



Date: September 1, 2022

TO: Mark Hammond, Supervisor; Town of Malta  
Todd Kusnierz, Chairman; Saratoga County Board of Supervisors  
Dan Connor, Interim-Superintendent; Ballston Spa Central School District

FROM: Michael Valentine, Administrator

RE: Public Hearing of September 20, 2022  
ES-TD Ventures, LLC

Enclosed is a copy of the notice of public hearing scheduled for **8:30 a.m.** on **Tuesday, September 20**, 2022 to take comments on the proposed application submitted by ES-TD Ventures, LLC on behalf of Active Solar Development, LLC. The Public Hearing will be held in Meeting Room #102 within the town of Malta Community Center located at One Bayberry Drive in the town of Malta.

The application requests Agency assistance associated with the undertaking of a project (the "Project") which consists of the acquisition of an interest in an approximately 4.62-acre parcel of land constituting tax map parcel 217.-2-32.1 that is located at 2687 NYS Route 9 in the Town of Malta, New York, the construction on the Land of a 20,000-sq. ft. building, together with related furnishings, machinery and equipment, to be leased to Active Solar Development, LLC.

The applicant may be granted exemptions with respect to the abatement of real property taxes, exemption from state and local sales taxes associated with construction purchases and/or rentals, and exemption from a portion of the NYS mortgage recording tax associated with the project financing. The total cost of acquisition, construction and installation of the facility is estimated to be approximately \$4,950,000 with a principal loan cost of \$4,233,750.

Enc.

Cc: Rodney J. Sutton, Chairman  
James Carminucci, Esq, Bond Counsel  
Randy Lockrow, Martin Deposition  
Press  
IDA Correspondence  
Application Folder

Rodney Sutton  
CHAIRMAN



NOTICE OF PUBLIC HEARING  
ON PROPOSED PROVIDING OF FINANCIAL ASSISTANCE

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York will be held by the County of Saratoga Industrial Development Agency (the "Agency") on September 20, 2022 at 8:30 a.m. (EST) at the Malta Community Center, One Bayberry Drive, Malta, New York in connection with the following matters:

ES-TD Ventures, LLC, a New York limited liability company having an address of 2189 Cook Road, Galway, New York 12074 (the "Applicant"), has requested that the Agency undertake a project (the "Project") consisting of (a) the acquisition of an interest in an approximately 4.62 acre parcel of land constituting tax map parcel 217.-2-32.1 and located at 2687 NYS Route 9 in the Town of Malta, New York (the "Land") (b) the construction on the Land of an approximately 20,000 square foot facility (the "Facility") to be leased to Active Solar Development, LLC (the "Tenant"), a residential and commercial solar development firm, to be utilized as its corporate headquarters and (c) the acquisition and installation in the Facility of certain furnishings, machinery and equipment (the "Equipment" and together with the Land and the Facility, collectively the "Project Facility"). The total cost associated with the acquisition, construction and installation of the Project Facility is presently estimated to equal \$4,950,000.

The Agency is considering whether to undertake the Project and to finance the Project by executing and delivering a mortgage or mortgages (the "Mortgage") to secure a borrowing or borrowings by the Owner (the "Loan") in an aggregate principal amount sufficient to finance all or a portion of the cost of the acquisition, construction and installation of the Project Facility and the cost of the Loan, which principal amount is currently estimated to be approximately \$4,233,750.00. If the undertaking of the Project is approved, (A) the Project may be granted such exemptions with respect to state and local sales tax, mortgage recording tax and real property taxes as are applicable to commercial service facilities as set forth in the Agency's Uniform Tax Exemption Policy adopted on October 14, 2014, subject to deviation as determined by the Agency, (B) the Project Facility will be acquired, constructed and installed by the Agency and will be leased (with an obligation to purchase) by the Agency to the Applicant or its designee pursuant to a project agreement (the "Agreement"), (C) the Applicant and the Tenant will be the initial users of the Project Facility, and (D) the Mortgage will be a special obligation of the Agency payable solely out of certain of the proceeds of the Agreement and certain other assets of the Agency pledged to the repayment of the Loan.

The Agency will at said time and place hear all persons and accept written comments relating to the location and nature of the proposed Project. Comments may also be submitted to the Agency in writing (at County of Saratoga Industrial Development Agency, 50 West High Street, Ballston Spa, NY 12020) or electronically at [MValentine@saratogacountyny.gov](mailto:MValentine@saratogacountyny.gov). Minutes of the Public Hearing will be transcribed and posted on the Agency's website.

Copies of the Applicant's application relating to the Project as well as the Agency's Uniform Tax Exemption Policy are available on the Agency's website ([www.saratogacountyida.org](http://www.saratogacountyida.org)) under "Public Files".

Dated: August 16, 2022

COUNTY OF SARATOGA INDUSTRIAL  
DEVELOPMENT AGENCY

Rodney J. Sutton, Chairman