



Ladies and Gentlemen:

Enclosed please find the application of the Dutchess County Industrial Development DCIDA (the "DCIDA"). Please be advised that there is a \$1,000.00 application fee to be paid by the client and to be enclosed with the completed application in order to enable the DCIDA to proceed with the benefit package.

You will receive an Engagement Letter which constitutes an explanation of legal fees and costs related to our counsels' work with respect to your project. This Engagement Letter will require an escrow account of \$5,000.00 and our counsel will invoice you monthly on an hourly rate basis for services rendered and deduct it from the escrow account. Should you terminate the agreement or abandon the project, any unused funds will be returned to you. If you have any questions concerning this matter, please contact me.

I advise you that the DCIDA itself does not lend money. Instead, the DCIDA issues bonds for the benefit of the project applicant. The project applicant must find a purchaser of the bonds and agree as to terms and conditions of repayment, interest rate, interim advances during construction, what securities are to be pledged, etc., just as the project applicant and a lender would in any other secured transaction. On filing an application, the project applicant should be fairly secure in knowing where to obtain the requisite moneys.

No work should be commenced or construction contracts entered into or materials ordered or land purchased if any of these expenses are to be included in the bond issue prior to the DCIDA passing an Inducement Resolution and Agreement with the project applicant after an application is filed. To do so may jeopardize the inclusion of the expense of such item in the bond issue.

In completing the application, please note certain material is requested that is required by statute in order to authorize the issuance of the bonds, to wit: the increased employment and your history as to location and why you are expanding or locating in Dutchess County. The bonds are issued as an inducement in industrial, commercial and warehousing facilities that presently do not exist in Dutchess County, or, if they exist, there is an expansion program contemplated. The bond proceeds cannot be used in any way for refinancing existing mortgages.

Prior to the issuance of IDA benefits (PILOT and/or bonds), the project applicant is required to make an agreement in lieu of taxes with all local taxing authorities and furnish the DCIDA with a certified copy of all of the agreements in lieu of taxes. An issue will not close without this document in place. The processing fees of the DCIDA is one percent (1%) of the first \$25 million of the estimated project cost and one-quarter of one percent (.25%) for the estimated project in excess of \$25 million. Processing fees for industrial and manufacturing projects are one percent

(1%) of the first \$2.5 million of the estimated project cost and one-quarter of one percent (.25%) for the estimated project in excess of \$2.5 million.

The project applicant additionally will be required to pay DCIDA Counsel fees, Bond Counsel fees and other direct expenses of the DC IDA, including, but not limited to, local workforce compliance monitoring fees, special reports and accounting and engineering expenses. The project applicant agrees that such legal fees and other direct expenses of the DC IDA such as publication costs and stenographer's fees are payable separately from the application and processing fees. The above fees will be payable in full on the sale of the bonds. Failure and neglect to proceed to close will result in pro rata tender of billings.

Upon receiving the application in my office, I will convene a meeting of the DCIDA to meet with the principals personally to discuss the application, as now required by DCIDA policy.

Please note that the DCIDA is under no obligation to act favorably on this application, and the project applicant agrees to release the DCIDA, its members, its staff, its successors and assigns from any claim against the DCIDA that may arise from the DCIDA's processing the application or by the DCIDA's either granting or denying the application.

Because the DCIDA is an exempt organization under the Internal Revenue Code of 1986, as amended, I advise you further that certain benefits will accrue during construction, such as the nonpayment of sales taxes on goods purchased for either initial construction or start-up equipment. Furthermore, upon the filing of documents, no mortgage tax will be necessary between the DCIDA and a trustee or bank collecting the moneys during the financing for the repayment of bonds. In accordance with New York State regulations, you are advised that we are obligated to include a "Recapture of Benefit Provision" in our application which details DCIDA procedure to be utilized to recapture benefits given to projects in certain instances.

If I can be of further assistance, please feel free to contact our office.

Very truly yours,

Sarah Lee
Executive Director

Enclosures

PLEASE TAKE NOTICE — The DC IDA in certain respects is subject to the Freedom of Information Law or Sunshine Laws of the State of New York. If there are any confidential matters or negotiations for real property taking place that would be adversely affected by revelation of the particulars to the public or media, it is suggested that this matter be discussed with the DCIDA Counsel or personnel directly and not set forth in the initial application unless required by Bond Counsel for the preparation of the Inducement Resolution. Any financial disclosures of the

project applicant requested should be marked confidential to ensure their attention as confidential documents. Although the DCIDA does not pass on the project applicant's financial ability to pay, which is the bond purchaser's prerogative, the DCIDA does want to know that the project applicant is a viable business enterprise.



*To help companies locate here, make needed capital expansion
or grow existing and new jobs.*

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APPLICATION FOR FINANCIAL ASSISTANCE



***DCIDA Board and Staff
OFFICERS***

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Timothy E. Dean

Vice Chairman

Mark Doyle

Secretary/Treasurer

Kathleen M. Bauer

Executive Director

Sarah Lee

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This e-mail address is being protected from
spambots.

Dutchess County Legislature

A. Gregg Pulver, Chairman

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MISSION STATEMENT

The Dutchess County Industrial Development Agency [DCIDA] was created to further economic development in Dutchess County by providing financial assistance to private entities through tax incentives including the issuance of bonds to facilitate the building of capital projects with the resultant construction jobs and permanent follow on employment.

INSTRUCTIONS

I. Application Submission and Application Fees

All applications will be subject to approval of the Dutchess County Industrial Development DCIDA ("DCIDA") and no financial Assistance can be provided, including a sales tax exemption on purchases made prior to DCIDA approval, until the application has been approved.

The DCIDA will not approve any applications unless, in the judgment of the DCIDA, the application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action. The DCIDA may find it necessary to request additional information, should additional information be required the DCIDA will not consider the application complete until all additional information is received.

The DCIDA will not give final approval to this application until the DCIDA receives a completed environmental assessment form concerning the Project.

All projects receiving a benefit greater than \$100,000 are required to have a public hearing inclusive of a 10 day notice before any approval can be granted by the DCIDA.

The DCIDA has established an application fee of \$1,000.00 to cover the anticipated costs of processing the application. A check or money order made payable to the Dutchess County Industrial Development DCIDA (DC IDA) must accompany each application. The Application WILL NOT be accepted by the DCIDA unless accompanied by the application fee.

When completed, return the application to the *Dutchess County IDA, 3 Neptune Road, Poughkeepsie, NY 12601*.

The applicant will be required to pay to the DCIDA the actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the DCIDA's bond issued to finance the project). The Applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the DCIDA. The costs incurred may be considered as part of the bond issue.

The DCIDA has established an administrative fee for each project it engages. Unless the DCIDA agrees in writing to the contrary, the project fee is required to be paid by the applicant at or prior to the granting of any financial assistance by the DCIDA

II. Application Components and Exhibits

The sections below are included in the Application. These make up the required information and documents that must be completed and submitted to the DCIDA in order for your Application to be considered. Failure to provide information may impact your project being considered in a timely manner.

Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”)

If an estimate is given as an answer to a question, put “est.” after the figure or answer, which is estimated.

If more space is needed to answer any question, please attach a separate sheet.

General Information

Section 1- Applicant Information

Section 2 – Project Description and Details

Section 3 – Project Evaluation & Assistance Framework

Section 4 – Retail Determination

Section 5 – Inter-Municipal Move Determination

Section 6 – Single or Multi-Tenant Determination

Section 7 – Representations, Certifications and Indemnification Forms

Section 8 – Local Workforce Certification Form

Attachment 1 – Environmental Assessment Form (EAF)– An Environmental Assessment must be completed for every project. The Short Environmental Assessment Form is available on the DCIDA Website at <https://thinkdutchess.com/ida/application/>. However in some instances a Long Form EAF may need to be completed.

Attachment 2 - DCIDA Standard Fee Schedule and other Fees

Attachment 3 – Additional Community Benefit Metrics Definition

III. Insurance

Once a project is approved by the DCIDA, insurance will be required. Details of the required insurance will be provided in the DCIDA contracts, in the meantime please note that insurance is to be provided after Board approval but prior to utilization of your IDA benefits. Insurance shall be maintained during the term of any applicable Agent Agreement or Lease Agreement by and between the DCIDA and Project Applicant. Proof of Insurance will be required and requested on an annual basis.

IV. Local Workforce Policy

Construction jobs though limited in time duration, are vital to the overall employment opportunities in Dutchess County.

For projects \$10,000,000 and above, the DCIDA believes that Project Applicants, as a condition to receiving a real property tax abatement also referred to as a Payment in Lieu of Taxes (PILOT) from the Agency, will be required to utilize qualified Workforce for all projects involving the construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (collectively, the "Project Site").

The Local Area is defined as individuals residing in the following County /Cities /Towns /Villages as well as the following Counties (collectively, the "Local Area"): Columbia County, Dutchess County, Greene County, Orange County, Putnam County, Rockland County, Sullivan County, Ulster County and Westchester County. Companies receiving a PILOT as part of their financial assistance shall ensure that at least 80% of total work hours of the general contractor, subcontractor, or subcontractor to a subcontractor (collectively the "Workers") working on the Project Site must reside within the Local Area. The 80% shall be measured by hours in total at the time of completion of the project. Companies do not have to be local companies as defined herein, but must employ local Workers residing within the Local Area to qualify under the 80% local Workforce criteria.

It is understood that at certain times, Workers residing within the Local Area may not be available with respect to a Project. Under this condition, the Company is required to contact the DCIDA to request a waiver of the Local Utilization Requirement (the "Local Workforce Utilization Waiver Request") waivers may be granted in the following situations (a) Warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers (b) Specialized construction for which qualified Local Workforce Area workers are not available (c) Significant cost differentials in bid prices whereby the use of local Workforce significantly increases the cost of the project. A cost differential of 10% is deemed significant. Every effort should be made by the contractor or applicant to get below the 10% cost differential including, but not limited to, meeting with local construction trade organizations and local contractor associations (d) Documented lack of workers meeting the Local Workforce Area

requirement. The DCIDA shall evaluate the Local Workforce Utilization Waiver Request and make its determination related thereto based upon the supporting documentation received with such waiver request.

V. Recapture of Financial Assistance

In order to better ensure the integrity of the projects that receive Financial Assistance from the DCIDA, has determined that is in the public interest: (a) to ensure the continuity of such project and the jobs created by such projects; (b) ensure the use of local workforce during project construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (c) to ensure that the investment amount as proposed by the Applicant and approved by the DCIDA is made (d) to ensure that the state and local taxes and use tax exemption benefits are utilized in the amount as so authorized by the DCIDA (e) to ensure the state and local sales and use tax exemptions benefits are only utilized by the company/applicant and its duly appointed agents; (f) to ensure that the state and local sales and use tax are only utilized on the specific project as described in the Application and (g) to ensure that the Company complies with the certain material terms and conditions as determined by the DCIDA. At such time as the Applicant fails to meet the terms of the Agreement including failing to retain and create jobs as represented in the Application a recapture of any or all state and local sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property abatement benefits may be required to be paid by the Applicant.

Details on the DCIDA Policies can be found on the DCIDA Website

[\(https://thinkdutchess.com/ida/dcida-public-documents-and-policies/\)](https://thinkdutchess.com/ida/dcida-public-documents-and-policies/)

- Maintaining Performance Based incentives for projects granted assistance including a PILOT
- Projects granted assistance without a PILOT.

VI. Submission and Acceptance of the Application for Financial Assistance

Please note that the DCIDA is under no obligation to act favorably on this application, and the project applicant agrees to release the DCIDA, its members, its staff, its successors and assigns from any claim against the DCIDA that may arise from the DCIDA's processing the application or by the DCIDA's either granting or denying the application.

Please note that Article 6 of the Public Officers Law declares that all records in the possession of the DCIDA (with certain limited exceptions) are open to public inspection and copying. Also, as of December 2018, the IDA will post project applications on the Agency's

website. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of Public Officers Law.

General Information

I. Project Identification

Company Name CANAM Hudson Valley Logistics Owner, LLC	FEIN 88-2563922
Address 9830 Colonnade Blvd, Suite 600	Name and Title of Contact Person Luke Stephens, Analyst
City County Zip San Antonio, Bexar County, 78230	Telephone Number (210) 241-3319
Website www.usrealco.com	Email luke.stephens@usrealco.com

Full Address of the site/location of the proposed project, including County and Zip Code
500 South Drive, Hopewell Junction, Dutchess County, NY 12533

II Project Request

Please check which type of assistance you are applying for (select all that apply):

Bond Issuance (Tax Exempt / Taxable)		
Straight Lease		
Payment in Lieu of Taxes	X	
Sales Tax Exemptions	X	
Mortgage Tax Exemption	X	

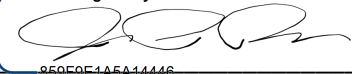
III. Authorizing Signature

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the DCIDA will rely on the representations made herein when acting on this Application and hereby represent 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. 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 DCIDA's involvement in the Project.

Signature	<u>SEE FOLLOWING PAGE</u>
Print Name	_____
Title	_____
Date	_____

CANAM HUDSON VALLEY LOGISTICS OWNER, LLC, a
Delaware limited liability company

DocuSigned by:

By: _____
959F9E1A6A14446...
Name: John DiCola
Title: Authorized Representative
Date: 10/4/2022

Section 1: Applicant Information

Applicant Background (company receiving benefit)

Please answer all questions. Use "None" or "Not Applicable" or "N/A" where necessary

A. Company Contact (if different from individual completing application)

Name: Luke Stephens
 Title: Analyst
 Address: 9830 Colonnade Blvd, Suite 600, San Antonio, TX 78230
 Phone: (210) 241-3319 Fax: N/A
 Email: luke.stephens@usrealco.com

B. Company Counsel:

Name of Attorney: Robert Ryan
 Firm Name: Harris Beach PLLC
 Address: 677 Broadway, Suite 1101, Albany, NY 12207
 Phone: (518) 701-2715 Fax: (518) 427-0235
 Email: rryan@harrisbeach.com

C. Form of Business Organization:

- | | |
|---|---|
| <input type="checkbox"/> For-profit corporation | <input type="checkbox"/> Not-for-profit corporation |
| <input type="checkbox"/> General partnership | <input type="checkbox"/> Limited partnership |
| <input checked="" type="checkbox"/> Limited liability company | <input type="checkbox"/> Sole proprietorship |

If you are a corporation or limited liability company, please provide date and state of incorporation:

Delaware. May 19, 2022.

If a foreign corporation or foreign limited liability company, please provide date authorized to do business in New York:

May 20, 2022.

D. Please list Principal Owners/Officers/Directors

(Principal owners that hold more than 15% equity ownership:

CANAM Hudson Valley Logistics Owner, LLC is a Special Purpose Entity (“SPE”) created specifically for this project. The SPE is comprised of two member entities: 1) “CANAM Hudson Valley Logistics Investor, LLC” (an affiliate of US RE Company, LLC (“USAA”) and owns 96.5% of SPE) and 2) “BPG East Fishkill LLC” (an affiliate of Bluewater Property Group (“Bluewater”) and owns 3.5% of SPE). Bluewater Management Group (an affiliate of Bluewater) is the developer for the venture.

If Applicant has a significant relationship with an affiliate company(ies), please list the name and address of such affiliate(s):

N/A

E. Holding Company

Will a Real Estate Holding Company be utilized to own the Project property/facility?

Yes No

What is the name of the Real Estate Holding Company: See above.

Federal Employer ID Number: _____

State and Year of Incorporation/Organization: _____

List of stockholders, members, or partners of Applicant: _____

Describe the terms and conditions of the lease between the applicant and the owner of the property:

Project is being constructed on a speculative basis. Specific lease / tenant characteristics are not yet known.

F. Applicant Business Description: Brief description of company, operations, products and services

Description is critical in determining eligibility. Attach additional pages if needed:

Applicant would develop and own the facility proposed at the site. Project is being constructed on a speculative basis. Specific lease / tenant characteristics are not yet known. The ability to construct the proposed facility and attract a viable tenant is contingent on DCIDA award. The Applicant intends to lease the facility on a long-term triple net basis to an occupant with all DCIDA benefits passing directly to said occupant via the lease structure.

G. Brief Description of Company History (formation, growth, transitions, location):

Applicant is CANAM Hudson Valley Logistics Owner, LLC, which is an SPE created

specifically for this project. USAA is the primary investor in this SPE. Bluewater is a secondary investor and the development partner for this project.

USAA is in the business of acquiring, developing, financing and managing quality real estate investments across all property sectors. USAA provides equity to complement third party debt, and its services include the full range needed to assist Developers in designing, developing, and constructing a project.

Bluewater is a principal development organization formed by a multi-disciplined team of career real estate investment practitioners with a dedicated focus on the US logistics sector. Bluewater principals have extensive experience leading public, private and entrepreneurial entities focused on the domestic industrial sector and have, as part of a larger team of professionals, successfully developed, acquired, and managed in excess of \$10 billion of value and 150 million square feet of industrial assets over the past 20 years.

Estimated % of sales within County	<u>N/A</u>
Estimated % of sales outside County but within New York State	<u>N/A</u>
Estimated % of sales outside NYS but within U.S.	<u>N/A</u>
Estimated % of sales outside the US	<u>N/A</u>
Total Sales	<u>N/A</u>

H. Is or was the Company assisted by DCIDA?

Yes No

I. Has the company received any state or federal subsidies or program assistance in the last 10 years?

Yes No

If yes, please list subsidies, program assistance or grants

J. Have you contacted or been contacted by other Economic Development Agencies for this project? If yes, please identify which agencies and what other assistance or assistance sought and the dollar amount that is anticipated to receive. Yes No

If yes, please list:

K. If the company is a party to any significant pending or recently concluded litigation (including bankruptcy), please describe:

N/A

- L.** Is Company in compliance with local, state and federal taxes, workers' protection, and environmental laws?

Yes.

- M.** Please attach a copy of most recent company annual audit.

N/A – SPE recently formed.

- N.** Please attach sales and income projections or a project pro forma for next 3 to 5 years.

N/A – SPE recently formed.

Section 2: Project Description & Details

A. Industry

Please check off the Project’s Industry Sector:

- Natural Resources / Mining
- Construction
- Utilities
- Manufacturing
- Wholesale / Retail
- Transportation /Warehousing
- Other (Please write): _____
- Information Technology
- Financial Services
- Professional / Business Services
- Education or Healthcare Services
- Leisure and Hospitality
- Government

North American Industrial Classifications Number (NAICS) 454110

B. Project Location

Project Address 500 South Drive, Hopewell Junction, Dutchess County, NY 12533

Section Block Lot (SBL) Number for Property which proposed Project will be located:

Primary Parcel:
 Section: 6356
 Block: 04
 Lot: 587105

Secondary Parcel subject to perpetual easement:
 Section: 6356
 Block: 04
 Lot: 606028

Property Tax Jurisdiction:

Municipal: Town of East Fishkill

School District: Wappingers Central School District

Are the Real Property Taxes current? Yes No

If no, please explain _____

Utilities: Indicate which, if any, utilities are on site

Water Electric

Gas Sanitary/Storm Water

Does the Applicant or any related entity hold fee title to the Project Site? Yes No

If no, Present legal owner of site: _____

Does the Applicant or related entity have an option /contract to purchase the Project site? – N/A Yes No

Describe the present use of the proposed Project Site

Site was part of the former IBM West Campus and a previous attempt to develop the property as a privately owned athletic “Sportsdome” facility stalled in 2018. The property has remained fallow with partially constructed foundations on site since that time.

The facility consists of a building/space which will be (check as applicable)

Acquired Constructed
 Renovated Expanded

In the space below briefly describe the proposed project and its purpose (new build, renovations, and equipment purchases). Identify specific uses occurring with the project. Describe any and all tenants and any/all end users. (*Attach detailed information if necessary*).

Proposed new warehouse/distribution center building of approximately 540,000 SF.

Describe why the DCIDA’s financial assistance is necessary and if the applicant is unable to obtain DCIDA financial assistance, what will be the impact on the Applicant and Dutchess County and/or municipality? Would the applicant proceed with the project without DCIDA assistance? (*Attached additional sheets if necessary*).

Bluewater, the developer for the project, intends to secure entitlements for the project (“HVLC”) as early as Q4 2022. Marketing for HVLC will be targeted to companies interested in the benefits of locating in Dutchess County, and Bluewater will highlight those benefits relative to competing sites in Orange County, Northeast Pennsylvania, and New Jersey. However, development costs and real estate taxes are materially higher in Dutchess County than in those competing submarkets. A PILOT Agreement would enable the project to create a more level playing field to attract tenants to support the development of the site and the residual economic impact to the local community. The Applicant would not proceed with the project without DCIDA assistance through a PILOT Agreement.

Please confirm by checking the box below if there is a likelihood that the Project would be not undertaken but for the Financial Assistance provided by the DCIDA.

Yes No

If the Project could be undertaken without Financial Assistance provided by the DCIDA, then provide a statement below indicating why the Project should be undertaken by the DCIDA.

N/A

To the extent the project serves a local market area, is there a recognized and demonstrable need for the products or services the project will provide in the project's market area?

Project is being constructed on a speculative basis. Specific tenant business operations characteristics are not yet known.

Is the project compatible with and will significantly assist and enhance all development plans for its area established formally or informally by local, county, state and federal authorities?

Yes. This project would enable the Town of East Fishkill to finally realize a redevelopment of the fallow IBM West Campus, which it has been actively seeking to do since at least 2014 when the Town passed "Local Law 4 2014: A Local Law Regarding Economic Redevelopment Special Permit" which aims specifically to redevelop the subject site.

Will the project be incorporating new energy efficiency factors in the design and operation of project? If yes, please elaborate. If no, please explain why it will not.

Yes. LED light fixtures, low-flow water fixtures, and roof structure design will include capacity for solar panels.

Is the project of a speculative nature?

Yes.

Is this part of a Multi-Phase Project? Yes No

Will the Project include leasing any equipment? – N/A* Yes No

** Project is being constructed on a speculative basis. Specific tenant characteristics are not yet known.*

C. Zoning of Project Site:

Current

I-1 Light Industrial

Project would apply for an Economic Redevelopment Special Permit which is a permit specifically adopted by the Town of East Fishkill to support the redevelopment of the property.

Proposed

Are any variances needed? If so, please list:

None.

If a change in zoning/land use is required, please provide the details/status of any request for change in zoning/land use requirements.

N/A

The approximate acreage of the land to be purchased or leased:

41.3 acres

The approximate square footage of the existing building to be purchased or space to be expanded/renovated is:

None.

The approximate square footage of the planned *new* construction is: 540,000 SF.

Please note that the DCIDA cannot provide any financial assistance until the environmental review required under the State Environmental Quality Review Act ("SEQRA") has been completed. Please complete the annexed Short Form Environmental Assessment Form. Based upon the information provided in that form and elsewhere in this application, the DCIDA may require further information regarding potential environmental impacts.

NOTE: See Full EAF (i.e. Long-Form EAF) attached as Attachment 1 in lieu of Short-Form EAF.

If this project is likely to have a significant adverse impact on the environment (a "Type I" action), then the action is probably required to be reviewed by one or more other state or local agencies, such as a local zoning or land use authority. In that event, the DCIDA generally will not act as "lead DCIDA," and any action by the DCIDA must await completion of the SEQRA review by the other DCIDA. If that is not the case, i.e., if the proposed action is a "Type II" or "unlisted" action under SEQRA, the DCIDA may act independently for SEQRA purposes.

Any known environmental contamination or remediation issues? Yes No

If yes, please list: _____

Has another entity been designated lead agent under the State Environmental Quality Review Act? Yes No

If yes, please explain Town of East Fishkill's Town Board to announce its intention to serve as Lead Agent on June 23, 2022.

The DCIDA will not provide any financial assistance to the Project until the environmental findings required under SEQR have been made.

D. Investment (Uses and Sources)

Uses (Facility Costs) Please give an accurate estimate of the costs of all of the following items.
Applicants are encouraged to discuss the project with DCIDA in order to estimate costs.

1. Real Estate

(Acquisition cost of land and /or existing structures) \$ 22,000,000.00

2. New Construction

\$ 56,000,000.00

3. Reconstruction/Renovation/Expansion

N/A

4. Infrastructure Work

\$ N/A

5. Fixed Equipment (Taxable) (Spending that will be subject to sales tax – i.e. machinery and equipment)

\$ N/A

6. Other Tax Exempt

(non-construction spending that will not be subject to sales tax)

\$ N/A

7. Professional Services (Architect, Legal Fees¹, Engineering fees)

\$ \$1,500,000.00

8. Other Taxable (please specify)

\$ 0

9. Other (please specify)

\$ 0

Estimated Total Project Cost \$ 79,500,000.00

Uses (Financing, Legal, Miscellaneous)

	<u>Estimated Fees</u>
IDA Administrative Fees (See page 1)	\$ <u>TBD</u>
IDA Counsel	\$ <u>TBD</u>
Applicant Counsel	\$ <u>20,000.00</u>
Transaction Counsel	\$ <u>N/A</u>
Bond Counsel	\$ <u>N/A</u>
Underwriter Counsel	\$ <u>N/A</u>
Trustee Counsel	\$ <u>N/A</u>
Other Costs of Bond Issue (i.e. printing)	\$ <u>N/A</u>
If this is a bond transaction, will you be refunding bonds? And if so state amount here	\$ <u>N/A</u>

DCIDA costs such as public hearings and legal notice fees are the responsibility of the Applicant from the time an application is submitted.

E. SOURCES

Amount of equity	\$ <u>27,825,000.00</u>
Amount of other conventional financing	\$ <u>51,675,000.00</u>
Amount financed by bond issue	\$ <u>N/A</u>
Public Sources (Include sum total of all state and federal grants and tax credits)*	\$ <u>0</u>
Total Sources of Funds for Project Cost	\$ <u>79,500,000.00</u>

*Identify each state and federal grant/credit

_____	\$ _____
_____	\$ _____
_____	\$ _____

F. Project Construction Schedule

What is the proposed date for commencement of acquisition or construction of the Project?
June 30, 2023

Please indicate the actual or expected dates of :

Construction completion: September 30, 2024

Occupancy: Building is being constructed on a speculative basis.
Timing of occupancy is not yet known.

Will the company be occupying 100% of the completed facility? – N/A* Yes No
 If no, will there be tenants in the remaining space? Yes No

- *Detailed questions will be asked in Section 5 – Single or Multi-Tenant Determination*

** Project is being constructed on a speculative basis. Tenant details are not yet known.*

Describe any contracts or agreements (options to purchase, purchase contracts, construction contracts, and equipment orders) which have been entered into with respect to the facility.

Please note that the DCIDA may not provide benefits to any purchases made prior to the execution of a Letter of Authorization for Sales Tax Exemption.

None.

Section 3: Project Evaluation and Assistance Framework

All projects must meet the Baseline Requirements to be considered for DC IDA benefits

A. Baseline Requirements (Must Achieve All)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Complete Application | <input checked="" type="checkbox"/> Meets Project Use Definition |
| <input checked="" type="checkbox"/> Meets NYS/DCIDA Requirements | <input checked="" type="checkbox"/> "But For" Requirement |
| <input checked="" type="checkbox"/> SEQRA / Planning Approval | <input checked="" type="checkbox"/> Will Directly Retain or Create Jobs |

NOTE: In Process

B. Additional Community Benefits

Projects that meet the baseline eligibility requirements and achieves a threshold of at least six (6) community benefit metrics may be considered for a deviation or an enhanced Payment in Lieu of Taxes (PILOT) formula. Detailed definitions of the Community Benefit are included in Attachment 3. Proof of providing additional community benefits may require third party verification. Any projects pledging additional Community Benefits and receiving an enhanced PILOT that fail to meet the requirements may be subject to assistance termination, modification or recapture.

<i>Revitalization</i>	<i>Investment</i>	<i>Employment</i>
Target Geography	Financial Commitment	Permanent Jobs*
<input type="checkbox"/> Distressed Census Tract/Area	<input type="checkbox"/> 3 – 10 million	<input type="checkbox"/> 3-40
<input type="checkbox"/> High Vacancy Census Tract	<input type="checkbox"/> 10.1 – 17.5 million	<input type="checkbox"/> 21-80
<input type="checkbox"/> Transit Oriented Development	<input type="checkbox"/> 17.6 – 25 million	<input checked="" type="checkbox"/> 81-120
<input type="checkbox"/> BID	<input checked="" type="checkbox"/> >25 million	<input type="checkbox"/> 121-180
<input type="checkbox"/> Neighborhood Plan		<input type="checkbox"/> > 180
	Community Commitment	Retained Jobs*
Identified Priority	<input type="checkbox"/> MWBE/DBE Participation	<input type="checkbox"/> 3-40
<input type="checkbox"/> Tax Exempt	<input type="checkbox"/> Veteran Participation	<input type="checkbox"/> 21-80
<input checked="" type="checkbox"/> Vacant	<input type="checkbox"/> Workforce /Affordable Housing	<input type="checkbox"/> 81-120
<input type="checkbox"/> Adaptive Re-use	<input checked="" type="checkbox"/> Local Workforce	<input type="checkbox"/> 121-180
<input type="checkbox"/> Community Catalyst	<input type="checkbox"/> Apprenticeship Program	<input type="checkbox"/> > 180
	<input checked="" type="checkbox"/> Public Infrastructure	
Identified Growth Area	Environmental Factors	Construction Jobs
<input checked="" type="checkbox"/> Manufacturing / Distribution	<input type="checkbox"/> Resource Conservation	<input type="checkbox"/> 6-80
<input type="checkbox"/> Technology	<input checked="" type="checkbox"/> Energy Efficiency	<input checked="" type="checkbox"/> 81-160
<input type="checkbox"/> Existing Cluster	<input type="checkbox"/> Green Technology	<input type="checkbox"/> 161-240
	<input type="checkbox"/> Alternative / Renewable Energy	<input type="checkbox"/> >240

**Project is being constructed on a speculative basis. Project anticipates the occupying tenant will generate 100-500 permanent jobs, which will be driven by type of tenant operations.*

C. Project Benefits

Financial Assistance Provided

1. Estimated Sales Tax Exemption^{^*}

$$\frac{\$22,400,000.00}{\text{Amount of Project Cost Subject to Tax}} \times \frac{.08125}{\text{Sales Tax Rate}} = \frac{\$1,820,000.00}{\text{Total}}$$

** NOTE: By virtue of IDA involvement, "goods purchased for either initial construction or startup" will not be subject to sales tax. It is assumed that 40% of the New Building Construction (\$56,000,000) will be allocated to goods purchased for either initial construction or start-up equipment.*

2. Estimated Mortgage Recording Tax Exemption

$$\frac{\$51,675,000.00}{\text{Projected Amount of Mortgage}} \times \frac{.0075}{\text{Mortgage Recording Tax}} = \frac{\$387,563.50}{\text{Total}}$$

**As of September 2016, DC IDA cannot exempt the MTA portion of the mortgage recording tax*

3. Estimated Property Tax Abatement

Project Property Value:

Current Assessed Value:	\$5,000,000.00
Current Property Taxes	<u>\$155,187.96</u>
Estimated Property Value after project completion	<u>TBD</u>

Will the Project utilize the DCIDA's Uniform Tax Exemption Formula? Yes X No

If no, please describe the real property tax exemption formula and a justification (attach additional sheets if necessary)

See "Attachment 4: PILOT Schedule Summary" and Section 2(b) above.

Estimated tax abatement resulting from this project \$ TBD
 (Consult with DCIDA for assistance with this calculation)

[^]Note that the DCIDA may utilize the estimate above as well as the proposed total Project Cost as contained within this application to determine the Financial Assistance that will be offered.

D. Employment

A. Benefits = Economic Development Impacts (For Project Location Only)

By statute, the DCIDA must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. The DCIDA will use job projections upon the two (2) year time period following Project completion.

a. Employment should be quantified by "FTE", which shall mean: (a) a full-time, permanent, private-sector employee on the project's payroll, who has worked (or is projected to work) at the project facility for a minimum of thirty-five hours per week for not less than four consecutive weeks and who is (or will be) entitled to receive the usual and customary fringe benefits extended by the Applicant to other employees with comparable rank and duties;

b. or (b) two part-time, permanent, private-sector employees on the Applicant's payroll, who have worked (or are projected to work) at the project facility for a combined minimum of thirty-five hours per week for not less than four consecutive weeks and who are (or will be) entitled to receive the usual and customary fringe benefits extended by the Applicant to other employees with comparable rank and duties

Employment by category at Project Location only

Job Category	Current Number of FTE's	Number of FTE's Retained	Average Salary or Range of Salary	Number of FTE's to be created upon 2 years	Average Salary or Range of Salary
Owner/Executive	TBD	TBD	TBD	TBD	TBD
Professional	TBD	TBD	TBD	TBD	TBD
Management	TBD	TBD	TBD	TBD	TBD
Administrative	TBD	TBD	TBD	TBD	TBD
Production	TBD	TBD	TBD	TBD	TBD
Other	TBD	TBD	TBD	100*	TBD
Total	TBD	TBD	TBD	100*	TBD

**Project is being constructed on a speculative basis. Project anticipates the occupying tenant will generate 100-500 permanent jobs, which will be driven by type of tenant operations.*

Are employees currently covered by a collective bargaining agreement?

If yes, Name and Local?

N/A*

**Project is being constructed on a speculative basis. Specific tenant employment characteristics are not yet known.*

Are employees provided retirement benefits? Yes No N/A*

**Project is being constructed on a speculative basis. Employment benefit details are TBD.*

Are employees provided health benefits? Yes No X N/A*

**Project is being constructed on a speculative basis. Employment benefit details are TBD.*

Estimate the projected monthly timeframe for the creation of new permanent jobs at project location*

Year 1	1	2	3	4	5	6	7	8	9	10	11	12
												50
Year 2	1	2	3	4	5	6	7	8	9	10	11	12
												50

**Project is being constructed on a speculative basis. Estimates for timing of FTE generation above assumes duration commences upon occupancy.*

Use of Local Workforce

The Dutchess County IDA supports the use of local workforce for projects receiving benefits from the DCIDA. Answers to the following questions will assist the DCIDA in evaluating the application.

The Local Workforce Area for **permanent jobs** includes residents in the County/Cities/Towns/Villages as well as the following Counties:, Dutchess County, Orange County, Putnam County, Rockland County, Sullivan County, Ulster County and Westchester County.

If a “local workforce plan” has been developed please include that plan as an addendum to this application.

Estimate the number of residents of the labor workforce area in which the Project is located that will fill the projected new jobs to be created.

Project anticipates occupying tenant will generate approximately 100 jobs.*

** Project is being constructed on a speculative basis. Project anticipates the occupying tenant will generate 100-500 permanent jobs, which will be driven by type of tenant operations.*

How will the project developer seek out and use the local workforce.

Project developer would use traditional recruiting methods to seek out local job seekers.

Projects \$10,000,000 and above, which are receiving a real property tax abatement, are subject to DCIDA’s Local Workforce Policy during the period of construction

The *Labor Workforce Area* for **construction jobs** under the Local Workforce Policy includes residents in the County/Cities/Towns/Villages as well as the following Counties: Columbia County, Dutchess County, Greene County, Orange County, Putnam County, Rockland County, Sullivan County, Ulster County and Westchester County.

How many construction jobs are anticipated to be created? 125

Section 4: Retail Determination

DCIDA assistance to retail projects (including hotels and restaurants) is subject to certain statutory restrictions.

To ensure compliance with Section 862 of the New York General Municipal Law, the DCIDA 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.

1. Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below please complete this section.

Retail Sales Yes No Services Yes No

For purposes of this question, 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 sales 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.

2. 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 makes sales of good or services to customers who personally visit the project site?

Yes No If yes, please continue. If no, proceed to the next section

3. 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? 0 % If the answer is less than 33% than proceed to the next section.

If the answer to question 2 is Yes and the answer to question 3 is greater than 33% indicate which of the following questions following apply to the project:

Is the project location or facility likely to attract a significant number of visitors from outside Dutchess County?

Yes No

If yes, please provide a third party market analysis or other documentation supporting your response.

Is the predominant purpose of the project to make available goods and services which would not, but for the project, be reasonably accessible to the residents of the municipality within which the proposed would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes No

If yes, please provide a third party market analysis or other documentation supporting your response.

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in New York State?

Yes No If yes, please explain _____

Is the project located in a Highly Distressed Area?

Yes No

Section 5 – Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the Applicant from one area of the State of New York to another area of the State of New York?*

___ Yes ___ No

**Project is being constructed on a speculative basis. Specific tenant employment characteristics are not yet known.*

Will the project result in the removal of a plant or facility of *another proposed occupant* of the Project from one area of the State of New York to another area of the State of New York?*

___ Yes ___ No

**Project is being constructed on a speculative basis. Specific tenant employment characteristics are not yet known.*

Will the Project result in the abandonment of one or more plants or facilities located in the State of New York?*

___ Yes ___ No

**Project is being constructed on a speculative basis. Specific tenant employment characteristics are not yet known.*

If the answer to either of the foregoing questions in this subpart is positive, please explain in detail, on as many separate sheets as necessary, the reasons for the relocation, abandonment or closure, including, without limitation, (i) any considerations regarding the applicant’s (or other occupant’s) ability to remain competitive in its industry, and (ii) any consideration which has been given to relocating to any location outside the State of New York.

Please note that the DCIDA may ask you to provide additional information regarding the foregoing, including documentary support

Section 6 – Single or Multi-Tenant Determination

Permissible projects are defined in the NYS General Municipal Law and the IDA may not be able to grant financial assistance to all tenants of a multi-tenant project. To assist in that determination please complete the following section.

Please note if the tenant qualifies as a permissible project, the Project Applicant will be responsible for collecting the required reporting information from the tenant(s).

Please explain what market conditions support the construction of this multi-tenant facility:
Project is being constructed on a speculative basis. Specific tenant characteristics are not yet known.

Have any tenant leases been entered into for this project? Yes X No

If yes, please list below and provide square footage to be leased to tenant and NAICS code for tenant and nature of business. (Attach additional sheets if necessary)

Tenant Name	Current Location (city, state, zip)	# of sq.ft leased	% of total to be occupied at project location	NAICS and business description (type of business, products, etc)

Section 7 – Representations, Certifications and Indemnification Forms

New York State
Applicant Requirements
For Industrial Development Agencies

The Applicant has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the DCIDA and as follows:

1. Absence of Conflicts of Interest

The Applicant has received from the DCIDA a list of the members, officers and employees of the DCIDA. No member, officers or employees of the DCIDA has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

None.

2. Job Listing

In accordance with Section 858-b(2) of the New York General Municipal Law, Applicant understands and agrees that, if the Project receives any Financial Assistance from the DCIDA, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed within the New York State Department of Labor, Division of Employment and Workforce Solutions (the DOL) and with the American Job Center of the service delivery area created by the federal Workforce Innovation and Opportunity Act (WIOA) in which the Project is located.

3. 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 DCIDA, except as otherwise provided by collective bargaining agreements, where applicable, the Applicant will first consider persons eligible to participate in WIOA programs who shall be referred by the American Job Center for new employment opportunities created as a result of the Project.

4. Annual Employment Reports

The Applicant understands and agrees that, if the Project receives any Financial Assistance from the DCIDA, the Applicant agrees to file, or cause to be filed, with the DCIDA, on an annual basis, reports regarding the number of people employed at the project site, salary levels and such other information as part of the DCIDA's Employment Report.

5. Fees

This obligation includes an obligation to submit DCIDA Fee Payment to the DCIDA in accordance with the DCIDA Fee policy effective as of the date of this Application.

6. Freedom of Information Law (FOIL)

The Applicant acknowledges that the DCIDA is subject to New York State's Freedom of Information Law (FOIL). Applicants understand that all project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.

7. Recapture Policy

The applicant acknowledges that is has been provided with a copy of the DCIDA's *Policy on Maintaining Performance Based Incentives*. The Applicant agrees that it fully understands the Policy on Maintaining Performance Based Incentives is applicable to the Project that is the subject of this application and the DCIDA may implement the Policy if and when it is required to do so.

Financial Reporting Requirements

Chapter 692 of the Laws of 1989 requires additional financial reporting requirements from all IDA's in New York State.

8. Sales Tax

Section 874(8) of the New York general Municipal Law requires all entities appointed as agents of the DCIDA for sales tax purposes to file an annual form, as prescribed by the New York State Department of Taxation, describing the value of sales tax exemptions claimed by the Applicant and all its subagents, consultants, or subcontractors. Copies of all filings shall be provided to the DCIDA.

The Applicant hereby agrees to complete "ST-60, IDA Appointment of Project Operator or Agent for Sales Tax Purposes" for itself and each agent, subagent, contractor, subcontractor, contractors or subcontractors of such agents and subagents and to such other parties as the Applicant chooses who provide materials, equipment, supplies or services and deliver said form to the DCIDA within fifteen (15) days of appointment such that the DCIDA can execute and deliver said form to the State Department of Taxation and Finance within thirty (30) days of appointment.

- 9. 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 DCIDA. (1) No funds of the DCIDA 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 DCIDA 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.

- 10. 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
- 11. 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 18A of the New York General Municipal Law, including, but not limited to, the provisions of Section 859a and Section 862(1) of the New York General Municipal Law.

12. Bonds

- a. **All bonds issued, outstanding or retired during the year must indicate the following:**

Month and year issued; Interest rate at year end; outstanding beginning of year; issued during year; principal payments during year; outstanding at end of year; and final maturity date. This information will be requested from you in January of each year.


- b. **All new bonds issued need the following supplemental information:**

Name of the project; tax exemptions separated by State and local sales tax, County and school taxes; Mortgages recording; Payments in lieu of taxes; New tax revenue if no exemption is granted; number of jobs created and other economic benefits. This information is required each year and will be requested from you in September of each year.

Signature SEE FOLLOWING PAGE
 Print Name _____
 Title _____
 Date _____

CANAM HUDSON VALLEY LOGISTICS OWNER, LLC, a
Delaware limited liability company

DocuSigned by:

By: 
859F9E1A5A14446...

Name: John DiCola

Title: Authorized Representative

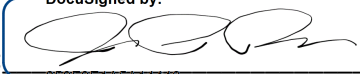
Date: 10/4/2022

HOLD HARMLESS AGREEMENT

Applicant hereby releases the Dutchess County Industrial Development DCIDA and its members, officers, servants, agents and employees thereof (the "DCIDA") from, agrees that the DCIDA shall not be liable for and agrees to indemnify, defend and hold the DCIDA harmless from and against any and all liability arising from or expense incurred by (A) the DCIDA's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the DCIDA, (B) the DCIDA's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the DCIDA with respect to the Project; including and without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the DCIDA or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the DCIDA, its agents or assigns, all costs incurred by the DCIDA in the processing of the Application, including attorneys' fees, if any. The DCIDA reserves the right at any time, as a condition to further consideration of this application, to require reimbursement of any such costs incurred, or to require a deposit against such costs and to apply such deposit to the DCIDA's costs as incurred.

Signature SEE FOLLOWING PAGE
Print Name _____
Title _____
Date _____

CANAM HUDSON VALLEY LOGISTICS OWNER, LLC, a
Delaware limited liability company

DocuSigned by:

By: _____
Name: John DiCola
Title: Authorized Representative
Date: 10/4/2022

To Be Completed for Bond Financing only

2) Bond Information

1. State Bond Issuance Fees: N.Y. Public Authorities Law §2976(2) levies upon the DCIDA the following (which amount must be paid to the DCIDA by the applicant):

<u>Principal Amount of Bonds</u>	<u>Percentage Fees</u>
\$1,000,000 or less	.168
\$1,000,000 to \$ 5,000,000	.336
\$5,000,001 to \$ 10,000,000	.504
\$10,000,001 to 20,000,000	.672
More than \$20,000,000	.084

2. Total Funds Required _____ Estimated Term _____

3. Indicate the date by which the proceeds of the DCIDA's bonds, if issued will be needed

Date Required _____

3) Certification
To Be Completed for Bond Financing only

_____ deposits and says that he/she is
(Name of Officer of Company submitting application)

the _____ of _____
(Title) (Company Name)

The corporation named in the attached application; that he/she has read the forgoing application and knows the contents thereof; that the same is true to his/her knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by

_____ is because the said Company is a Corporation.
(Company Name)

The grounds of deponent's belief relative to all matters in the said application which are not stated upon his/her own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his/her duties as an officer of and from the books and papers of said corporation.

As an officer of said corporation (hereinafter referred to as the "applicant"), deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the Dutchess County Industrial Development DCIDA (hereinafter referred to as the "DCIDA") acting on behalf of the applicant during the attendant negotiations and leading to the issue of bonds. If, for any reason whatsoever, the applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified time to take reasonable, proper, or request action, or withdraws, abandons, cancels, or neglects the application, or if the DCIDA or applicant are unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, applicant shall pay to the DCIDA, its' agents, or assigns, all actual costs incurred with respect to the application, up to that date and time, including fees of bond counsel for the DCIDA and fees of general counsel for the DCIDA.* Upon successful conclusion and sale of the required bond issue, the applicant shall pay to the DCIDA an administrative fee set by the DCIDA.

(Chief Officer of Company submitting)

_____ Title _____
Print Name

Date

NOTARY: Sworn to me before this _____ day of _____, 20 _____
*Applicant is responsible for payment of any State Bond Issuance Fees.

Notary Public (Please Affix Stamp)

Section 8 - Local Workforce Utilization Policy and Certification

Construction jobs, though limited in time duration, are vital to the overall employment opportunities in Dutchess County. The Dutchess County Industrial Development Agency (the "Agency") has determined that Project Applicants (the "Company"), as a condition to receiving a real property tax abatement also referred to a Payment in Lieu of Taxes (PILOT) from the Agency, will be required to utilize qualified Workforce, as defined below, for all projects involving the construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (collectively, the "Project Site").

For Projects \$10,000,000 and Above Receiving a Real Property Tax Abatement

Local Area Defined

For projects equal to or greater than \$10,000,000 the Local Area is defined as individuals residing in the following Counties (collectively, the "Local Area"): Columbia County, Dutchess County, Greene County, Orange County, Putnam County, Rockland County, Sullivan County, Ulster County and Westchester County.

Local Workforce Requirement

Companies receiving a PILOT as part of their financial assistance shall ensure that at least 80% of total work hours of the general contractor, subcontractor, or subcontractor to a subcontractor (collectively the "Workers") working on the Project Site must reside within the Local Area. The 80% shall be measured by hours in total at the time of completion of the project. Companies do not have to be local companies as defined herein, but must employ local Workers residing within the Local Area to qualify under the 80% local Workforce criteria.

Local Workforce Reporting Requirement

The Local Workforce criteria will be verified based on employment, payroll and related records.

In addition, the Agency, or its designated agents, shall have the right, during normal business hours, to examine and copy records of the Company and to perform spot checks of all Workers at the Project Site to verify compliance with the Local Workforce requirement throughout the construction period.

Enforcement

If Agency staff determines that: (1) The Local Workforce Requirement is not being met; or (2) Agency Staff, upon use of its reasonable discretion, discovers or becomes aware of a compliance issue related to the Local Workforce Requirement, then a written warning delivered by Certified Mail of said Local Workforce Requirement violation (the "Warning of Violation") shall be provided to the Company.

In the event a subsequent violation of the policy has occurred, then written notice delivered by Certified Mail of said Local Workforce Requirement violation (the "Notice of Violation") shall be provided to the Company and the Executive Director shall bring the information to the Board of Directors which may, in its discretion, take action to revoke IDA benefits.

The Company has the primary obligation for the adherence to all the conditions of this policy. This obligation cannot be relieved, evaded or diminished by assigning a Contractor or through subcontracting. Should the project applicant assign a Contractor, the Company shall continue to have primary obligation.

Projects with multiple phases or projects with multiple owner entities will be considered in whole during the enforcement period.

Waiver Request

It is understood that at certain times, Workers residing within the Local Area may not be available with respect to a Project. Under this condition, the Company is required to contact the Agency to request a waiver of the Local Utilization Requirement (the “Local Workforce Utilization Waiver Request”) based on the following circumstances:

- Warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers
- Specialized construction for which qualified Local Workforce Area workers are not available;
- Significant cost differentials in bid prices whereby the use of local Workforce significantly increases the cost of the project. A cost differential of 10% is deemed significant. Every effort should be made by the contractor or applicant to get below the 10% cost differential including, but not limited to, meeting with local construction trade organizations and local contractor associations
- Documented lack of workers meeting the Local Workforce Area requirement

The Agency shall evaluate the Local Workforce Utilization Waiver Request and make its determination related thereto based upon the supporting documentation received with such waiver request.

The foregoing terms have been read, reviewed and understood by the Company and all appropriate personnel. The undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialmen. Furthermore, the undersigned realizes and understands that failure to abide by the terms herein could result in the Agency revoking all or any portion of Financial Assistance, whether already received or to be received by the Company, as it deems reasonable in its sole discretion for any violation hereof.

CANAM Hudson Valley Logistics Owner, LLC

Name of Company

John DiCola

Name:

Authorized Representative

Title

Attachment 1 - Short Environmental Assessment Form

Please complete a Short Form Environmental Assessment Form (<https://www.dec.ny.gov/permits/6191.html>) . Based upon the information provided in that form and elsewhere in this application, the DCIDA may require further information regarding potential environmental impacts.

If this project is likely to have a significant adverse impact on the environment (a “Type I” action), then the action is probably required to be reviewed by one or more other state or local agencies, such as a local zoning or land use authority. In that event, the DCIDA generally will not act as “lead DCIDA,” and any action by the DCIDA must await completion of the SEQRA review by the other DCIDA. If that is not the case, i.e., if the proposed action is a “Type II” or “unlisted” action under SEQRA, the DCIDA may act independently for SEQRA purposes.

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: Hudson Valley Logistics Center		
Project Location (describe, and attach a general location map): 500 South Drive, East Fishkill, NY		
Brief Description of Proposed Action (include purpose or need): CANAM Hudson Valley Logistics Owner, LLC proposes to develop a new warehouse on an approximately 41.36-acre site previously occupied the former Hopewell Sports Dome. The proposed action is for site plan and subdivision approval from the Town of East Fishkill. The project site is designated as parcels 6356-04-587105 (33.73 acres) and 6356-04-606028 (7.63 acres). The site consisted of partially constructed wall foundations, stormwater management areas, and soil stockpiles. The new one-story warehouse would have approximately 540,000 square feet of floor area., including 20,000 square feet of office floor area. Parking and loading would consist of approximately 124 loading docks, 145 trailer parking spaces, and 340 car parking spaces. Other improvements include stormwater management facilities, landscaping, site lighting, and other utility infrastructure. A retaining wall is proposed along the southern property line. The site is currently zoned I-1 Light Industrial. The applicant will pursue an Economic Redevelopment Special Permit from the Town of East Fishkill. The proposed action reuses the existing infrastructure to the greatest extent practical, and minimizes or avoids impacts to sensitive areas such as wetlands, flood hazard areas, and other undisturbed areas.		
Name of Applicant/Sponsor: CANAM Hudson Valley Logistics Owner, LLC	Telephone: 917-575-5036	
	E-Mail: jdicola@bluewaterpg.com	
Address: 100 Front Street, Suite 1225		
City/PO: Conshohocken	State: PA	Zip Code: 19428
Project Contact (if not same as sponsor; give name and title/role): John DiCola - Manager	Telephone: 917-575-5036	
	E-Mail: jdicola@bluewaterpg.com	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): (same as sponsor)	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

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 Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	East Fishkill Town Board (SEQR, Economic Redevelopment Special Permit, special water dist)	SEQR: 7/25/2022 ERSP: 6/22/2022
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of East Fishkill Planning Board (Site Plan Approval & Subdivision), Dutchess County IDA	7/25/2022
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Architectural Review Board	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dutchess County Planning Board (239m Referral) Dutchess County DPW, DOH, and IDA	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC SPDES Permit; NYSDOT; SHPO letter of no impact	TBD
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	U.S. Army Corps of Engineers	TBD
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?

I-1, Light Industrial District; Economic Redevelopment Special Permit

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? Wappingers Central School District

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

East Fishkill Police Department; Dutchess County Sheriff's Department provides 911 service. See Exhibit A

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

East Fishkill Fire Department, includes fire and rescue squad services. See Exhibit A

d. What parks serve the project site?

Lime Kiln Recreation Area (town park, +/- 2 miles from project site) See Exhibit F

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)? Warehouse and distribution facility

b. a. Total acreage of the site of the proposed action? _____ 41.36 acres

b. Total acreage to be physically disturbed? _____ 40 +/- acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 41.36 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)

Lot line adjustment for industrial development (would occur in the event of conveyance of 7.6-acre easement area)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 1

iv. Minimum and maximum proposed lot sizes? Minimum 41.36 acres Maximum 41.36 acres

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ 15 months

ii. If Yes:

• Total number of phases anticipated _____

• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

• Anticipated completion date of final phase _____ month _____ year

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

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, Primary warehouse and one water tank for fire suppression
 i. Total number of structures 2
 ii. Dimensions (in feet) of largest proposed structure: 53'-0" height; 500'-0" width; and 1,080'-0" length
 iii. Approximate extent of building space to be heated or cooled: 540,000 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: Stormwater management
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Surface runoff from proposed development
 iii. If other than water, identify the type of impounded/contained liquids and their source.
N/A
 iv. Approximate size of the proposed impoundment. Volume: 3.26 million gallons; surface area: 4.9 acres
 v. Dimensions of the proposed dam or impounding structure: 10' height; 300' length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Earth fill - proposed stormwater management facilities will be designed in accordance with NYSDEC and Town of East Fishkill requirements.

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? The project will obtain water service from existing DCWWA water line. Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ 7,500 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: _____

The project will obtain water service from existing DCWWA water line.

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

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

i. Total anticipated liquid waste generation per day: _____ 7,500 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): _____
sanitary wastewater

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

- Name of wastewater treatment plant to be used: GlobalFoundries Wastewater Treatment Plant
- Name of district: John Jay Sewer Improvement Area
- 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? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

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):

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

- 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 27.45 acres (impervious surface)

_____ Square feet or 33.73 acres (parcel size)

- ii. Describe types of new point sources. Stormwater runoff will be directed to both existing and proposed stormwater management facilities. All stormwater facilities will be designed in accordance with state and local standards. See Exhibit B

- 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)?

Stormwater will be directed to on-site new bioretention basins, a new wet pond, and an existing stormwater basin.

- If to surface waters, identify receiving water bodies or wetlands: _____
Wiccopee Creek

- 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)

tractor-trailers

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

concrete batch plants

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

HVAC rooftop units

- 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) Yes No

- 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)

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>		
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>		
<p>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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input checked="" type="checkbox"/> Morning <input checked="" type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ 318 +/- semi-trailer truck trips per day</p> <p>iii. Parking spaces: Existing _____ 0 _____ Proposed _____ 340 _____ Net increase/decrease _____ 340</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____ Approximately 3,000 Amps on 480/277-volt, three-phase service</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Central Hudson Gas & Electric</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7am - 9pm* • Saturday: _____ 7am - 9pm* • Sunday: _____ 7am - 9pm* • Holidays: _____ 7am - 9pm* </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours </td> </tr> </table>	<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7am - 9pm* • Saturday: _____ 7am - 9pm* • Sunday: _____ 7am - 9pm* • Holidays: _____ 7am - 9pm* 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7am - 9pm* • Saturday: _____ 7am - 9pm* • Sunday: _____ 7am - 9pm* • Holidays: _____ 7am - 9pm* 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours 	

*Construction may extend beyond these hours on occasion for critical path construction activities such as concrete pours.

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:
 Site operations are 24/7 and include steady noise sources such as HVAC and intermittent motor vehicle noise. Site sound is expected to be on the same order of magnitude as existing conditions. Construction noise is intermittent. Operations that may exceed existing conditions will be short in duration.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: No existing natural berms or barriers will be removed as part of this project. The construction of a large warehouse building will provide some shielding of sound to certain vantage points. No negative acoustical impact is anticipated from either construction or site operations.

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:
Light sources are from building-mounted and pole-mounted light fixtures. Luminaires are dark-sky friendly, high-efficiency LED lights with cut-off shields to provide uniform and energy-conscious illumination to walkways, parking lots on-site, and the truck courts.

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: _____

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: _____ approx. 300 tons per _____ N/A (unit of time)
- Operation : _____ 90 tons per _____ year (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: On-site recycling will be provided and privately hauled to recycling facility.
- Operation: On-site recycling will be provided and privately hauled to recycling facility.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Solid waste will be handled by a private contractor.
- Operation: Solid waste will be handled by a private contractor.

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: _____

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): high school

ii. If mix of uses, generally describe:

Primarily commercial and industrial uses along Route 52, including former IBM industrial/commercial campus. High school located east of project site.

b. Land uses and coverytypes on the project site.

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	3.93	26.34	+22.41
• Forested	0.53	0	-0.53
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	33.81	4.94	-28.87
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>grass, landscaped areas</u>	3.06	10.05	+6.99

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:

John Jay Senior High School

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

Provide DEC ID number(s): _____

Yes – Environmental Site Remediation database

Provide DEC ID number(s): _____

Neither database

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): 314054

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

There are several monitoring wells located on the periphery of the Site (west campus) that are associated with the East Campus. These monitoring wells are only used for gauging purposes.

v. Is the project site subject to an institutional control limiting property uses?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____	15-20 feet
b. Are there bedrock outcroppings on the project site? If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Predominant soil type(s) present on project site: _____	100 %
_____	%
_____	%
d. What is the average depth to the water table on the project site? Average: _____	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input checked="" type="checkbox"/> Moderately Well Drained: _____ 20 % of site <input checked="" type="checkbox"/> Poorly Drained _____ 80 % of site	
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____ 84 % of site <input checked="" type="checkbox"/> 10-15%: _____ 2 % of site <input checked="" type="checkbox"/> 15% or greater: _____ 14 % of site	
g. Are there any unique geologic features on the project site? If Yes, describe: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Surface water features. <i>i.</i> Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>ii.</i> Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <i>iii.</i> Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>iv.</i> For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • 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? If yes, name of impaired water body/bodies and basis for listing as impaired: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No

i. Is the project site in a designated Floodway?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
j. Is the project site in the 100-year Floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
k. Is the project site in the 500-year Floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? If Yes: <i>i.</i> Name of aquifer: Principal Aquifer, Primary Aquifer _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

m. Identify the predominant wildlife species that occupy or use the project site: _____

 Songbirds _____
 Grey Squirrel _____
 White-tailed Deer _____ See Exhibit E

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): _____
 According to NYSDEC Significant Natural Communities Map, nearest mapped feature is located +/- 1,200 feet north of the project site.
 ii. Source(s) of description or evaluation: NYSDEC Environmental Resource Mapper; NYSDEC Significant Natural Communities Map(Figure E-5)
 iii. Extent of community/habitat:
 • Currently: _____ 673.5* acres *Significant natural community not mapped onsite.
 • Following completion of project as proposed: _____ 673.5 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): _____
 Bog Turtle, Indiana Bat - USFWS voluntary consultation is underway

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. Designated Public Resources On or Near Project Site

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: _____

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
 *Consultation with SHPO will be initiated for the project seeking issuance of a letter of no effect to historic resources.

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: Taconic State Parkway, Clarence Fahnestock State Park

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): state scenic byway, state park

iii. Distance between project and resource: _____ +/- 3 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

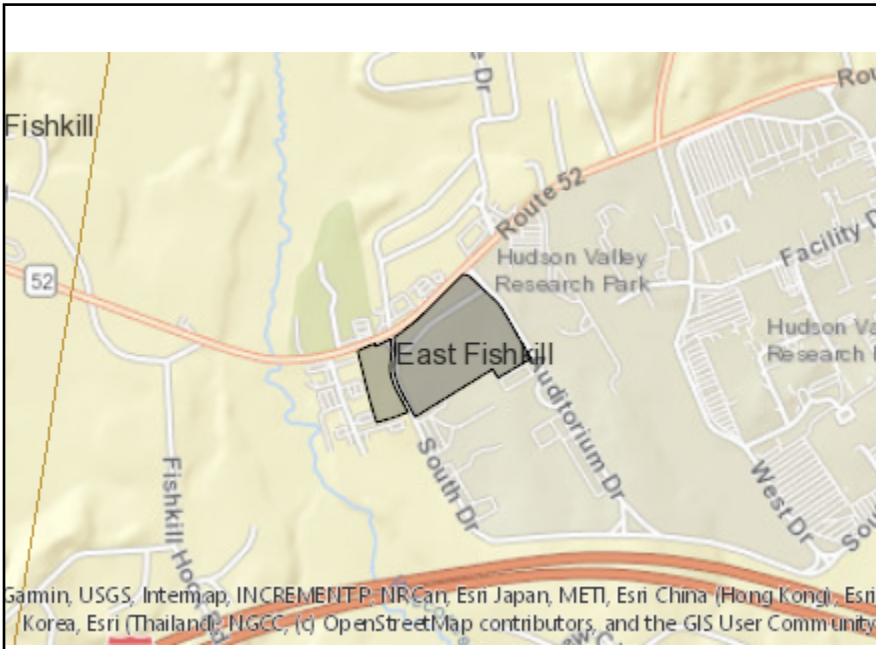
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael Finan, PE, LEED-AP of Langan on behalf of the applicant Date 7/28/2022

Signature  Title Associate Principal/VP

EAF Mapper Summary Report

Monday, June 20, 2022 3:32 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	314054
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	Yes

E.2.n.i [Natural Communities - Acres]	673.5
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat *the project site has been previously approved under SEQRA for the Sportsdome site and has been impacted by the start of construction of the Sportsdome structure.
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes *the project site has been previously approved under SEQRA for the Sportsdome site and has been impacted by the start of construction of the Sportsdome structure.
E.3.i. [Designated River Corridor]	No

Attachment 2 – Agency Standard Fee Schedule and other fees

DCIDA Standard Fees

APPLICATION FEE: \$1,000.00

SPECIAL MEETING FEE: \$500.00 per meeting

ADMINISTRATIVE FEE FOR PROJECTS INVOLVING A PILOT:

A. For Industrial Projects (defined as Manufacturing, Distribution, Tech including software and research and development projects)

One percent (1%) of the first \$2.5 million of the estimated project cost and one-quarter of one percent (.25%) for the estimated project in excess of \$2.5 million with a minimum administrative fee of \$25,000.

B. For All other projects including Commercial Projects (defined as Mixed Use, Commercial Housing, Tourism and Retail if permitted)

One percent (1%) of the first \$25 million of the estimated project cost and one-quarter of one percent (.25%) for the estimated project in excess of \$25 million with a minimum administrative fee of \$25,000.

ADMINISTRATIVE FEE FOR PROJECTS INVOLVING SALES TAX AND/OR MORTGAGE RECORDING TAX EXEMPTIONS ONLY, including requests for additional sales tax and mortgage tax benefits:

\$5,000 plus 1% of the benefit amount.

- For active IDA projects that include a PILOT requests for additional sales and mortgage tax benefits whereas the total project cost will increase by \$10,000,000 or more will be subject to the administrative fee with a PILOT schedule.

BOND ISSUANCE FEE: One percent (1%) of the first \$2.5 million of the estimated project cost and one-quarter of one percent (.25%) for the estimated project in excess of \$2.5 million with a minimum of \$25,000.

ANNUAL COMPLIANCE FEE: \$1,000.00 to be billed annually

The fee schedule outlined in this schedule does not include fees and costs related to our counsels' work with respect to your project including the public hearing fees. Applicants are also required to pay for additional fees and costs related to Local Workforce monitoring and special reports/analyses that Board may request related to the project.

All projects are reviewed for its complexity and the Executive Director has the authority to negotiate additional fees to clients for costs associated with unusual situations or extraordinary needs related to the project, including additional costs incurred as result of holding special meetings of the IDA Board. The CEO will present any modifications or additional fees from the fee schedule outlined above to the DCIDA Board for approval.

*Adopted May 12, 2021
Amended January 12, 2022*

Attachment 3 – Additional Community Benefit Definitions

Target Geography

Distressed Census Tract/ Area

Proposed project is located in a distressed census tract or area as defined by New York State. Project owner/applicant will be responsible for showing verification.

High Vacancy Census Tract

Proposed Project is located in a census tract with a vacancy rate of at least fifteen percent (15%), rounded to the nearest percentage point, according to the most recent census data. Project owner/applicant will be responsible for showing verification.

Transit Oriented Development

Proposed Project is located in the municipality's Transit Oriented Development Zone and is consistent with the municipality's development strategy. Project owner/applicant will be responsible for showing verification.

BID

Proposed project is located within the boundaries of the municipality's Business Improvement District. Project owner/applicant will be responsible for showing verification.

Neighborhood Plan

Proposed Project is in response to a municipal's RFP/RFI for a Neighborhood / Community Development Plan. Project owner/applicant will be responsible for showing verification.

Identified Priority

Tax Exempt / Vacant

Proposed project is located on a parcel designated tax exempt prior to the time of purchase by the project owner/ applicant/ and/or an unoccupied parcel(s) of land or building that is at least ninety (90%) vacant. Cases in which a property is vacated for the purpose of pursuing the proposed project may not be considered vacant.

Adaptive Re-use

Project that result in the rehabilitation/renovation of a distressed building or parcel

Community Catalyst

Proposed project contributes to an existing policy or initiative for improving conditions and catalyzing change in the community.

Identified Growth Area

Manufacturing / Distribution

Proposed project must result in the creation, retention or expansion of manufacturing or distribution facilities as well as the creation and/or retention of permanent jobs

Technology

Proposed project must result in the creation, retention or expansion of tech sector facilities as well as the creation and/or retention of permanent jobs

Existing Cluster

Proposed project must result in the creation, retention or expansion of facilities as well as the creation and/or retention of permanent jobs in an existing County cluster, including technology, healthcare, education and hospitality.

Investment

Proposed project invest is the amount in dollars (\$) that will be spent in order to complete the project and includes but is not limited to: acquisition costs, construction hard costs, soft costs, and contingency costs required to complete the project.

Community Commitment

Minority and Woman-Owned Business Enterprise/Disadvantaged Business Enterprise Participation

Proposed project commits that at least twenty percent (20%) of the value of awarded construction of the proposed project is performed by minority or woman – owned operators. Project owner/applicant will be responsible for providing independent third-party verification upon project completion. MWBE/DBE participation goals indicate the percentage (in dollars) of a contract that must be performed by a NYS-certified woman– or minority-owned business enterprise or Federally-certified disadvantaged business enterprise. The goals may be met through an MWBE/DBE prime contractor’s self-performance, a joint venture between an MWBE/DBE and non-MWBE/DBE firm, or through the use of MWBE/DBE subcontractors.

Veteran Utilization

Proposed project commits that at least ten percent (10%) of the workforce employed during construction of the proposed project are veterans. Project owner/applicant will be responsible for providing independent third party verification upon project construction completion.

Workforce / Affordable Housing

Proposed project commits to at least ten percent (10%) of total residential rental units are to be reserved for and/or rented to low-income households as defined by the most recently available U.S. Housing and Urban Development State Income Limits for the term of the Agency financial assistance. Project owner/applicant will be responsible for providing independent third party verification on an annual basis.

Local Workforce

Proposed project commits to at least eighty percent (80%) of construction jobs will be filled by local residents as defined in by the DCIDA Local Workforce Policy. Project owner/applicant will be responsible for providing verification until project construction completion.

Licensed Apprenticeship Program

Proposed project commits to at least fifty percent (50%) of the contractors or subcontractors maintain a New York State certified apprenticeship program. Project owner/applicant will be responsible for providing independent third party verification upon project construction completion.

Public Infrastructure

Proposed project will entail the private construction and installation of infrastructure for public benefit. Project owner/applicant will be responsible for providing independent third party verification upon project completion.

Employment

Permanent Created (New) Job

A created (new) permanent job is a new a position created over and above the business' current baseline. Construction jobs are not considered to be permanent new jobs. Project owner/applicant will be responsible for reporting on an annual basis.

Permanent Retained Job

A permanent retained job is a position that, but for the project investment, would be removed, relocated, or eliminated. Construction jobs are not considered to be permanent retained jobs. Project owner/applicant will be responsible for reporting on an annual basis.

Construction Jobs

A construction job is a position created during the construction phase and for the purpose of completing the project. Project owner/applicant will be responsible for reporting on an annual basis until construction project completion.

Attachment 4

PILOT SCHEDULE SUMMARY

Section 1: PILOT Percentage Schedule

Year	PILOT %
1	90%
2	90%
3	85%
4	85%
5	80%
6	80%
7	70%
8	65%
9	60%
10	55%
11	50%
12	45%
13	40%
14	35%
15	30%

Section 2: Market/Assessed Values

- Land Assessed Value: \$10,000,000.00
- Improvements Assessed Value at 100% Equalization: \$37,100,000.00 (\$70.00/SF at 530,000 SF).
- Total Assessed Value: \$47,100,000.00 (\$88.87/SF)

Section 3: PILOT Timing Structure

A PILOT would be adopted for the project as part of the entitlement process and will run with the land:

- PILOT Prior to Occupancy: Once the building is completed and a TCO is received, the property will be assessed such that taxes will be stipulated at \$0.80psf for a period of up to two years or until 66% occupancy is achieved, whichever comes first. At the present millage rate, this equates to a Total Assessed Value of \$14,500,000.
- PILOT After Occupancy: Once occupancy of 66% or more is achieved, a 15yr-PILOT Schedule will commence at the schedule and assessment values displayed in Sections 1 and 2 above.

RESOLUTION – 211/2022

**APPROVE A NEGATIVE DECLARATION REGARDING HUDSON VALLEY
LOGISTICS CENTER (HVLC)**

WHEREAS, a long environmental assessment form has been prepared by the Applicant; and

WHEREAS, the Town Board has reviewed the project and reviewed the environmental assessment form; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute a Negative Declaration with respect to the Hudson Valley Logistics Center.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: NOVEMBER 17, 2022
EAST FISHKILL, NY**

The following documentation was analyzed in making this negative declaration:

- Full EAF
- Supplemental Part III Information
- Storm Water Pollution Prevention Plan (SWPPP)
- Other (Describe)

Name of Action: **Hudson Valley Logistics Center (HVLC)**

For Further Information:

Contact Person: **Gina Grippo, Town Board Clerk
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-9191**

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

(a) Environmental issues identified as relevant:

1. **Land Use, Zoning, and Public Policy**
2. **Public Services**
3. **Stormwater**
4. **Traffic and Transportation**
5. **Noise**
6. **Air Quality**
7. **Fiscal**
8. **Surface Waters and Wetlands**
9. **Threatened and Endangered Species**
10. **Historic and Archeological Resources**
11. **Scenic Resources**
12. **Water & Wastewater**

(b) Analysis of the issues identified and elaboration of the basis and reason for this determination that there will not be a significant adverse impact on the areas of the environment identified in Section (a).

1. Land Use, Zoning, and Public Policy

The Proposed Project would result in the redevelopment, reuse, and revitalization of an underutilized, previously developed and disturbed industrial site with a proposed distribution/warehouse facility. The site was previously approved for development of the Hopewell Sports Dome. Construction of the Sports Dome commenced with the installation of foundations but was later abandoned. The Proposed Project would result in the construction of a distribution/warehouse facility consisting of a single one-story building approximately 53 feet in height, containing approximately 540,688 square feet, approximately 124 loading docks, approximately 328 car parking spaces, and approximately 145 trailer parking spaces. The Proposed Project would be located substantially within the development footprint of the previously approved Sports Dome project. The redevelopment of a vacant, underutilized industrial site would be consistent with the surrounding industrial land uses and the existing industrial zoning but would require an Economic Redevelopment Special Permit to allow for greater flexibility in the site layout and design.

The Town Board has evaluated all potential impacts related to the Project and finds that the Project is not anticipated to result in any significant adverse environmental impacts on land use because:

Land Use

1. As a warehouse/distribution center, the Project is appropriately located near major thoroughfares and transportation hubs including Interstate Route 84, Route 9, NYS Routes 17K, I-87, and Stewart International Airport.
2. Compared with other commercial, residential or institutional uses, distribution/warehouse facilities have limited impacts on municipal services including the police and fire departments and school districts.
3. The existing land uses within one-half mile of the Project Site indicates the Proposed Action is generally consistent with nearby industrial and commercial development patterns. For the reasons described herein, the Project is compatible with those commercial and industrial land uses in the immediate vicinity of the Project Site, as well as the nearby public school, including iPark, Amazon and the commercial uses along Route 52. The Project is currently located in an I-1 industrial zoning district.
4. The large acreage of the Project Site, along with the existing and proposed topography, roadways, vegetation, landscaping and setbacks, provides a buffer between the warehouse building and surrounding land uses.
5. To minimize impacts on the surrounding land uses, existing natural vegetation along Route 52 would be left intact to the extent practicable, but to the extent it is removed the area is proposed to be significantly enhanced with additional vegetation including trees and shrubs to serve as a visual buffer. In addition, a landscaped berm is

proposed along Route 52. The placement of the warehouse building in the center of the Project Site, set back from other land uses, would be designed to minimize potential adverse visual and noise impacts from surrounding land uses and views from surrounding roadways, in addition to the screening and landscape vegetation that has been added to screen the facility along Route 52 and Patriot Way (former Auditorium Drive).

Zoning

1. The Proposed use is consistent with the I-1 zoning district which permits "warehouses."
2. The Proposed Project would require an Economic Redevelopment Special Permit which provides for a greater flexibility of site design to allow for the redevelopment and revitalization of former industrial campuses in the I-1 zone. The Proposed Project would be in conformance with the intent of the Economic Redevelopment Special Permit and meet all the special permit criteria of the Economic Redevelopment Special Permit.
3. The Proposed Project meets all site plan review standards set forth in the Town's Zoning Law.

Public Policy

1. The Project is in accordance with all stated public policy goals enumerated in the Town of East Fishkill's Comprehensive Plan (2002). The Plan called for the entire Project Site to be used for general industrial uses. As originally stated in the Town's 1982 Comprehensive Plan and reiterated in the 2002 Plan, the I-84 corridor is an appropriate location for industrial development. In addition, the Proposed Project is consistent with the Plan's following stated goal: *"Identify land with marketable sites and good interstate highway access in order to attract high-value industry. Industrial zoning shall continue to be maintained near the interstate and reduced near the railroads."*

Accordingly, the Town Board further finds that no significant adverse environmental impacts related to Land Use, Zoning and Public Policy are anticipated from the Project.

2. Public Services

Police Department

1. The Town of East Fishkill Police Department provides law enforcement services 24 hours a day, 7 days a week throughout the entire year. The staff consists of 26 full-

time officers and 10 civilian employees. Travel time to the Project Site from the police station is approximately 2 minutes 30 seconds with emergency response time of approximately one minute.

2. Based on the warehouse size, commercial traffic, and workforce flow, potential service calls may increase by approximately 140 calls yearly. By comparison, the Police Department receives a total of approximately 20,000 calls per year townwide.
3. To reduce the potential for impacts on the East Fishkill Police Department, security measures will be implemented at the project site on a 24/7/365 basis, including but not limited to fencing and gates, video surveillance, alarms, and loss prevention program to minimize theft, and internal training of staff. It is anticipated that the proposed security measures would minimize the potential for service calls to the site and the need for additional police manpower.

Accordingly, based on the proposed use and security measures there would not be any significant adverse impacts on police department services.

Fire Department

Information regarding the Town of East Fishkill Fire District (EFFD) was received from the EFFD website. In addition, comments were provided by the East Fishkill Fire Advisory Board, dated August 9, 2022.

1. The East Fishkill Fire District (EFFD) provides fire protection and rescue squad services to the site. The EFFD is a volunteer fire department with no paid firefighters. Staff is limited to two administrative personnel and two maintenance personnel.
2. The site plan for the Proposed Project includes a sprinkler system and standpipe connections on the outside of the building. On-site fire hydrants will be located to avoid unnecessary hose lays that may block other apparatus from setting up at the scene in the event of a fire.
3. The site design allows for 360 degree access around the warehouse building. The building will be designed in accordance with applicable standards of the New York State (NYS) Uniform Fire Prevention and Building Code and multiple points of access to the building will be provided for alternate routes of entry and exit in the event of an emergency.
4. All sprinkler systems and fire alarm components such as smoke detectors and pull stations will be properly labeled. This will allow the fire department to quickly locate activated alarms and minimize the facility's evacuation time. All standpipes in the building need to be labeled and kept free from obstructions.

5. The proposed access driveways will be designed to accommodate fire engines. Emergency vehicle access will be provided around the building and fire lanes will be provided at appropriate locations around the building in accordance with the Town of East Fishkill zoning code. Notwithstanding the lack of significant impacts to the EFFD resulting from additional calls generated by the Project, the Project includes a voluntary one-time expenditure of \$150,000 to the EFFD for its use in purchasing new equipment including a fire apparatus.

Accordingly, due to the fire protection measures proposed at the project site, any potential impacts will not be significant and are able to be addressed with the existing resources of the fire department. The project will not pose a significant adverse impact to the fire department.

Emergency Medical Services

The rescue squad is a division of the EFFD and is an entirely volunteer Basic Life Support (BLS) ambulance service that provides emergency medical services to the residents of East Fishkill and surrounding communities under pre-planned mutual aid agreements 24 hours a day, 7 days a week, all year long, and are rotated each week to one of the four fire stations in the EFFD.

1. The site plan for the Proposed Project provides for emergency access, both outside and inside of the proposed warehouse building. Hallways and access points will be constructed in accordance with New York State building codes and access points will be clearly marked. Time is essential in communicating where an injured person is, especially given the size of the proposed warehouse facility.
2. As required by the NYS Fire Code, there are proposed three ingress/egress driveways that are designed to safely and effectively allow all emergency vehicles, including ambulances, to access the site.
3. The project will be designed to accommodate all emergency service needs, including EMS equipment.

Accordingly, due to the design of the Proposed Project, the project site will not pose a potential significant adverse impact to emergency medical services.

Recreational Resources

The Town of East Fishkill is the home of many parks and recreation areas that serve its residents and visitors. The Project is expected to generate approximately 125 construction jobs and at least 100 full time equivalent jobs. It is anticipated that many of those jobs will be filled with existing Town residents. However, the Project will also bring visitors and new residents to Town. Notwithstanding the negligible impact these visitors and new residents may bring to the Town's existing recreational resources, the Project includes a voluntary one-time expenditure of \$100,000 to fund park improvements to be designated by the Town.

Accordingly, due to the scope of the project, it will not pose a potential significant adverse impact to recreational resources.

3. Stormwater

The Proposed Project consists of a warehouse with associated car and trailer parking, trailer loading docks, stormwater basins, site utilities, signage and landscaping. The following potential impacts related to stormwater were identified:

1. Stormwater runoff from developed land is recognized as a possible contributor of pollution that can adversely affect the quality of downstream receiving waters if not properly controlled.
2. As a "Fleet Storage Area" the proposed project is classified as a "Stormwater Hotspot" in accordance with the requirements of the New York State Stormwater Management Design Manual. A stormwater hotspot is defined as a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff.
3. Development of the Project Site will create impervious areas, which can alter the hydrologic characteristics of a watershed and could have impacts on water resources, because pollutants and sediment carried by stormwater runoff could degrade the water quality of receiving waters downstream.
4. The potential pollution sources during construction include large areas (greater than 15 acres) of exposed and unstable soils, and after construction include sediment, debris, litter, and potential contaminants on driveways and parking lots.

The Applicant's project engineer, Langan Engineering, Environmental Surveying, Landscape Architecture and Geology, D.P.C., prepared a Stormwater Pollution Prevention Plan (SWPPP), last revised September 15, 2022, in accordance with the requirements of the Town of East Fishkill and the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) technical standards. This SWPPP identifies the erosion control, sediment control, pollution-prevention, and stormwater management measures to be implemented during construction to minimize soil erosion and control sediment transport off site, and after construction to control and treat stormwater runoff from the developed site. The pre- and post-development conditions were analyzed using the USDA Soil Conservation Service Publication Technical Release (TR-55) "Urban Hydrology for Small Watersheds." TR-55 provides procedures for estimating runoff and peak discharges in small watersheds based upon the watershed areas, land coverage, soil group types, curve numbers (CN), times of concentration (Tc), rainfall distribution type, and rainfall amount for the design storm events. The pre- and post-development peak

discharge rates of runoff have been evaluated utilizing HydroCAD stormwater modeling software. From a stormwater perspective, the post-development condition of the site will meet or exceed the current condition.

The Town Consulting Engineer (CPL) prepared a Watershed Analysis to evaluate the impact this project will have on the Wicoppee Creek, Guildersleeve Brook and Fishkill Creek. The analysis was originally prepared in 2014 for the Hopewell Sports Dome project. The analysis has been utilized to prepare the project's SWPPP report, which includes the following:

1. The Proposed Project will maintain existing drainage patterns as much as practical, control the rate of stormwater runoff resulting from the development, and mitigate potential impacts on water quality and erosion generated during and after construction.
2. The peak rate of runoff from the Project Site will not be increased as a result of the proposed development. In addition, the erosion control, sediment control, pollution-prevention, and stormwater management measures to be implemented during construction as outlined in this SWPPP and project drawings will minimize soil erosion and control sediment transport off site, and after construction will control the water quality and quantity of stormwater runoff.
3. The peak rate of runoff from the Project Site will be managed to minimize impacts to downstream areas. Increases to downstream peak rate of runoff, water surface elevation and stream velocity will not be permitted to exceed 2014 levels for the streams analyzed in the prior Watershed Analysis performed by the Town's Consulting Engineer (CPL), except as a result of natural increases in rainfall depths as reported by the Northeast Regional Climate Center.
4. The volume of runoff from the Project Site will increase as a result of the proposed development. Stormwater Management Practices and Planning Measures have been incorporated to reduce runoff volume (Runoff Reduction Volume – RRV) as required by the NYS SPDES technical standards to the maximum extent practical but in no case will the RRV be less than the minimum RRV required.
5. The Applicant will be required to post a performance bond as a condition of the Project's site plan approval to ensure the proper construction of the stormwater control practices in accordance with the SWPPP until a certificate of occupancy (CO) is issued for the warehouse.
6. The Applicant will be required to post a maintenance bond as a condition of the Project's site plan approval to ensure the continued proper performance, maintenance and repair (if any) of the stormwater control measures for two years after a CO is issued for the warehouse.

Accordingly, based on the Project's design which includes measures for erosion control, sediment control, pollution prevention, and stormwater management measures to be properly constructed and maintained in accordance with the requirements outlined in the SWPPP and on the accompanying approved project site plans, the Project will not result in any significant adverse impact on stormwater.

4. Traffic and Transportation

According to the Traffic Impact Study (TIS) prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. dated July 28, 2022, and submitted as part of the EAF, regional access to the site will primarily be provided via the iPark Drive and i-Park Boulevard (former Lime Kiln Road) signalized intersection, which has direct connectivity to a full four-way intersection for I-84 just to the south of the property. Alternative access for local employees will be provided via Patriot Way (former Auditorium Drive) and NYS Route 52 intersection. South Drive, a second alternative access point, is an existing private access drive that intersects NYS Route 52. This access to the property is proposed to be relocated to the west on NYS Route 52 across from the East Fishkill Soccer Club driveways and is restricted to right-in and right-out movements. The proposed truck traffic will route trucks from I-84 to i-Park Boulevard, along Patriot Way to the access site at the southeast corner of the property ensuring that trucks will not burden the local road network along Route 52 or on Patriot Way north of the site access point. Truck traffic leaving the site will be prohibited from using the local access on NYS Route 52.

Corridor improvements unrelated to this project on NYS Route 52 and i-Park Boulevard have been approved and are under construction by the Town. The area improvements accounted for in the TIS include the Roundabout at NYS Route 52 and Patriot Way which creates a bypass to I-84 via Patriot Way and i-Park South (South Drive), and a pick-up/drop-off area for John Jay High School along Patriot Way. Through the establishment of a traffic improvement district by the Town of East Fishkill, the Project will contribute approximately [\$1.05 million] toward improvements along the Route 52 corridor pursuant to duly charged assessments of the district.

The Town Board reviewed the following information within the EAF, project documents and correspondence from the Town's professional consultants related to traffic and transportation and makes the findings below:

1. According to the TIS, the Proposed Project would generate approximately 113 new trips (75 enter, 38 exit) during the weekday morning peak hour (6:45-7:45 AM) and 124 new trips (30 enter, 94 exit) during the weekday evening peak hour (3:15-4:15 PM). As part of the TIS, a capacity analysis was performed at the following intersections:
 - a. i-Park Boulevard (County Road 27) and I-84 Westbound Ramps
 - b. i-Park Boulevard (CR 27) and i-Park Drive / Old Lime Kiln Road
 - c. i-Park Boulevard (CR 27) / Binnewater Road and New York State Route 52
 - d. Palen Road (CR 31) / West Drive and NYS Route 52

- e. John Jay High School Driveway and NYS Route 52
 - f. i-Park Boulevard (CR 27) and I-84 Eastbound Ramps
 - g. South Drive / Roethal Drive and NYS Route 52
 - h. Patriot Way (former Auditorium Drive) and NYS Route 52
 - i. Lake Drive and NYS Route 52
2. The TIS projected traffic volumes to include existing traffic and new traffic created by background growth to derive the 2024 No-Build traffic volumes. The site-generated trips were added to the 2024 No-Build traffic volumes to derive the 2024 Build traffic volumes.
 3. Conservative capacity analyses performed for the study intersections found that Levels of Service in the 2024 No Build and 2024 Build condition remain the same. Therefore, no decrease in Levels of Service are anticipated as a result of the Proposed Project.
 4. Regional access to the site will primarily be provided via the east-west oriented South Drive/iPark Blvd I-84. Truck traffic will be directed to use South Drive/iPark Blvd.
 5. The proposed project will provide access to the bus transit stop along Patriot Way (former Auditorium Drive) to facilitate transit use to and from the facility.
 6. Traffic circulation patterns were carefully vetted by the Applicant and the Town's traffic engineering consultant, HVEA, which resulted in a modification from the original proposal to consolidate the proposed driveways and associated curb cuts along the west side of Patriot Way (formerly Auditorium Drive). The consolidation of driveways is proposed to satisfactorily address comments about the potential for conflicts with the traffic associated with the school drop-off area.

Accordingly, with the proposed improvements described in place, the Proposed Project will not result in any significant adverse traffic or transportation impacts.

5. Noise

The Town Board reviewed the information within the EAF, project documents and correspondence from the Town's professional consultants related to noise and sound emission and makes the findings below:

1. A sound study of the Project Site was conducted by Ostergaard Acoustical Associates, Woodbridge, N.J., dated July 28, 2022 ("Sound Study"), to analyze background and future site sound emissions and consider improvements to the Proposed Project needed to comply with applicable code limits and/or to minimize the acoustical impact and potential for noise complaints. The Sound Study was

supplemented by an Evaluation of Site Sound Emissions, prepared by Ostergaard Acoustical Associates, Woodbridge, N.J., dated October 12, 2022, which discusses sound emissions at various receptor locations. The sound study accounted for additional sounds that will be generated from rooftop HVAC equipment and truck and car activity. These submissions were reviewed and vetted by the Town's consultant, AKRF, and two Technical Memoranda prepared by Ostergaard Acoustical Associates was submitted in response to comments issued by AKRF. The November 8, 2022 memorandum adjusted previous acoustical models to be more conservative, and to include an analysis of hourly truck traffic expected at the site. The November 16, 2022 memorandum further revised acoustical models to include additional receptors, a proposed berm near the John Jay High School football field and an extended length of road to analyze noise generated by truck traffic.

2. Trucks in the northwest portion of the truck yard are approximately 550 feet from the nearest residential receptors along Roethal Drive. Due to distance and the proposed berm, intermittent maximum sound emissions are expected to be at or below the project noise goal of 55 dB(A) at the nearest facades, well below the Town's noise limit of 70 dB(A). This does not include the proposed vegetative screening.
3. At the adjacent school to the east, intermittent maximum sound emissions are expected to be 59 dB(A) which meets the 65 dB(A) project noise goal, well below the Town's noise limit of 70 dB(A). These estimates do not include the proposed vegetative screening or sound screen wall proposed at the northeast corner of the site. Impacts to indoor classroom acoustics were also considered in the studies performed for the Project. The goal is to avoid interference with speech intelligibility (i.e. learning), therefore the "Speech Interference Level" metric was utilized. The SIL is based on frequencies we hear best, from 500 Hz to 2000 Hz. Research indicates that a suitable indoor noise goal for classrooms is not to exceed SIL 50. With an open school window, the Project is anticipated to result in SIL 43 inside the nearest classroom thereby meeting the industry standard by a wide margin. At the Town's option, the project scope was modified to include a berm to be constructed by the Applicant on the east side of Patriot Way (formerly Auditorium Drive) near the area of the John Jay High School football field and possibly extending further south toward the existing baseball field. The revised models discussed in the Technical Memorandum dated November 16, 2022 include the proposed berm and demonstrate a resulting reduction of proposed sound levels. Further, the cumulative effects of truck traffic from the proposed project and the approved, adjacent Amazon facility were analyzed and found to result in negligible, non-detectable changes in noise. As stated in the Technical Memorandum, "...patrons of the athletic field will be unable to detect any difference whether this project were to be approved or not."
4. Based on the Sound Study and supplemental analyses, it has been determined that the site will comply with the Town Noise Ordinance as well as the NYSDEC manual for Assessing and Mitigating Noise Impacts. Future site sound emissions were compared to existing ambient sound levels. Results show that the site will have no

significant adverse impacts on the surrounding receptors. Site sound will blend in with existing sound from local and distant traffic flow sound in the area. Although no significant adverse noise impacts are expected, the following recommendations will be considered during the site plan approval process:

- i. To minimize noise from truck back-up alarms, consideration will be given to equipping switcher engines for tenant trucks, if any, with smart, ambient sensing, multi-frequency back-up alarms. This type of alarm is commonly called a “shusher” alarm due to the type of noise it produces.
 - ii. While sound levels are expected to be within the range of accepted industry standards and no additional mitigation features are required from an engineering perspective, the Applicant is incorporating into its Site Plan the following additional mitigation features:
 - a. Vegetated berming along Route 52 while retaining existing mature tree vegetation,
 - b. Sound wall located at the northeast corner of the project’s circulation drive,
 - c. Berm between Patriot Way and the subject warehouse, and
 - d. At the Town’s option, a berm on the east side of Patriot Way (formerly Auditorium Drive) near the area of the John Jay High School football field.
5. To minimize receptor exposure to temporary construction noise during this phase, the following construction mitigation measures shall be implemented:
- i. As feasible, limit all heavy equipment operation to non-noise sensitive daytime hours. On occasion, construction may extend past these hours for critical path construction activities, such as concrete pours.
 - ii. As feasible, limit the number of equipment operating near any one of the critical receptors at a given time. Avoid exposing any one critical receptor to high sound levels for an extended period of time.
 - iii. Place stationary equipment, such as generators, compressors, and office trailers, away from any critical receptors.
 - iv. Avoid having construction parking or laydown areas near any critical receptors.
 - v. Specific noise issues will be individually evaluated for tailored noise mitigation recommendations should traditional methods above not be sufficient.
 - vi. Limit materials deliveries to the greatest extent possible to the Route 84 and i-Park Boulevard access to the project to avoid the use of Route 52.
 - vii. Prior to the issuance of a Building Permit, prepare a Site Construction and Phasing Plan that identifies storage areas, truck access routes, contractor parking etc., that will take into consideration limiting noise impact on the critical receptors.
6. The cumulative effect of sound from the Project along with sound from Project Redtail was analyzed and demonstrate that the Project will not have a negative acoustical impact on the surrounding areas.

Accordingly, the Proposed Project will not create any significant adverse noise impacts and will avoid or minimize sound emission from the site to the maximum extent practicable.

6. Air Quality

The Town Board has reviewed the relevant facts related to air quality and makes the findings below.

1. An Air Quality Screening analysis for the Project Site was prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C., dated November 7, 2022 and reviewed by the Town's professional consultants. The analysis was prepared with respect to the anticipated increased traffic associated with the Project. The analysis included a comparison of the Project with an air quality analysis performed for a significantly larger warehouse development project located within 50 miles of the Project. Predicted pollutant concentrations at nearby sensitive receptors for the larger warehouse development project were estimated using EPA-approved modeling software. The screening assessment and the comparison to the larger warehouse development project resulted in the conclusion that the proposed Project will not result in any exceedance of the applicable National Ambient Air Quality Standards ("NAAQS") and will not result in a significant adverse impact to air quality.
2. As described in the TIS, the overall Levels of Service for each intersection associated with the Project is identified as either Level of Service A, B, or C. A refined NYS Department of Transportation (DOT) air quality analysis for carbon monoxide impacts will not be required as, according to the EPA Guideline for Modeling Carbon Monoxide from Roadway Intersections, intersections with Levels of Service of only A, B, or C do not have sufficient traffic volumes and delay to require further analysis.
3. Pursuant to 6 NYCRR 217-3.2, idling for heavy duty vehicles is limited to no more than five (5) consecutive minutes when the vehicles are not in motion. This will significantly limit any noxious fumes emitted by tractor-trailers.
4. The building will be heated primarily by natural gas or electric.
5. It is anticipated, the building will not require any air permits from New York State or Federal Agencies in order to operate.
6. According to the City Environmental Quality Review (CEQR) Technical Manual, detailed air quality analyses are not required for projects resulting in "short-term" construction activities. Short-term construction is defined as less than two years. The anticipated duration of construction for the Project is less than 12 months. A detailed air quality assessment for construction activities is not required.

7. Any emissions during construction will be temporary in nature, and the Applicant will fund an escrow for construction monitoring services with the Town, which will enable the Town to hire an environmental construction monitor to confirm compliance with all safety and emissions regulations.

Accordingly, the Project will not create any significant adverse impacts with respect to air quality.

7. Fiscal

The Town Board reviewed the information within the EAF related to the fiscal conditions and makes the findings below.

1. The Project Site consists of a lot area of approximately 41.36 acres. The Project Site is currently vacant.
2. The current taxable assessed value of the Project Site is \$5,000,000. No tax exemptions are recorded for any of the Project Site parcels. Most of the assessed value is attributed to the land at the Project Site.
3. Property Taxes – The Project is projected to generate significantly higher property tax revenue than the current taxes of approximately \$155,187.
4. The Proposed Project would develop the property into a warehouse/distribution facility containing approximately 540,688 square feet including parking for passenger vehicles and trucks, stormwater management facilities, landscaping, site lighting and other utility infrastructure.
5. It is anticipated that the Proposed Project will result in an investment of \$79.5 million at the Project Site.
6. The Project site will be subject to a payment in lieu of taxes (PILOT) agreement. The PILOT is designed to gradually implement taxes over 15 years. Property taxes for Town/County/School over the first 15 years are estimated to be over \$8,000,000 more than if there were no project at all. The Project represents a positive fiscal impact for all taxing districts.
7. Wappingers Central School District (WCSD)— Without residential construction and no school- aged children generated as a result of the Proposed Project, the Project would not result in any direct costs to the WCSD. Instead, the Proposed Project would

provide significant tax revenues to the school district.

8. Construction Jobs – Approximately 125 construction jobs will be created during the 12-15 month construction period.
9. Long Term Employment – It is projected that at least 100 full-time equivalent employees will be employed by the Project.

Accordingly, the Project will create substantial fiscal benefits for local and regional jurisdictions through tax revenues, payroll, sales taxes, and a significant number of construction and permanent jobs for the area. Due to these positive fiscal benefits, no mitigation measures are required.

8. Surface Waters and Wetlands

The Town Board reviewed the information within the EAF related to the existing conditions of the Project Site in relation to surface waters and wetlands and makes the findings below.

The Project does not include any activities within the limits of regulated wetlands or within the 100-foot NYSDEC Adjacent Area associated with any wetlands. The SWPPP prepared for the project incorporates best management practices for erosion and sediment control during and post-construction for the protection of off-site surface waters.

In the event the Town opts to include the construction of a berm by the Applicant on the east side of Patriot Way (formerly Auditorium Drive), as discussed above in the “Noise” section of this narrative, minor disturbances to non-regulated wetland areas are possible.

Accordingly, no significant adverse impacts to surface waters or wetlands will result from the Proposed Project.

9. Threatened and Endangered Species

The Town Board reviewed the information within the EAF related to the existing conditions of the Project Site in relation to threatened and endangered species and makes the findings below.

1. Based on a response from the New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program (NHP) dated September 3, 2020, there are no documented occurrences of threatened or endangered species onsite. However, the NHP indicates a documented Indiana bat maternity colony within 0.5 miles of the site and bald eagle and bog turtle within 1 mile of the site.

2. Based on a review of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool, there are two threatened or endangered species that should be considered in an effects analysis for the project: Indiana bat (*Myotis sodalis*) and bog turtle (*Clemmys muhlenbergii*).

3. Indiana bat (*Myotis sodalis*)

For purposes of compliance with the Endangered Species Act, both the NYSDEC and USFWS will consider suitable Indiana bat habitat in wooded or treed areas within 2.5 miles of a known Indiana bat summer colony. Trees providing suitable habitat are characterized by USFWS as those with a diameter at breast height (DBH) > 5 inches that have exfoliating bark, cracks, crevices or hollows. The majority of the project area is non-forested and consists of vacant and demolished buildings and associated infrastructure from the previous development; these areas do not provide suitable habitat for Indiana bat.

The majority of the proposed redevelopment project avoids disturbance and removal of trees and wooded areas; however, some trees are proposed to be cleared during construction. In order to avoid potential adverse impact to Indiana bat, trees will be cleared during inactive months (October 1 thru March 31).

4. Bog turtle (*Clemmys muhlenbergii*)

The bog turtle is federally listed as threatened and state-listed as endangered. According to the New York Natural Heritage Program, bog turtles occur in open-canopy wet meadows, sedge meadows, and calcareous fens. In the Hudson River Valley, known bog turtle habitat may be isolated from other wetlands or may exist as part of larger wetland complexes. These wetlands are often fed by groundwater and the vegetation commonly includes various species of sedges.

Other vegetation that is frequently found in southern New York bog turtle sites includes shrubby cinquefoil (*Potentilla fruticosa*), grass-of-parnassus (*Parnassia glauca*), mosses (*Sphagnum* spp.), horsetail (*Equisetum* sp.), scattered trees such as red maple (*Acer rubrum*), red cedar (*Juniperus virginianus*), and tamarack (*Larix laricina*), and scattered shrubs such as willows (*Salix* spp.), dogwood (*Cornus* spp.), and alder (*Alnus* spp.) (NYSDEC NHP 2020). Bog turtles are also found within unpolluted emergent and scrub/shrub wetlands that consist of micro-habitats, including dry pockets, saturated areas, and areas that are periodically flooded. These habitats are characterized by soft muddy bottoms, interspersed wet and dry pockets, vegetation dominated by low grasses and sedges, and a low volume of standing or slow-moving water which often forms a network of shallow pools and rivulets (USFWS NY 2020).

The Proposed Project is situated greater than 300 feet from wetlands; therefore, no adverse impacts to bog turtles are anticipated.

Accordingly, since limited tree clearing is proposed and will be performed during the inactive months of the Indiana bat (October 1 thru March 31) and the Proposed Project does not include any work or other disturbance within or adjacent to regulated wetlands, the Proposed Project is not expected to result in any significant adverse impact to threatened and endangered species.

10. Historic and Archeological Resources

The Town Board reviewed the information within the EAF related to the existing conditions of the Project Site in relation to historic and archeological resources and makes the findings below.

1. The Project Site has been previously disturbed and developed, including the partial development of the previously approved Sports Dome.
2. Based on the extent of historic disturbance on-site dating back to approximately 1985 and recent activities conducted for the approved Sports Dome project, the Proposed Project is not expected to result in the disturbance of native ground which avoids the potential to disturb cultural resources.
3. The OPRHP issued a letter dated October 12, 2022 finding that no properties, including archeological and/or historic resources, listed in or eligible for listing in the New York State and National Registers of Historic Places will be impacted by the Project.

Accordingly, the Proposed Project will not create any significant adverse impact to historic or archeological resources.

11. Water and Wastewater

Water

The Town Board has evaluated all potential impacts related to the Project and finds that the Project will not result in any significant adverse environmental impacts related to water or water service because:

1. The Proposed Project is designed to receive water service through the formation of a Town Special District which will provide water from an existing Dutchess County Water and Wastewater Authority (DCWWA) water line, which has sufficient capacity to supply the project. The Town is also considering incorporating an extension of a water line supplied by the Town of Fishkill.
2. The projected water demand for the Project is estimated at 7,500 gallons per day (gpd). The projected water demand has been calculated in accordance with the New York State Department of Environmental Conservation's (NYSDEC) New York State Design Standards for Intermediate Sized Wastewater Treatments Systems, 2014 per-unit hydraulic loading rates in Table B-3. The per-unit hydraulic loading rate for a distribution warehouse is 15 gpd/employee/shift. To be conservative, it has been assumed that this rate is for an 8-hour shift, so the rate has been adjusted for a 10-hour shift. Please see calculation below:

$$[(15 \text{ gpd/employee/shift}) \times 10 \text{ hours}] \div 8 \text{ hours} = 15 \text{ gpd/employee/shift}$$

The projected average daily flow is as follows: 7,500 gpd

(500 employees/shift × 1 shifts × 15 gpd/employee/shift = 7,500 gpd)

The projected peak flow is as follows:

(7,500 gpd ÷ 24 hours ÷ 60 minutes) × 4 peak flow factor = 20.83 gpm

3. The fire flow demand is 2,000 gallons per minute over 120 minutes, which will be provided by a fire suppression storage tank, unless otherwise determined to be unnecessary based on the water system's available fire flow.
4. The proposed 10-inch water service will provide water supply to the water tank located in the south truck court. From there, the tank will then supply the fire suppression loop, which consists of 10-inch diameter C900 DR-18 PVC. The fire riser laterals that lead into the building will then provide water service to the internal fire sprinkler system of the proposed warehouse. Fire hydrants have been provided around the warehouse. Post indicator valves will be provided if required by the Town.
5. Where the proposed fire water service will be parallel to the sanitary sewer, a minimum horizontal separation distance of 10 feet (outer-wall to outer-wall) was maintained. Where proposed water line crosses sanitary sewer, a minimum vertical separation distance of 18 inches (outer-wall to outer-wall) was maintained.
6. The domestic water service has been designed in accordance with the requirements of the Ten States Recommended Standards for Water Works, latest edition and pipe and appurtenances will conform to AWWA Standard C900, latest revision.
7. Where the proposed domestic water service will be parallel to the sanitary sewer or, a minimum horizontal separation distance of 10 feet (outer-wall to outer-wall) was maintained. Where proposed water line crosses sanitary sewer, a minimum vertical separation distance of 18 inches (outer-wall to outer-wall) was maintained.

Accordingly, the Proposed Project will not create any significant adverse water or water service impacts.

Wastewater

The Town Board has evaluated all potential impacts related to the Project and finds that the Project will not result in any significant adverse environmental impacts related to sanitary sewer because:

1. The projected average wastewater generation for the Project is a maximum of 7,500 gallons per day (gpd). The projected peak flow is as follows: (7,500 gpd ÷ 24 hours ÷ 60 minutes) × 4 peak flow factor = 20.83 gpm. No vehicle washing will occur on the Site as part of warehouse operations.

2. All sanitary flows will be domestic in nature and void of any industrial solid, hazardous or toxic waste contamination.
3. The proposed collection system has been designed in accordance with the requirements of the New York State Department of Environmental Conservation's (NYSDEC) New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, 2014, and the Ten States Recommended Standards for Wastewater Facilities, latest edition.
4. Where the proposed sanitary sewer gravity main will be parallel to the water main, a minimum horizontal separation of 10 feet (wall-to wall) is maintained. Where the proposed sanitary sewer gravity main will cross the water main or the storm sewer main, a minimum vertical separation of 18 inches (wall-to-wall) is maintained. Where this minimum vertical separation is unattainable, a minimum vertical separation of 6 inches (wall-to-wall) is maintained, and the pipes are to be concrete encased.
5. The project wastewater will flow to the GlobalFoundries Wastewater Treatment Plant (WWTP). The WWTP is located at 2070 State Route 52, Building 325, and discharges into Gildersleeve Brook, a NYSDEC Class C stream (SPDES Permit #NY0005096). According to the Engineer's Report, prepared by Morris Associates Engineering and Surveying Consultants, PLLC, dated June 2016 and revised December 2016, the WWTP has a permitted design flow of 6 million gallons per day (MGD), with an average daily flow rate of approximately 2.62 MGD, and a peak flow rate of approximately 2.89 MGD. The proposed 7,500 gpd will not have an adverse impact on the capacity of Global Foundries WWTP.
6. Prior to being placed into service, the sanitary sewer system shall be tested in accordance with the testing procedures outlined on the project plans. A certification letter shall be provided to the Town of East Fishkill and NYSDEC once testing has been completed.

Accordingly, the Proposed Project will not create any significant adverse wastewater impacts.

12. Other

No other significant potential adverse environmental impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON NOVEMBER 17, 2022.

Nicholas DiAlvino
Chairperson/Designee

11/22/2022
Date

- For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:
- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
 - Appropriate Regional Office of the Department of Environmental Conservation.
 - Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.
 - Applicant (if any)
 - Other involved agencies (if any)

I, **Peter J Cassidy**, the duly qualified and acting Clerk for the Town of East Fishkill Town Board, Dutchess County, State of New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a regular/adjourned meeting of the Town Board of the Town of East Fishkill, held on the 17 day of November 2022 and that the Negative Declaration set forth herein is a true and correct copy of the of the Town Board of said Town adopted at said meeting.

I **FURTHER CERTIFY** that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, this 17 day of, November 2022.

Peter J. Cassidy

PETER J. CASSIDY
TOWN CLERK



Town of East Fishkill

Dutchess County, New York

330 Route 376, Hopewell Junction, New York 12533

Telephone 845-221-4303

Nicholas D' Alessandro, Supervisor
Town of East Fishkill

Town Board:

Thomas Franco
Emanuele Marinaro
Anil Beephan

December 8, 2022

Sarah Lee, Executive Director
Dutchess County Industrial Development Agency
3 Neptune Road
Poughkeepsie, NY 12601

Re: Bluewater Project

Ms. Lee:

The Town of East Fishkill has been working with the applicant, Bluewater Property Group, on their application for a 546,088 square foot warehouse building. The proposed warehouse is located on a 41.36 acre site that sits in the Town of East Fishkill.

On November 17, 2022, the East Fishkill Town Board adopted a negative declaration of a SEQR determination for the Bluewater project. Also, on November 17, 2022 the East Fishkill Town Board issued Bluewater property group an Economic Development permit for same project. The East Fishkill Town Board has been reviewing the current proposal for a PILOT program for the Bluewater project and we are in support of the proposal.

Very truly yours,

Nicholas D' Alessandro, Supervisor
Town of East Fishkill



WAPPINGERS | Empower
CENTRAL SCHOOL DISTRICT | Challenge
Grow

Dr. Dwight Bonk • Superintendent of Schools
25 Corporate Park Drive • P.O. Box 396 • Hopewell Junction, NY 12533 • (845) 298-5000 x40145 • Fax (845) 896-1693

November 22, 2022

Sarah Lee, Executive Director
Dutchess County Industrial Development Agency
3 Neptune Road
Poughkeepsie, NY 12603

RE: Application for Financial Assistance for CANAM Hudson Valley Logistics Project on 500 South Drive and 76 Patriot Way in the Town of East Fishkill

Dear Ms. Lee:

On behalf of the Wappingers Central School District ("District"), please consider this letter confirming the District's support of the CANAM Hudson Valley Logistics, Owner LLC's application for financial assistance to the Dutchess County Industrial Development Agency, in connection with its proposed project to redevelop two parcels located at 500 South Drive and 76 Patriot Way, in the Town of East Fishkill. For your reference, attached is a certified resolution adopted by the Board of Education on November 21, 2022 confirming this support.

Thank you.

Sincerely,

Dr. Dwight Bonk
Superintendent of Schools

cc: Board of Education
Kristen Crandall, Assistant Superintendent of Finance & Business Development



Board of Education
25 Corporate Park Drive • P.O. Box 396 • Hopewell Junction, NY 12533 • (845) 298-5000 x40145 • Fax (845) 896-1693

November 28, 2022

THIS WILL CERTIFY that at the Board of Education meeting of November 21, 2022 the following resolution was offered and passed unanimously:

WHEREAS, the Wappingers Central School District (“District”) has been informed of a proposed project to commercially redevelop two parcels of land located on 500 South Drive and 76 Patriot Way in the Town of East Fishkill, bearing Tax Map Grid No. 132800-6356-04-587105-0000 and Grid No. 132800-6356-04-606028-0000 respectively; and
WHEREAS, CANAM Hudson Valley Logistics, Owner LLC (“Hudson Valley Logistics”), the developer of such proposed project has filed an application for financial assistance from the Dutchess County Industrial Development Agency (“DCIDA”) to assist in this proposed project; and

WHEREAS, it is contemplated that the financial assistance being sought from DCIDA will include a PILOT Agreement; and

WHEREAS, the District has received and reviewed the information describing the project, including the proposed schedule of revenues to be received under the PILOT Agreement; and

WHEREAS, the DCIDA’s provision of financial assistance to Hudson Valley Logistics is subject to the District’s support for the project;

NOW THEREFORE, BE IT RESOLVED that the Board of Education of the Wappingers Central School District supports, and authorizes the Superintendent to prepare and send a letter in support of Hudson Valley Logistics’ application for financial assistance with the DCIDA.

Motion by Peggy Kelland, second by Cheryl Migatz.

Final Resolution: Motion Carries

Yes: Peggy Kelland, John Lumia, Michael McFarland, Cheryl Migatz, John S Morgan, Keith Odums, Eddy Sloshower, James Spencer

Not Present at Vote: Marie Johnson

Respectfully Submitted,

Alberta Pedro
District Clerk