

**RESOLUTION CONFIRMING SEQR DETERMINATION
TUG HILL ARTISAN ROASTERS, LLC PROJECT**

A meeting of the County of Lewis Industrial Development Agency was convened in public session on February 3, 2022 at 8:15 AM local time.

The meeting was called to order by Joseph Lawrence, the Chairman, and upon roll being called, the following members of the Agency were:

PRESENT:

Joe Lawrence	Chair
Ronald Burns	Member
Herb Frost	Member
Tom Gillette	Member
McKenzie Lehman	Member
Darlene Rowsam	Member

ABSENT:

Gagan Singh	Vice Chair
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Brittany Davis	Executive Director of Economic Development
Cheyenne Steria	Director of Finance and Incentives
Jenna Kraeger	Economic Development Specialist
Kevin McArdle, Esq.	Agency Counsel

The following resolution was offered by **Darlene Rowsam**, seconded by **Ron Burns**, to wit:

Resolution No. 0222-03

RESOLUTION CONCURRING IN THE DETERMINATION BY THE TOWN/VILLAGE OF LOWVILLE PLANNING BOARD, AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THE TUG HILL ARTISAN ROASTERS, LLC PROPOSED PROJECT.

WHEREAS, County of Lewis Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 62 of the 1973 Laws of New York, as amended, constituting Section 902 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving,

maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more " projects" (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, TUG HILL ARTISAN ROASTERS,, LLC (the "Company") has presented an application (the "Application") to the Agency, copies of which were circulated at this meeting and a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of:

(A) Acquisition of the real property known as 7514 South State Street, in the Village and Town of Lowville, Lewis County, New York (the "Land"); and

(B) the exterior and interior structural renovation and improvement of the former Lewis County Jail facility located on the Land and related infrastructure (the "Improvements") for the purpose of an expanded coffee roaster and café and leasing space for commercial enterprises; and

(C) the acquisition and installation of machinery, equipment and other tangible personal property in, upon and around the Improvements and the Land (the "Equipment"; and collectively with the Land and the Improvements, the "Facility"); and

(D) paying certain costs and expenses incidental to those activities (the costs associated with items A and B and C above being hereinafter collectively referred to as "Project Costs"); and

WHEREAS, by resolution adopted by the members of the Agency on December 2, 2021 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of Economic Development of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted and displayed on the Agency's website, (C) caused notice of the Public Hearing to be published in the Watertown Daily Times, a newspaper of general circulation available to the residents of Town of Lowville, Lewis County, New York, (D) conducted the Public Hearing and (E) prepared a report of the Public Hearing (the "Public Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the Agency has been informed that (1) the Town/Village of Lowville Planning Board (the "Planning Board") was designated to act as "lead agency" with respect to the Project, and (2) the Planning Board issued a Determination of Non Significance on April 28, 2021 (the "Negative Declaration"), attached hereto as Exhibit A, determining that the acquisition, reconstruction, renovation and installation of the Project Facility will not have a "significant effect on the environment"; and

WHEREAS, the Agency is an "involved agency" with respect to the Project and the Agency now desires to concur in the determination by the Planning Board, as "lead agency" with respect to the Project, to acknowledge receipt of a copy of the Negative Declaration and to indicate whether the Agency has any information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to SEQRA and, therefore, that no environmental impact statement need be prepared with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency has received copies of, and has reviewed, the Application, the environmental assessment form and the Negative Declaration (collectively, the "Reviewed Documents") and, based upon said Reviewed Documents, the Agency hereby ratifies and concurs in the designation of the Planning Board as "lead agency" with respect to the Project under SEQRA (as such quoted term is defined in SEQRA).

Section 2. The Agency hereby determines that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to the SEQRA and, therefore, that environmental impact statement need not be prepared with respect to the Project (as such quoted phrase is used in SEQRA).

Section 3. The members of the Agency are hereby directed to notify the Planning Board of the concurrence by the Agency that the Planning Board shall be the "lead agency" with respect to the Project, and to further indicate to the Planning Board that the Agency has no information to suggest that the Planning Board was incorrect in its determinations contained in the Negative Declaration.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote of the members on roll call, and the result was as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Joseph Lawrence	[X]	[]	[]	[]
Darlene Rowsam	[X]	[]	[]	[]
McKenzie Lehman	[X]	[]	[]	[]
Ron Burns	[X]	[]	[]	[]
Gagan Singh	[]	[]	[]	[X]
Thomas Gillette	[X]	[]	[]	[]
Herbert Frost	[X]	[]	[]	[]

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF LEWIS)

I, the undersigned (Assistant) Secretary of County of Lewis Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 6, 2021 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law") except as modified by Executive Order 202.1, as supplemented, said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present, either in-person or appearing telephonically in accordance with Executive Order 202.1, as supplemented, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this _____ day of May, 2021.



(Assistant) Secretary

EXHIBIT A
NEGATIVE DECLARATION

- SEE ATTACHED -

SEQR TYPE MOTION

SP2021-1

At a Regular Monthly Meeting on April 28, 2021, the Town/Village of Lowville Planning Board held a meeting in reference to the following application at the Town Offices, 5533 Bostwick Street, Lowville, New York

In accordance with 6 NYCRR Part 617 a MOTION was made by Henry Avalone to deem the SEQR short form supplied by the applicant regarding **Application SP2021-1**, submitted by **Tug Hill Artisan Roasters** a(n)

Type I Action (A Long EAF must be completed following determination)

Type II Action

Unlisted Action

FURTHER, the following determination of environmental significance per the SEQR short form supplied by the applicant

Negative Declaration (Complete Neg Dec Form)

Positive Declaration (Complete Positive Dec Form)

The motion was seconded by Rebecca Kelly. A roll call vote showed the following:

Suzanne Peters (Y) N R A

Daniel O'Brien Y N R (A)

Henry Avalone (Y) N R A

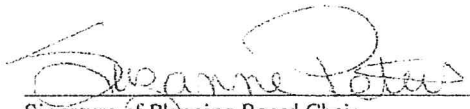
Rebecca Kelly (Y) N R A

Jeffrey Sauter (Y) N R A

Alt. Donald Cooke Y N R (A)

Alt. Lisa Hetzner (Y) N R A

Motion Carried.


Signature of Planning Board Chair

Y – Yea

N – Nay

R – Recusal

Absent - A

