

**SEQR RESOLUTION
GREENBUSH ASSOCIATES, LLC 2018 PROJECT**

A regular meeting of Rensselaer County Industrial Development Agency (the “Agency”) was convened in public session in the 3rd Floor Conference Room at the Quackenbush Building located at 333 Broadway in the City of Troy, Rensselaer County, New York on July 19, 2018 at 4:00 o’clock p.m., local time.

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

PRESENT:

John H. Clinton, Jr.	Chairman
Michael Della Rocco	Vice Chairman
Cynthia A. Henninger	Secretary/Treasurer
Ronald Bounds	Assistant Secretary/Treasurer
Douglas Baldrey	Member
James Church	Member

ABSENT:

Renee Powell	Member
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Robert L. Pasinella, Jr.	Executive Director
Robin LaBrake	Assistant
A. Joseph Scott, III, Esq.	Special Counsel

The following resolution was offered by Michael Della Rocco, seconded by Douglas Baldrey, to wit:

Resolution No. 0718-09

RESOLUTION AUTHORIZING THE ISSUANCE OF A FINDINGS STATEMENT
RELATIVE TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE
GREENBUSH ASSOCIATES, LLC 2018 PROJECT

WHEREAS, Rensselaer County 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 128 of the 1974 Laws of New York, as amended, constituting Section 903-d 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 industrial, manufacturing, warehousing, commercial, research and recreation 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, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Greenbush Associates, LLC, a New York a limited liability company (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 5 acre portion of an approximately 41.56 acre parcel of land located at 33 Tech Valley Drive (tax map no. 156.-2-1.111) in the Town of East Greenbush, Rensselaer County, New York (the “Land”), (2) the construction of an approximately 37,000 to 74,000 square foot building thereon (the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property including, without limitation, tenant improvement and finish (collectively, the “Equipment”); all of the foregoing consisting of an office, research and light assembly facility, a portion of which to be leased by the Company to Autotask Corporation (the “Tenant”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by 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, being 6NYCRR Part 617, as amended (collectively with the SEQR Act, “SEQRA”), the Agency must satisfy the requirements contained in SEQRA and the Regulations prior to making a final determination whether to undertake the Project; and

WHEREAS, to aid the Agency in determining whether the Project may have significant effect upon the environment, the Company has submitted to the Agency: (A) a final environmental impact statement (the “FEIS”) submitted to the Town of East Greenbush Town Board (the “Town Board”), as lead agency, pursuant to SEQRA on January 18, 2018; (B) the Town Board’s findings statement with respect to the FEIS accepted on February 21, 2018 (the “Findings Statement”) and (C) an environmental assessment form (the “EAF”) dated October 27, 2016; and

WHEREAS, pursuant to SEQRA, (A) the staff of the Agency have received a copy of the (1) FEIS, (2) Findings Statement and (3) EAF (collectively the “Reviewed Materials”) and (B) the staff of the Agency have reviewed the Reviewed Materials; and

WHEREAS, at this meeting, (A) the staff of the Agency have discussed with the members of the Agency the results of the review of the Reviewed Materials conducted by the staff of the Agency; (B) a copy of the Findings Statement was presented to the members of the Agency; (C) the staff of the Agency has discussed the Findings Statement with the members of the Agency; (D) the members of the Agency have reviewed and considered the Findings Statement; and (E) the members of the Agency have reviewed the Reviewed Materials; and

WHEREAS, the Agency now desires to adopt the Findings Statement as the Agency's written findings statement relative to the Project, as required by Section 617.11(c) of the Regulations;

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

Section 1. Based upon (A) the discussions held by the members of the Agency at this meeting respecting the Reviewed Materials and (B) the review of the Findings Statement conducted by the members of the Agency at this meeting, the Agency hereby (1) makes the findings and provides the rationale for such findings as set forth in the Findings Statement, which Findings Statement is hereby incorporated into and made a part of this Resolution, and (2) adopts the Findings Statement as the Agency's written findings statement relative to the Project, as required by Section 617.11(c) of the Regulations.

Section 2. Based upon the foregoing, the Agency hereby finds and determines that:

A. The Agency has reviewed the Reviewed Materials and has considered the relevant environmental impacts, facts and conclusions disclosed in the Reviewed Materials;

B. The Agency has weighed and balanced the relevant environmental impacts identified in the Reviewed Materials with social, economic and other considerations;

C. The Agency has reviewed the Act, the Reviewed Materials, including the Findings Statement, and based on said materials, the Agency finds no compelling reason not to proceed with the Project;

D. The requirements of SEQRA have been met with respect to the Project; and

E. As set forth in the Findings Statement, consistent with social, economic and other essential considerations, from among the reasonable alternatives available, (1) the Project minimizes adverse environmental impacts to the maximum extent practicable and (2) adverse environmental effects revealed in the Reviewed Materials will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable in the Reviewed Materials.

Section 3. In consequence of the foregoing, the Agency hereby makes a determination to proceed with the Project.

Section 4. The Executive Director of the Agency is hereby directed to (A) send a copy of this Resolution to the chief executive officer of the Town of East Greenbush, New York; (B) send a copy of this Resolution to the Lead Agency; (C) send a copy of this Resolution to each entity identified by the Agency as an "involved agency" with respect to the Project (as such quoted term is used in SEQRA), (D) send a copy of this Resolution to the Company; (E) send a copy of this Resolution to each other person who has requested a copy of same, and (F) place a copy of this Resolution in the files of the Agency that are readily accessible to the public and made available on request.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

John H. Clinton, Jr.	VOTING	YES
Michael Della Rocco	VOTING	YES
Cynthia A. Henninger	VOTING	YES
Ronald Bounds	VOTING	YES
Douglas Baldrey	VOTING	YES
James Church	VOTING	YES
Renee Powell	VOTING	ABSENT

The foregoing Resolution was thereupon declared duly adopted.


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

I, the undersigned (~~Assistant~~) Secretary of Rensselaer County 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 July 19, 2018 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"), 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 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 19th day of July, 2018.



(~~Assistant~~) Secretary

(SEAL)

EXHIBIT A

FINDINGS STATEMENT

In accordance with Article 8 (State Environmental Quality Review) of the Environmental Conservation Law (the "Act"), and the statewide regulations under the Act (6 NYCRR Part 617) (the "Regulations"), Rensselaer County Industrial Development Agency (the "Agency") has received an application (the "Application") from Greenbush Associates, LLC (the "Company"), which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 5 acre portion of an approximately 41.56 acre parcel of land located at 33 Tech Valley Drive (tax map no. 156.-2-1.111) in the Town of East Greenbush, Rensselaer County, New York (the "Land"), (2) the construction of an approximately 37,000 to 74,000 square foot building thereon (the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property including, without limitation, tenant improvement and finish (collectively, the "Equipment"); all of the foregoing consisting of an office, research and light assembly facility, a portion of which to be leased by the Company to Autotask Corporation (the "Tenant") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

To aid the Agency in determining whether the Project may have significant effect upon the environment, the Company has submitted to the Agency: (A) a final environmental impact statement (the "FEIS") submitted to the Town of East Greenbush Town Board (the "Town Board"), as lead agency, pursuant to SEQRA on January 18, 2018; (B) the Town Board's findings statement with respect to the FEIS accepted on February 21, 2018 (the "Findings Statement") and (C) an environmental assessment form (the "EAF") dated October 27, 2016.

On July 19, 2018, by resolution adopted by the members of the Agency, the Agency adopted the Findings Statement as the Agency's written findings statement relative to the Project, as required by 6 NYCRR 617.11(c). This written findings statement has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Additional information may be obtained from the following: Robert L. Pasinella, Jr., Executive Director, Rensselaer County Industrial Development Agency, c/o Rensselaer County Department of Economic Development and Planning, County Office Building, 1600 Seventh Avenue, Troy, New York 12180; Telephone No. (518) 270-2914.

SEQRA FINDINGS STATEMENT

EAST GREENBUSH TECHNOLOGY PARK, PART 2

Pursuant to the State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law, and 6 NYCRR Part 617 (collectively, "SEQRA"), the Town Board of the Town of East Greenbush, as SEQRA Lead Agency, makes the following findings with respect to Part 2 of the East Greenbush Technology Park (the "Project").

Name of Action: East Greenbush Technology Park, Part 2

Description of Action:

The Project involves an application for the rezoning of property located on Mannix Road and Tech Valley Drive in the Town of East Greenbush from O (Corporate Office) to a Planned Development District (PDD). The existing Part 1 of the Technology Park includes seven approved lots that can accommodate up to 311,300 +/- square feet of buildings. Existing (already constructed) uses include a Marriott Residence Inn and four research/office/light industrial buildings based upon site plans previously approved. The Applicant proposes to extend the existing Technology Park Planned Development District, subdivide six additional future lots for the extension of Tech Valley Drive and develop the balance of the site to accommodate a mixed use of office/research/light industrial buildings with associated parking, loading areas, lighting, stormwater management and landscaping. The six additional future lots can accommodate

381,000 square feet of office/research/light industrial buildings. The six future lots may be reduced if a need arises for one larger user to occupy multiple lots. At full development the Technology Park (Parts 1 & 2) can accommodate a total 692,300 square feet (and up to 850,000 square feet of lower intensity uses which include large assembly area and storage) of office/research/light industrial buildings on a total of 13 separate parcels (gross site area of 86 +/- acres). Tech Valley Drive, which will be extended into Part 2, will comply with Town Standards as amended by the PDD. The Project will also require site plan approval of each lot as developed by the Town of East Greenbush Town Board and related permits, approvals and compliance determinations from other involved agencies. The applicant proposes to commence construction of a 37,000 +/- square feet building on proposed future Lot 8 without any designated tenants. This action includes the extension of the existing East Greenbush Technology Park Planned Development District and subdivision of one lot with the right of way for dedication to the Town.

AGENCY JURISDICTION AND DESCRIPTION OF THE SEQRA PROCESS

The Project requires the following approvals:

Town of East Greenbush Town Board – Establishment of Planned Development District and Site Plan Approval.

NYS Department of Environmental Conservation – SPDES general stormwater permit.

NYS Department of Transportation – Highway work permit

Town of East Greenbush Planning Board – Subdivision approval

Rensselaer County Department of Health – Water main extension

The following actions highlight the review of the Project in accordance with SEQRA:

September 20, 2016 – Meeting with Town Officials and Greenman-Pederson Inc.

(“GPI”), the Town-Designated Engineer

September 29, 2016 – Received review memorandum from GPI

October 12, 2016 – Preliminary Presentation to the Town Board

December 19, 2016 – Submittal of the following to GPI and the Town:

- Project Plans
- Draft Environmental Impact Statement (“DEIS”)
- SWPPP
- Sewer Report
- Water Report
- Itemized list of responses to the review memorandum

January 11, 2017 – Updated Presentation to GPI’s Town Board

January 6, 2017 - Received updated review memorandum from GPI

January 12, 2017 - Received updated review memorandum from GPI

March 15, 2017 – Public Hearing before Town Board.

March 29, 2017 – Submitted responses to GPI memoranda documenting changes made to
previously submitted plans

February 21, 2018 – Town Board Accepted FEIS.

Project Location: Mannix Road and Tech Valley Drive, Town of East
Greenbush, Rensselaer County

SEQRA Classification: Type I

Final Environmental Impact

Statement Accepted: February 21, 2018

STATEMENT OF SEQRA FINDINGS

The following findings and conclusions have been made upon review of the Draft EIS and Final EIS for the Project, together with accompanying plans and documentation prepared for the Project, pursuant to the Town of East Greenbush Town Board's responsibility as Lead Agency under SEQRA.

1.0 Description of the Action

The Project involves an application for the rezoning of property located on Mannix Road and Tech Valley Drive in the Town of East Greenbush from O (Corporate Office) to a Planned Development District (PDD). The existing Part 1 of the Technology Park includes 7 approved lots that can accommodate up to 311,300 +/- square feet of buildings. Existing (already constructed) uses include a Residence Inn and four research/office/light industrial buildings based upon site plans previously approved. The Applicant proposes to extend the existing Technology Park Planned Development District, subdivide six additional future lots for the extension of Tech Valley Drive and develop the balance of the site to accommodate a mixed use

of office/research/light industrial buildings with associated parking, loading areas, lighting, stormwater management and landscaping. The six additional future lots can accommodate 381,000 square feet of office/research/light industrial buildings. The six future lots may be reduced if a need arises for one larger user to occupy multiple lots. At full development the Technology Park (Parts 1 & 2) can accommodate a total 692,300 square feet (and up to 850,000 square feet of lower intensity uses which include large assembly area and storage) of office/research/light industrial buildings on a total of 13 separate parcels (gross site area of 86 +/- acres). Tech Valley Drive, which will be extended into Part 2, will comply with Town Standards as amended by the PDD. The Project will also require site plan approval of each lot as developed by the Town of East Greenbush Town Board and related permits, approvals and compliance determinations from other involved agencies. The applicant proposes to commence construction of a 37,000 +/- square feet building on proposed future Lot 8 without any designated tenants. This action includes the extension of the existing East Greenbush Technology Park Planned Development District and subdivision of one lot with the right of way for dedication to the Town.

2.0 Environmental Setting, Anticipated Impacts and Mitigation Measures

A. Topography, Geology and Soils

The existing soils on the Project site are Bernadston-Nassau Complex (Rolling) and Scriba Silt Loam (3-6 percent). Most of site is gently rolling land, with grades between three

percent and six percent. A portion of the site was formerly farmed but is not currently under cultivation.

B. Surface Water and Groundwater

An unnamed tributary of Mill Creek crosses the site. The stream is classified as a class "C" water of the State. The project will leave the stream course undisturbed, with the exception of a culvert to permit Tech Valley Drive to cross the stream. The length of the culverting will be minimized.

Federal wetlands have been identified along the water course that bisects the site. These wetlands have an area of 3.93 acres and includes two ponds. In addition, two isolated wetlands that are not federal wetlands are located on the site and have been delineated. There are no New York State designated wetlands on the site.

The site is located within flood classification Zone C, which is defined as an area subject to minimal flooding. The seasonal high groundwater table is at the surface in the wetland areas but between five and ten feet below ground surface on most building sites.

Development of the site will require preparation and implementation of a stormwater pollution prevention plan ("SWPPP") pursuant to DEC's general permit GP015-02-01.

The federal wetlands will be protected primarily by avoidance. With the exception of less than one-tenth of an acre of disturbance required to cross wetlands with Tech Valley Drive, all federal wetlands will be preserved.

C. Flora and Fauna

The site is a mixture of open fields and meadows, secondary growth hardwood forest, water bodies and wetlands. No endangered or threatened species of wildlife have been identified as being present on the site.

D. Cultural Resources

A Phase I archeological investigation was conducted by Hartgen Archeological Associates in 2003. It included 408 shovel tests. No historic features were encountered.

E. Noise

The major noise generator is truck and car traffic on nearby Interstate 90 and Route 4. The noise level interior to the site is approximately 63 dB(A) to 69dB(A). After completion of the Project, the noise level is not expected to increase beyond the existing range.

F. Transportation and Traffic

After reviewing traffic flow information, it was determined that no traffic-related improvements were required to the existing geometry of the main entrance to the Tech Park if the additional area of buildings of similar uses to those already occupying the Tech Park were 100,000 square feet or less.

If that threshold were surpassed, the realignment of Mannix Road and the intersection with Tech Valley Drive would be necessary. The preferred option for doing this would be to give priority to Tech Valley Drive, with a stop sign controlling traffic entering the intersection from Mannix Road. This would require the acquisition of land from an adjoining property owner, however, and the property owner has expressed no interest in conveying such property.

The next-preferred option is the realignment of Mannix Road farther east along Mannix Road beyond the existing Marriott Residence Inn. This would allow priority to be given to Tech Valley Drive, with a stop sign controlling traffic entering the intersection from Mannix Road. It would require construction of an additional leg of Tech Valley Drive, with the intersection located between the existing Tech Valley Drive and the new leg of that road. The existing intersection of Mannix Road and Tech Valley Drive would be eliminated, and a cul-de-sac would be placed south of the existing intersection. This option is the preferred option if the first option cannot be constructed due to right-of-way constraints.

G. Visual

Some buildings in the Project will be readily visible from Mannix Road and adjoining residences. The applicant has located primarily one-story buildings in the areas most visible from Mannix Road and residences. In addition, existing trees will be retained wherever practical, and landscaping will be added to screen both buildings and parking areas from adjoining residences. Also, special screening will be provided along Mannix Road where the proposed extension of Tech Valley Drive runs parallel to Mannix. This will consist of fences, walls and foliage to prevent oncoming lights from being a distraction to drivers on either road.

H. Employment

It is projected that the Project will generate approximately 150 full-time or part-time construction jobs over the construction phase of the Project, and that, at full build-out, there may be as many as 1,200 full-time jobs.

I. Construction

Construction stage activities will include erosion and sedimentation control, security fencing, and watering of the site as needed to control dust, along with any additional controls established by the Town during the site plan review process.

J. Developable Area

Permitted uses, setbacks and area coverages shall be as set forth in the legislation establishing the PDD extension. The maximum development area in the entire expanded Technology Park is projected to be approximately 800,000 square feet.

K. Lighting

Lighting will be provided on each site. All extension lighting will conform with light level and glare standards to be established during final site plan approval.

L. Police and Fire Protection

Water pressure in the Tech Park is generally around 60 pounds per square inch ("psi"), with pressure around 45 psi possible at the highest elevation (top building floors). Booster pumps will be considered on a site-by-site basis if the Town determines that it is necessary. There is ample flow available, as the Town's two 5-million-gallon water tanks are located nearby which are in turn fed by a 30-inch water main. Water use at full buildout of the Technology Park is estimated to be 38,100 gallons per day.

Police protection is provided by the Town of East Greenbush Police Department and is considered adequate to serve the Town, including the Project.

M. Fiscal Factors

The estimated total value of the full buildout of Part 2 of the Technology Park is \$31,204,000. It is contemplated that the development may be covered by a payment in lieu of taxes ("PILOT") agreement under which the full assessment would be phased in over approximately ten years. After the expiration of any PILOT agreement, it is estimated that the

development of Part 2 of the Technology Park would generate \$1,163,111 annually in real property taxes.

N. Alternatives

Under the "no action" alternative, the Project site would remain undeveloped, with no new job growth or increased tax revenue. Under an alternative with fewer buildings on the site, real property taxes and employment would decrease. The applicant also reviewed other potential locations, but determined that they would not meet its needs for, among other reasons, this site's close proximity to the I-90 interchange.

Certification to Approve/Fund/Undertake:

Having considered the DEIS and FEIS and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the project is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

Town of East Greenbush Town Board
Name of Agency

John J. Conway
Name of Responsible Official


Signature of Responsible Official

7/19/18
Date

Town Supervisor
Title of Responsible Official

Address of Agency:

Town of East Greenbush Town Board
Town Hall
225 Columbia Turnpike
Rensselaer, NY 12144