Trotta, Asst. Treasurer
Felix J. Grucci, Jr., Asst. Secretary (via Zoom)
John Rose, Member

Recused:

Excused: Ann-Marie Scheidt, Secretary

Also Present: Lisa M. G. Mulligan, Chief Executive Officer
Lori LaPonte, Chief Financial Officer
Amy Illardo, Director of Marketing and Project Development
Jocelyn Linse, Executive Assistant
Annette Eaderesto, Esq., Counsel to the Agency
John J. Anzalone, Esq., Transaction Counsel
Barry Carrigan, Esq., Transaction Counsel
Howard Gross, Esq., Transaction Counsel (via Zoom)
Andrew Komoromi, Transaction Counsel (via Zoom)

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 acquisition of a leasehold interest in and title to a certain commercial facility more particularly described below (Lawrence Aviation Solar Farm, LLC 2025 Facility) and the leasing of the facility to Lawrence Aviation Solar Farm, LLC.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

Braun
Callahan
Pally
Trotta
Grucci
Rose

RESOLUTION OF THE TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE APPOINTMENT OF LAWRENCE AVIATION SOLAR FARM, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF LAWRENCE AVIATION SOLAR FARM, LLC, AND THE EQUITY INVESTORS IN, AND ANY TAX CREDIT INVESTORS IN, LAWRENCE AVIATION SOLAR FARM, LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE INDUSTRIAL DEVELOPMENT FACILITY (HEREINAFTER REFERENCED), APPROVING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF SUCH FACILITY AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO SUCH FACILITY AND APPROVING THE FORM, SUBSTANCE AND EXECUTION OF RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 358 of the Laws of 1970 of the State of New York, as amended from time to time (collectively, the "**Act**"), the Town of Brookhaven Industrial Development Agency (the "**Agency**"), was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, Lawrence Aviation Solar Farm, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Lawrence Aviation Solar Farm, LLC, and the equity investors in, and any tax credit investors in, Lawrence Aviation Solar Farm, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the "**Company**"), has applied to the Agency to enter into a transaction in which the Agency will assist in (A) the acquisition of an approximately 36.17-acre parcel of land located at Lawrence Aviation Drive, Port Jefferson, New York 11777 (more particularly described as Suffolk County Tax Map No. 0200-159.00-02.00-019.000 and 0200-159.00-01.00-026.000), (the "**Land**"), (B) the construction of an approximately 7.75 MW DC ground-mount solar photovoltaic facility (the "**Improvements**"), and (C) the acquisition and installation therein of certain equipment and personal property including, but not limited to, concrete ballast blocking systems, approximately 13,360 solar modules, inverters, and electrical equipment (the "**Equipment**"; and, together with the Land and the Improvements, the "**Facility**"), which Facility is to be subleased by the Agency to the Company and used by the Company as a solar power generating facility, which is expected to produce approximately 10.8 million GWh-(Gigawatt-hours) of clean electrical energy per year for the benefit of the Town, which is equivalent to the electric consumption of 1,500 households in Suffolk County (collectively, the "**Project**"). The Facility will be initially owned, operated and/or managed by the Company; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of August 1, 2025, or

such other date as the Chairman or Chief Executive Officer of the Agency and counsel to the Agency shall agree (the "**Company Lease**"), by and between the Company and the Agency; and

WHEREAS, the Agency will acquire title to the Equipment pursuant to a certain Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the "**Bill of Sale**"), from the Company to the Agency; and

WHEREAS, the Agency will sublease and lease the Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of August 1, 2025, or such other date as the Chairman or Chief Executive Officer of the Agency and counsel to the Agency shall agree (the "**Lease Agreement**"), by and between the Agency and the Company; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company in the form of: (i) exemptions from sales and use taxes in an amount not to exceed **\$503,125.00**, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit C hereof); and

WHEREAS, in connection with the abatement of real property taxes as set forth in the PILOT Schedule on Exhibit C hereof, the current pro-rata allocation of PILOT payments to each affected tax jurisdiction in accordance with Section 858(15) of the Act and the estimated difference between the real property taxes on the Facility and the PILOT payments set forth on the PILOT Schedule on Exhibit C hereof are more fully described in the Cost Benefit Analysis ("**CBA**") developed by the Agency in accordance with the provisions of Section 859-a(5)(b) of the Act, a copy of which CBA is attached hereto as Exhibit D; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Application states that the Company is seeking an exemption from real property taxes with respect to the Project Facility that constitutes a deviation from the Agency's Uniform Tax Exemption Policy (the "**UTEP**"); and

WHEREAS, pursuant to Section 874(4) of the Act, (A) the Executive Director of the Agency caused a letter dated August 6, 2025 (the "**PILOT Deviation Notice Letter**") to be mailed to the chief executive officer of each affected tax jurisdiction, informing said individuals that the Agency would, at its meeting on August 20, 2025 (the "**IDA Meeting**"), consider a proposed deviation from the UTEP with respect to the payments in lieu of real property taxes to be made pursuant to a payment in lieu of taxes agreement to be entered into by the Agency with respect to the Project Facility; and (B) the members of the Agency conducted the IDA Meeting on the date hereof and reviewed any comments and correspondence received with respect to the proposed deviation from the UTEP; and

WHEREAS, PILOT Deviation Notice Letter (together with proof of mailing), was substantially in the form annexed hereto as Exhibit E; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 874(4) of the Act with respect to the proposed deviation from the Tax Exemption Policy; and

WHEREAS, a public hearing (the "**Hearing**") was held on August 19, 2025, so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility, could be heard; and

WHEREAS, notice of the Hearing was given on August 6, 2025, and such notice (together with proof of publication), was substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the report of the Hearing is substantially in the form annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed Facility is an inducement to the Company to proceed with the Project; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York ("NYSDEC") (collectively, the "**SEQR Act**" or "**SEQR**"), the Agency constitutes a "State Agency"; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form (the "**EAF**") and related documents (collectively, the "**Questionnaire**") with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Agency has completed, received and/or reviewed the: (1) Questionnaire; (2) NYSDEC's Environmental Resource Mapper; (3) New York State Historic Preservation Office's Cultural Resources Mapper; (4) Lawrence Aviation Industries Land Use Plan and related findings statement adopted by the Town of Brookhaven on December 2, 2014; (5) the application of the Company to the Agency; and (6) other relevant environmental information (collectively, 1, 2, 3, 4, 5 and 6 shall be referred to as the "Environmental Information"); and

WHEREAS, pursuant to 6 CRR-NY 617.4(b)(6), the construction of non-residential facilities that involve the physical alteration of 10 acres or more are defined as Type I action; and

WHEREAS, the Project, as described in the Questionnaire, meets the thresholds of 6 CRR-NY 617.4(b)(6) and is, thus, a Type I action; and

WHEREAS, pursuant to 6 CRR-NY 617.4(a)(1), all individual actions which are Type I require a determination of significance by comparing the impacts which may be reasonably expected to result from the proposed action with the criteria listed in 6 CRR-NY 617.7; and

WHEREAS, the Agency has reviewed the Environmental Information as the Agency felt it necessary or appropriate to examine to adequately review the proposed Action; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the leasing of the Facility by the Agency to the Company;

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. Based upon the Questionnaire prepared by the Company and the Environmental Information reviewed by the Agency, the Agency determines that the action relating to the acquisition, construction and equipping of the Facility is an "Type I" action under SEQRA, as that term is defined under SEQR. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Agency has determined that the Project will not have a significant adverse impact upon the environment and issues a negative declaration as the sole Involved Agency, as that term is defined under SEQR. The reasons supporting this determination and finding are attached hereto as Exhibit F. Based on the foregoing, the Agency finds and determines that the requirements of 6 CRR-NY Part 617 have been met and that that no environmental impact statement shall be required or prepared. This determination constitutes a negative declaration for purposes of SEQR. Notice of this determination shall be filed to the extent required by the applicable regulations under SEQR or as may be deemed advisable by the Chairman or the Chief Executive Officer of the Agency or counsel to the Agency.

Section 2. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) The acquisition, construction and equipping of the Facility and the leasing of the Facility to the Company, will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Town of Brookhaven, and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(d) The acquisition, construction and equipping of the Facility is reasonably necessary to induce the Company to maintain and expand its business operations in the State of New York; and

(e) the completion of the Project and the leasing of the Facility will not result in the removal of a facility or plant of the Company or any tenant, user or occupant of the Facility from one area of the State of New York (the "State") to another area of the State or in the abandonment of one or more plants or facilities of the Company or any tenant, user or occupant of the Project Facility located in the State but outside the Town of Brookhaven; and

(f) Based upon representations of the Company and counsel to the Company, the Facility conforms with the local zoning laws and planning regulations of the Town of Brookhaven, Suffolk County, and all regional and local land use plans for the area in which the Facility is located; and

(g) It is desirable and in the public interest for the Agency to lease the Facility to the Company; and

(h) The Company Lease will be an effective instrument whereby the Agency subleases the Land and leases the Improvements from the Company; and

(i) The Lease Agreement will be an effective instrument whereby the Agency sub-leases, subleases and leases the Facility to the Company, the Agency and the Company set forth the terms and conditions of their agreement regarding payments-in-lieu of taxes, the Company agrees to comply with all Environmental Laws (as defined therein) applicable to the Facility and will describe the circumstances in which the Agency may recapture some or all of the benefits granted to the Company.

Section 2. The Agency hereby further finds and determines:

(a) Prior to making the determinations set forth in this resolution, the members of the Agency have considered the following factors set forth in the UTEP: (1) the magnitude and/or importance of any permanent private sector job creation and/or retention related to the proposed project in question; (2) whether the affected tax jurisdictions will be reimbursed by the project occupant if such project does not fulfill the purposes for which tax exemption was granted; (3) the impact of such project on existing and proposed businesses or economic development projects; (4) the amount of private sector investment generated or likely to be generated by such project; (5) the estimated value of the tax exemptions requested; (6) the extent to which such project will provide needed services and revenues to the affected tax jurisdictions; (7) the effect of the proposed project upon the environment, the extent to which the project will utilize, to the fullest extent practicable and economically feasible, resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures; (8) if the project is designated blighted as per the Town's Code, (9) the demonstrated public support for the Project, (10) the likelihood of accomplishing the proposed project in a timely fashion; and (11) other factors outlined in Section 874(4)(a) of the Act; and

(b) The Agency hereby determines that the Agency has fully complied with the requirements of Section 874(4) of the Act relating to the proposed deviation from the UTEP; and

(c) Having reviewed all comments and correspondence received at or prior to the IDA Meeting, the Agency hereby approves the proposed deviation from the UTEP as described in the PILOT Deviation Notice Letter (a copy of which is attached hereto as Exhibit E) because the proposed deviation i(i) is necessary to make it financially feasible for the Company to undertake the Project, (ii) the Land is presently fully exempt from real property taxes and, as such, the Property Tax Exemption will not represent a reduction in tax revenue to the affected tax jurisdictions, (iii) the Land is listed on the National Priority List ("NPL") as a Superfund Site and such listed portions of the Land are prohibited from development due to the New York State

Department of Environmental Conservation's ongoing groundwater monitoring, (iv) the Company, in collaboration with the Suffolk County Landbank, has successfully obtained the release of the portions of the Land designated for the Project from the NPL, permitting the Project to proceed pursuant to construction methods that avoid disturbance of the contaminated ground, (v) the Project will generate approximately 10.8 GWh per annum of clean, solar electricity, which is equivalent to the electricity consumption of 1,500 households in Suffolk County, and (vi) by way of the foregoing, the Project will positively impact the health, community, environment and economy of the residents of Town of Brookhaven.

Section 4. The Agency has assessed all material information included in connection with the Company's application for financial assistance, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the Agency a reasonable basis for its decision to provide the financial assistance described herein to the Company.

Section 5. In consequence of the foregoing, the Agency hereby determines to: (i) lease the Land and the Improvements from the Company pursuant to the Company Lease, (ii) execute, deliver and perform the Company Lease, (iii) lease and sublease the Facility to the Company pursuant to the Lease Agreement, and (iv) execute, deliver and perform the Lease Agreement.

Section 6. The Agency is hereby authorized to acquire an interest in the real property and personal property described in Exhibit A and Exhibit B, respectively, to the Lease Agreement, and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 7. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the acquisition, construction and equipping of the Facility in the form of: (i) exemptions from sales and use taxes in an amount not to exceed \$503,125.00, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit C hereof). In connection with the abatement of real property taxes as set forth in the PILOT Schedule on Exhibit C hereof, the current pro-rata allocation of PILOT payments to each affected tax jurisdiction in accordance with Section 858(15) of the Act and the estimated difference between the real property taxes on the Facility and the PILOT payments set forth on the PILOT Schedule on Exhibit C hereof are more fully described in the CBA developed by the Agency in accordance with the provisions of Section 859-a(5)(b) of the Act, a copy of which CBA is attached hereto as Exhibit D.

Section 8. Subject to the provisions of this resolution, the Company is herewith and hereby appointed the agent of the Agency to acquire, construct and equip the Facility. The Company is hereby empowered to delegate its status as agent of the Agency to its agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company may choose in order to acquire, construct and equip the Facility. The Agency hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company as agents of the Agency solely for purposes of making sales or leases of goods,

services and supplies to the Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company, as agent of the Agency, shall be deemed to be on behalf of the Agency and for the benefit of the Facility. This agency appointment expressly excludes the purchase by the Company of any motor vehicles, including any cars, trucks, vans or buses which are licensed by the Department of Motor Vehicles for use on public highways or streets. The Company shall indemnify the Agency with respect to any transaction of any kind between and among the agents, subagents, contractors, subcontractors, materialmen, vendors and/or suppliers and the Company, as agent of the Agency. The aforesaid appointment of the Company as agent of the Agency to acquire, construct and equip the Facility shall expire at the earlier of (a) the completion of such activities and improvements, (b) a date which the Agency designates, or (c) the date on which the Company has received exemptions from sales and use taxes in an amount not to exceed \$503,125.00, in connection with the purchase or lease of equipment, building materials, services or other personal property; provided however, such appointment may be extended at the discretion of the Agency, upon the written request of the Company if such activities and improvements are not completed by such time. The aforesaid appointment of the Company is subject to the completion of the transaction and the execution of the documents contemplated by this resolution.

Section 9. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company shall be required to agree to the terms of Section 875 pursuant to the Lease Agreement. The Company is further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this Authorizing Resolution are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Lease Agreement.

Section 10. The form and substance of the Company Lease and the Lease Agreement (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 11.

- (a) The Chairman, the Chief Executive Officer of the Agency or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Company Lease and the Lease Agreement to which the Agency is a party, all in substantially the forms thereof presented at this meeting with such changes, variations, omissions and insertions as the Chairman, the Chief Executive Officer of the Agency or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the "**Agency Documents**"). The execution thereof by the Chairman, the Chief Executive Officer of the Agency or any member of the Agency shall constitute conclusive evidence of such approval.
- (b) The Chairman, the Chief Executive Officer of the Agency or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 12. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 13. Any expenses incurred by the Agency with respect to the Facility shall be paid by the Company. The Company shall agree to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 14. The provisions of this resolution shall continue to be effective for one year from the date hereof, whereupon the Agency may, at its option, terminate the effectiveness of this Resolution (except with respect to the matters contained in Section 12 hereof).

Section 15. This resolution shall take effect immediately.

STATE OF NEW YORK)

: SS.:

COUNTY OF SUFFOLK)

I, the undersigned Chief Executive Officer of the Town of Brookhaven Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Brookhaven Industrial Development Agency (the "**Agency**"), including the resolutions contained therein, held on the 20th day of August, 2025, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 20th day of August, 2025.

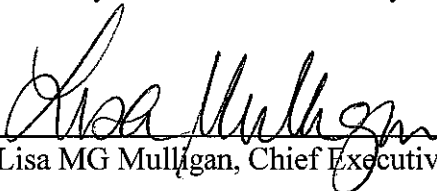
By: 
Lisa MG Mulligan, Chief Executive Officer

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the Town of Brookhaven Industrial Development Agency (the "**Agency**") on the 19th day of August, 2025, at 10:00 a.m. local time, at the Agency's offices located at the Town of Brookhaven Town Hall, 2nd Floor, One Independence Hill, Farmingville, New York 11738, in connection with the following matters:

Lawrence Aviation Solar Farm, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Lawrence Aviation Solar Farm, LLC, and the equity investors in, and any tax credit investors in, Lawrence Aviation Solar Farm, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the "**Company**"), has applied to the Agency to enter into a transaction in which the Agency will assist in (A) the acquisition of an approximately 36.17-acre parcel of land located at Lawrence Aviation Drive, Port Jefferson, New York 11777 (more particularly described as Suffolk County Tax Map No. 0200-159.00-02.00-019.000 and 0200-159.00-01.00-026.000), (the "**Land**"), (B) the construction of an approximately 7.75 MW DC ground-mount solar photovoltaic facility (the "**Improvements**"), and (C) the acquisition and installation therein of certain equipment and personal property including, but not limited to, concrete ballast blocking systems, approximately 13,360 solar modules, inverters, and electrical equipment (the "**Equipment**"; and, together with the Land and the Improvements, the "**Facility**"), which Facility is to be subleased by the Agency to the Company and used by the Company as a solar power generating facility, which is expected to produce approximately 10.8 million GWh-hours of clean electrical energy per year for the benefit of the Town, which is equivalent to the electric consumption of 1,500 households in Suffolk County (collectively, the "**Project**"). The Facility will be initially owned, operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Land and Improvements and title to the Equipment and will lease and sublease the Facility to the Company.

The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes in connection with the construction and equipping of the Facility, and exemption of real property taxes.

A representative of the Agency will, at the above-stated time and place, hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. Prior to the hearing, all persons will have the opportunity to review on the Agency's website (<https://brookhavenida.org/>) the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: August 6, 2025

TOWN OF BROOKHAVEN INDUSTRIAL
DEVELOPMENT AGENCY

By: Lisa MG Mulligan
Title: Chief Executive Officer

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON August 19, 2025

TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY (LAWRENCE AVIATION SOLAR FARM, LLC 2025 FACILITY)

Section 1. Lisa MG Mulligan, Chief Executive Officer of the Town of Brookhaven Industrial Development Agency (the "**Agency**") called the hearing to order.

Section 2. Lisa MG Mulligan then appointed herself the hearing officer of the Agency, to record the minutes of the hearing.

Section 3. The hearing officer then described the proposed transfer of the real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility as follows:

Lawrence Aviation Solar Farm, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Lawrence Aviation Solar Farm, LLC, and the equity investors in, and any tax credit investors in, Lawrence Aviation Solar Farm, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the "**Company**"), has applied to the Agency to enter into a transaction in which the Agency will assist in (A) the acquisition of an approximately 36.17-acre parcel of land located at Lawrence Aviation Drive, Port Jefferson, New York 11777 (more particularly described as Suffolk County Tax Map No. 0200-159.00-02.00-019.000 and 0200-159.00-01.00-026.000), (the "**Land**"), (B) the construction of an approximately 7.75 MW DC ground-mount solar photovoltaic facility (the "**Improvements**"), and (C) the acquisition and installation therein of certain equipment and personal property including, but not limited to, concrete ballast blocking systems, approximately 13,360 solar modules, inverters, and electrical equipment (the "**Equipment**"; and, together with the Land and the Improvements, the "**Facility**"), which Facility is to be subleased by the Agency to the Company and used by the Company as a solar power generating facility, which is expected to produce approximately 10.8 million GWh-hours of clean electrical energy per year for the benefit of the Town, which is equivalent to the electric consumption of 1,500 households in Suffolk County (collectively, the "**Project**"). The Facility will be initially owned, operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment and lease the Facility to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes in connection with the construction and

equipping of the Facility and exemption of real property taxes consistent with the policies of the Agency.

Section 4. The hearing officer then opened the hearing for comments from the floor for or against the proposed transfer of real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

See attached.

Section 5. The hearing officer then asked if there were any further comments, and, there being none, the hearing was closed at 10:30 a.m.

Lawrence Aviation Solar Farm, LLC Public Hearing
August 19, 2025
10:00 AM

Name	Organization	Phone Number	E-Mail Address
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Susan McGrath Rosenzweig Three Village Bd. of Ed. 516-429-0620 srosenzw@3villagecsd.org
Dr. Kevin Scanlon Three Village CSD 631-730-4010 kscanlon@3villagecsd.org

STATE OF NEW YORK)

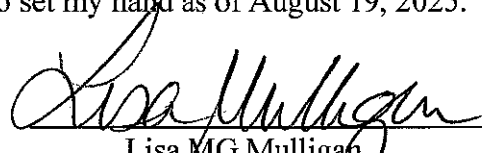
: SS.:

COUNTY OF SUFFOLK)

I, the undersigned Chief Executive Officer of the Town of Brookhaven Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Brookhaven Industrial Development Agency (the "Agency") on August 19, 2025 at 10:00 a.m., local time, in person, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of August 19, 2025.



Lisa MG Mulligan
Chief Executive Officer

EXHIBIT C

Proposed PILOT Schedule

Schedule of payments-in-lieu-of-taxes: Town of Brookhaven, (including any existing incorporated village and any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Three Village School District, Comsewogue School District, Suffolk County and Appropriate Special Districts

Tax Map Nos. 0200-159.00-02.00-019.000

0200-159.00-01.00-026.000

Definitions:

Normal Tax Due = Those payments for taxes and assessments, other than special ad valorem levies, special assessments and service charges against real property located in the Town of Brookhaven (including any existing incorporated village or any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Three Village School District, Comsewogue School District, Suffolk County which are or may be imposed for special improvements or special district improvements, that the Company would pay without exemption.

<u>Year</u>	<u>Payment</u>
1	0% Normal Tax Due
2	0% Normal Tax Due
3	0% Normal Tax Due
4	0% Normal Tax Due
5	0% Normal Tax Due
6	0% Normal Tax Due
7	0% Normal Tax Due
8	0% Normal Tax Due
9	0% Normal Tax Due
10	0% Normal Tax Due
11	0% Normal Tax Due
12	0% Normal Tax Due
13	0% Normal Tax Due
14	0% Normal Tax Due
15	0% Normal Tax Due
16	0% Normal Tax Due
17	0% Normal Tax Due
18	0% Normal Tax Due
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21	0% Normal Tax Due
22	0% Normal Tax Due

23	0% Normal Tax Due
24	0% Normal Tax Due
25	0% Normal Tax Due
26	0% Normal Tax Due
27	0% Normal Tax Due
28	0% Normal Tax Due
29	0% Normal Tax Due
30	0% Normal Tax Due

The facility will receive a 100% exemption for thirty (30) years based upon a deviation from the Agency's Uniform Tax Exemption Policy (UTEP) limitation of payments-in-lieu-of-taxes for electrical energy production uses to no more than twenty-five (25) years.

EXHIBIT D

Cost Benefit Analysis

Town of Brookhaven Industrial Development Agency

MRB Cost Benefit Calculator

Date August 8, 2025
 Project Title Lawrence Aviation Solar Farm
 Project Location Lawrence Aviation Drive, Port Jefferson Station, NY



MRB
 Group

Cost-Benefit Analysis Tool powered by MRB Group

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

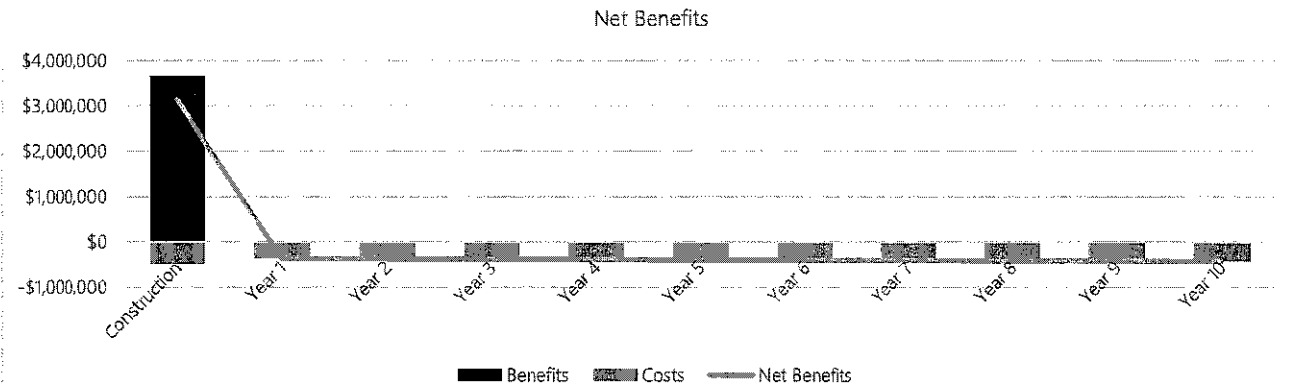
Construction Project Costs

\$16,360,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	14	16	30
Earnings	\$2,197,850	\$1,244,571	\$3,442,422
Local Spend	\$5,726,000	\$4,150,551	\$9,876,551

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	0	0	0
Earnings	\$0	\$0	\$0

Figure 1

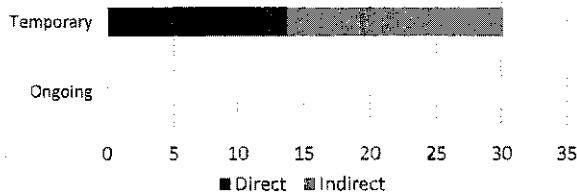


Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

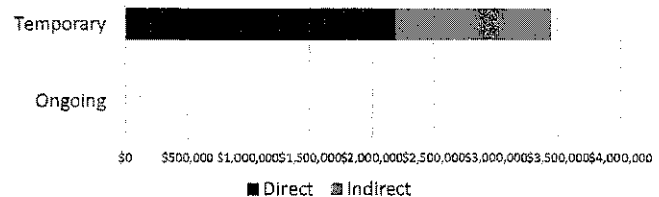
Figure 2

Figure 3

Total Jobs



Total Earnings



Fiscal Impacts



MRB
Group

Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$14,986,579	\$10,865,235
Sales Tax Exemption	\$503,125	\$503,125
Local Sales Tax Exemption	\$273,125	\$273,125
State Sales Tax Exemption	\$230,000	\$230,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$15,489,704	\$11,368,360

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$3,471,037	\$3,471,037
To Private Individuals	\$3,442,422	\$3,442,422
Temporary Payroll	\$3,442,422	\$3,442,422
Ongoing Payroll	\$0	\$0
Other Payments to Private Individuals	\$0	\$0
To the Public	\$28,615	\$28,615
Increase in Property Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$28,615	\$28,615
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$179,006	\$179,006
To the Public	\$179,006	\$179,006
Temporary Income Tax Revenue	\$154,909	\$154,909
Ongoing Income Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$24,097	\$24,097
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Total Benefits to State & Region	\$3,650,043	\$3,650,043

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$3,471,037	\$11,138,360	:1
State	\$179,006	\$230,000	1:1
Grand Total	\$3,650,043	\$11,368,360	:1

*Discounted at the public sector discount rate of: 2%

Additional Comments from IDA

Lawrence Aviation Solar Farm, LLC is a proposed 7.75 MW DC solar installation consisting of approximately 13,360 solar modules to be located at a former Superfund Site, which is currently owned by the Suffolk County Landbank. It is estimated that this project will power over 1,000 homes and result in the 3,337 metric tons of CO2 to be offset annually. The power created by this project will be offered to eligible low- and moderate-income electric customers. As per the IDA's Uniform Project Evaluation Criteria Policy, the criteria met for this project include, but are not limited to, capital investment by the applicant and energy production need for the region.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes
Does this project provide onsite childcare facilities? No

EXHIBIT E

PILOT DEVIATION NOTICE LETTER



INDUSTRIAL DEVELOPMENT AGENCY
Town Of Brookhaven

Lisa M. G. Mulligan, Chief Executive Officer

August 5, 2025

TO ALL ON THE ATTACHED DISTRIBUTION LIST:

**PROPOSED DEVIATION FROM
UNIFORM TAX EXEMPTION POLICY**

Ladies and Gentlemen:

Notice is hereby given that at a meeting of the Town of Brookhaven Industrial Development Agency (the "Agency") to be held on August 20, 2025 at 10:00 a.m. local time at the Agency's offices located at the Town of Brookhaven Town Hall, 2nd Floor, One Independence Hill, Farmingville, New York 11738, the Agency will consider whether to approve the application of the Company (as defined below), for certain "financial assistance" which, if granted, would deviate from the Agency's Uniform Tax Exemption Policy (the "Policy") with respect to the payment of real property taxes. The meeting of the Agency will be open to the public.

Lawrence Aviation Solar Farm, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Lawrence Aviation Solar Farm, LLC, and the equity investors in, and any tax credit investors in, Lawrence Aviation Solar Farm, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the "Company"), has applied to the Agency to enter into a transaction in which the Agency will assist in (A) the acquisition of an approximately 36.17-acre parcel of land located at Lawrence Aviation Drive, Port Jefferson, New York 11777 (more particularly described as Suffolk County Tax Map No. 0200-159.00-02.00-019.000 and 0200-159.00-01.00-026.000), (the "Land"), (B) the construction of an approximately 7.75 MW DC ground-mount solar photovoltaic facility (the "Improvements"), and (C) the acquisition and installation therein of certain equipment and personal property including, but not limited to, concrete ballast blocking systems, approximately 13,360 solar modules, inverters, and electrical equipment (the "Equipment"; and, together with the Land and the Improvements, the "Facility"), which Facility is to be leased by the Company to the Agency, subleased by the Agency to the Company and used by the Company as a solar power generating facility, which is expected to produce approximately 10.8 million GWh-hours of clean electrical energy per year for the benefit of the Town, which is equivalent to the electric consumption of 1,500 households in Suffolk County (collectively, the "Project"). The Facility will be initially owned, operated and/or managed by the Company.

Based upon preliminary negotiations between representatives of the Company and the Agency, the parties contemplate that the Agency may agree to grant a real property tax exemption the terms of which are proposed to contain a deviation from the Policy. The Agency is

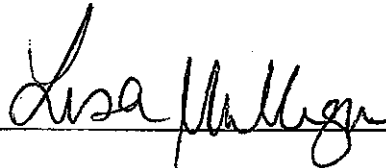
contemplating a deviation from the Policy as follows: the Agency contemplates providing the Company with a full abatement of real property taxes for a period of thirty (30) years (the "Property Tax Exemption").

Thereafter, the payments would be equal to the real property taxes and assessments that would be payable as if the Facility were returned to the tax rolls as taxable property and subject to taxation at its then current, full assessed value, as the same may be reassessed from time to time, and subject to tax rate increases imposed by the affected tax jurisdictions.

The reason for the deviation is that the Property Tax Exemption, if approved by the Agency, (i) is necessary to make it financially feasible for the Company to undertake the Project, (ii) the Land is presently fully exempt from real property taxes and, as such, the Property Tax Exemption will not represent a reduction in tax revenue to the affected tax jurisdictions, (iii) the Land is listed on the National Priority List ("NPL") as a Superfund Site and such listed portions of the Land are prohibited from development due to the New York State Department of Environmental Conservation's ongoing groundwater monitoring, (iv) the Company, in collaboration with the Suffolk County Landbank, has successfully obtained the release of the portions of the Land designated for the Project from the NPL, permitting the Project to proceed pursuant to construction methods that avoid disturbance of the contaminated ground, (v) the Project will generate approximately 10.8 GWh per annum of clean, solar electricity, which is equivalent to the electricity consumption of 1,500 households in Suffolk County, and (vi) by way of the foregoing, the Project will positively impact the health, community, environment and economy of the residents of Town of Brookhaven.

Sincerely,

TOWN OF BROOKHAVEN INDUSTRIAL
DEVELOPMENT AGENCY

By: 

Lisa MG Mulligan
Chief Executive Officer

DISTRIBUTION LIST

The Honorable Edward P. Romaine
Suffolk County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2207 94

The Honorable Daniel J. Panico
Town of Brookhaven
One Independence Hill
Farmingville, New York 11738
ELECTRONIC CORRESPONDENCE
READ RECEIPT

Superintendent Dr. Kevin Scanlon
Three Village School District
100 Suffolk Avenue
Stony Brook, NY 11790
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2209 30

District Clerk
Three Village School District
100 Suffolk Avenue
Stony Brook, NY 11790
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2210 05

Superintendent Dr. Jennifer J. Quinn, Ed.D.
Comsewogue School District
290 Norwood Avenue
Port Jefferson Station, NY 11776
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2211 35

President Richard Rennard
Comsewogue School District
Board of Education
290 Norwood Avenue
Port Jefferson Station, NY 11776
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2210 81

District Clerk
Comsewogue School District
290 Norwood Avenue
Port Jefferson Station, NY 11776
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2211 73

President Susan E. Megroz Rosenzweig
Board of Education
Three Village School District
100 Suffolk Avenue
Stony Brook, NY 11790
CERTIFIED MAIL RECEIPT #
9214 8969 0099 9790 1657 2209 78

EXHIBIT F

SEQRA Findings In Support of Negative Declaration

Based upon the Questionnaire prepared by the Company and the Environmental Information reviewed by the Agency, the Agency determines that the action relating to the acquisition, construction and equipping of the Facility is an "Type I" action, as that term is defined under SEQR. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Agency has determined that the Project will not have a significant adverse impact upon the environment and issues a negative declaration as part of an uncoordinated SEQRA review. The reasons supporting this determination and finding are as follows:

1. Conformance of Project with the Town Code.
 - a) On or about December 2, 2014, the Brookhaven Town Board adopted the Lawrence Aviation Industries Land Use Plan (the "Land Use Plan").
 - b) The Finding Statements of the Land Use Plan provide that, in its environmental review of the Land Use Plan, the Town did not identify any significant adverse impacts for the action, but proceeded to prepare a Generic Environmental Impact Statement in the SEQRA review to allow for a more comprehensive environmental review.
 - c) The Finding Statements of the Land Use Plan provide that a Final Generic Environmental Impact Statement was accepted by the Town Board on November 14, 2025.
 - d) The Land Use Plan contains a broad outline of how future land use decisions were to be made regarding the subject property, including the creation of the Lawrence Aviation Industries Overlay zoning designation, which governs the development of the Project.
 - e) The objections of the Land Use Plan were (i) rezoning the residential lots to industrial, (ii) creation of the Lawrence Aviation Industries Overlay zoning district, (iii) restricting certain permitted uses in the industrial zoning from the project site due to concerns related to prior contamination, (iv) eliminating certain specially permitted uses in the industrial zoning from the project site due to concerns related to prior contamination, (v) requiring soil and volatile organic chemical (VOC) testing, and as warranted soil and/or VOC remediation to ensure safety at the site for new development, (vi) creating a Lawrence Aviation Industries Transition Area with performance standards, (vii) providing incentives for solar energy productions facilities; and (viii) maintaining existing industrial zoning.

- f) Among the goals of the Land Use Plan was to permit solar for a solar energy generating facility to be constructed on-site without needing to apply to the Town Board or go through further comprehensive environmental review, as the same were found to have little to no impacts on traffic, noise, emissions, fumes, energy and groundwater.
- g) Here, the project is to permit a solar energy generating facility entirely consistent with the zoning and land use restrictions adopted in accordance with the Land Use Plan. As such, the Project is consistent with the goals of the adopted Land Use Plan for the subject property.
- h) Based upon the foregoing, the proposed action has been developed to address the need for the goals identified by the Land Use Plan by creating a new a solar energy generating facility. Therefore, no significant adverse socioeconomic impacts have been identified.

2. Impact on Land. The Project is not anticipated to create any potentially significant adverse impacts to land resources or land use. The Project consists of construction of an “as of right” use of the subject property, which is the subject of a Land Use Plan specially created, in part, to permit a solar energy generating facility of the exact nature proposed. Through the Project’s strict compliance with the adopted Town Code and Land Use Plan specially adopted for this Land, the land use and zoning character of the area will be protected. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to land resources or land use.

3. Impact on Water. As noted in the findings statement for the Land Use Plan, solar energy generating facilities have little to no impacts on groundwater. Further, stormwater runoff will be retained onsite. Accordingly, the Project will not have an adverse impact on water resources.

4. Impact on Air. The Project will not be a significant source of air emissions. The Project does not entail the types of activities or operations that require the Company to acquire an Air Facility Permit or that are associated with a significant potential for air emissions. Any potential impact on air as a result of construction activities will be minor, and temporary in nature.

5. Impact on Health or Safety. While the Land and adjacent parcels are within the NYSDEC remedial database, the Land has been recommended by the NYSDEC to be reclassified as no longer presenting a threat to public health or the environment and is proposing to delist the Land from the NPL for the following reasons:

- a. The implemented soil remedy for the site successfully achieved the Preliminary Remediation Goal for polychlorinated biphenyls in accordance with the 2006 Record of Decision.
- b. An environmental easement has been recorded for the site and limits site use to commercial and/or industrial purposes.

- c. A 5.25-acre portion of the site will remain on the New York State Registry of Inactive Hazardous Waste Sites, and the Land upon which the Project will be constructed will be reclassified from Class 02 to Class 04.
- d. NYSDEC will maintain a Site Management Plan to address all on-site environmental media, and periodic reviews will be performed to confirm that site Institutional and Engineering Controls (IC/EC), are being implemented and remain effective

The delisting is proposed to occur in September. The Project also does not entail the types of activities or operations that are associated with a significant potential for affecting public health. The Agency also notes that, had the Land received the anticipated certificate of completion (COC) pursuant to Environmental Conservation Law Section 27-1419, as part of the declassifying prior to issuing a Final Approval, the Project would be classified as a Type II action, exempt from SEQRA. Accordingly, the Project will not create any significant adverse impact to public health, air, land or water resources.

6. Impact on Plants and Animals Including to Threatened or Endangered Species. The NYSDEC records indicate no threatened or endangered species at the Land.

7. Impact on Agricultural Land Resources. The Project is located in an area currently devoted to commercial, industrial and residential uses. As a result, it will not involve the conversion or loss of agricultural land resources. Accordingly, the Project will not create any significant adverse impacts to agricultural land resources.

8. Impact on Aesthetic Resources. The Project will not be proximate to any officially designated federal, state or local scenic or aesthetic resource. The Land is situated in a developed commercial, industrial and residential area, is zoned for uses consistent with the Project, and the Facility is also consistent with surrounding uses. As the Facility is consistent with its surroundings, it is not anticipated to create any significant adverse impacts to aesthetic resources.

9. Impact on Historic and Archeological Resources. The Land is not within nor adjacent to any archeological area deemed sensitive by the State Historic Preservation Office nor any historic buildings. The Land, contains no visible historical, archeological, architectural or aesthetic resources that will be impaired by the development of the Facility. Accordingly, the Project will not create any significant adverse impacts to historical or archaeological resources.

10. Impact on Open Space and Recreation. The Land cannot be used for recreational purposes due to historic contamination. The Land does not constitute open space, but is contiguous to a greenway established. The passive nature of the use is not anticipated to create an adverse impact on local parkland. Accordingly, the Project will not create any significant adverse impacts to open space or recreational resources.

11. Impact on Critical Environmental Areas. The Land is not located within a recognized Critical Environmental Areas. Accordingly, the Project is not anticipated to have a significant adverse impact on Critical Environmental Areas.

12. Impact on Transportation. Based on the Questionnaire, the Findings Statement for the Land Use Plan and the Agency's experience with similar projects, the Project will not result in a substantial increase in traffic above capacity of current traffic infrastructure, nor is it expected to generate substantial new demand for transportation facilities or services/infrastructure. Any impacts to transportation from construction activities associated with the Project will be minor and temporary in nature. Accordingly, it is not anticipated that the Project will create any significant adverse impacts to transportation.

13. Impact on Energy. The Project will not result in an increase in energy usage. Instead, it will generate electric for the electrical utilities serving the area. Indeed, as indicated in the Findings Statement for the Land Use Plan, "Development of the complex (or portions of the complex) for this use [solar electric generation] would have a net positive impact on energy use within the Port Jefferson, Brookhaven Township and Suffolk County regions." As a result, the Project will not create any significant adverse impacts to energy.

14. Impact on Noise and Odor and Impacts from Light. The Project is not expected to materially increase ambient noise levels or to create odors of consequence particularly considering such project setting including the Land. As a result, it is not anticipated that the operation of the Project will result in undue noise impacts. Further, any impacts to noise and/or odor from construction activities will be minor, and temporary in nature. In addition, any such noise from construction will be undertaken during work hours and as such is not anticipated to be significant. Accordingly, the Project will not create any significant adverse impacts to noise or odors.

15. Impact on Growth and Character of the Community and Neighborhood. The Project is not anticipated to result in significant growth out of character or beyond the capacity of the area to accommodate the same considering the zoning of the site of said project, former uses on the Land and surrounding uses, as well as the passive nature of a solar electrical generation facility. Accordingly, the Project is not anticipated to create any significant adverse impacts to the growth or character of the community.

16. No Related Actions being Funded, Undertaken or Approved by the Agency. The Project is not associated with any related action being undertaken, funded or approved by the Agency. Accordingly, the Project is not anticipated to have a cumulative impact that affects the consideration of the Project under SEQRA.

17. Changes Associated with the Project Will Not have a Significant Impact on the Environment in the Aggregate. No anticipated changes in two or more elements of the environment, neither of which has a significant impact on the environment, when considered together will result in a substantial adverse impact on the environment given existing environmental conditions and conditions of the Site

Plan Approval.

Based on the foregoing, the Agency finds and determines that the requirements of 6 CRR-NY Part 617 have been met and that that no environmental impact statement shall be required or prepared. This determination constitutes a negative declaration for purposes of SEQR. Notice of this determination shall be filed to the extent required by the applicable regulations under SEQR or as may be deemed advisable by the Chairman or the Chief Executive Officer of the Agency or counsel to the Agency.