

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Chemung County Industrial Development Agency (the "Agency") on Thursday, June 1, 2023, at 7:00 p.m., local time, at the Town of Horseheads Town Hall, 150 Wygant Road, Horseheads, New York 14845, in connection with the following matter:

**CP BRESPORT ONE LLC**, for itself and/or for an entity or entities to be formed (collectively, the "Company"), has submitted an application to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 44.2 acres of real property located at Vargo Road, 251 Breesport Road and 267 Breeseport Road, each in the Town of Horseheads, New York and all other lands in the Town of Horseheads where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land", being more particularly described as portions of tax parcel Nos. 50.00-3-46.2; 50.00-2-41.32 and 50.00-2-41.31, respectively, as may be subdivided); (ii) the planning, design, construction and operation of a 5MWac PV solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the "Improvements"); (iii) the acquisition of an installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions, a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement. **The real property tax abatement will deviate from the Agency's Uniform Tax Exemption Policy by providing for certain payments-in-lieu-of-taxes in the amount of \$5,000/MWac with such amount escalating at 2% per year for a period of twenty (20) years.**

The Agency will livestream the public hearing online via Zoom at: **<https://us02web.zoom.us/j/83768038936?pwd=TIMwcXFNeGF4bnVQdVB6TE5jQVZZdz09>** and provide audio access to the public hearing by phone via call in number: 1-646-558-8656, Meeting ID: 837 6803 8936, Passcode: 011663.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: May 19, 2023

CHEMUNG COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY