

PUBLIC NOTICE

PUBLIC NOTICES

OFFICE OF THE CLERK OF THE COURT

**NOTICE OF PUBLIC HEARING
PURSUANT TO ARTICLE 2 OF THE
EMINENT DOMAIN PROCEDURE LAW,
ACQUISITION OF PROPERTY FOR PRO-
POSED AGENCY PROJECT**

Notice is hereby given that a public hearing (the "Public Hearing"), pursuant to Article 2 of the New York State Eminent Domain Procedure Law ("EDPL"), will be held by the Allegany County Industrial Development Agency (the "Agency") on the 22nd day of March, 2021 at 11:00 a.m. local time, at the Agency office located at Crossroads Commerce & Conference Center, 6087 State Route 19 North, Belmont, New York 14813, in connection with the Great Lakes Cheese Manufacturing Plant Project (the "Project"), as described below. Members of the public may also attend the Public Hearing by listening to and/or commenting on the Project and the benefits to be granted to Great Lakes Cheese (the "Company"), during the Public Hearing by attending via WebEX at <https://hodgsonruss.webex.com/meet/HIRLLP> and entering the Meeting ID: 621534160, or by calling in at 1-877-868-4493, and entering passcode 621534160.

The Company submitted an application (the "Application") to the Agency, a copy of which is on file at the office of the Agency and the Agency is considering acquisition of property pursuant to the EDPL and undertaking the Project, said Project consisting of the following:

(A) (1) the acquisition of approximately 229 acres of land located in Allegany County, New York (collectively, the "Land");

No.	Address	Tax Map Number
1.	A portion of the property at Old State Road, Town of Amity	158-1-2-1
2.	A portion of the property at Trianna Road, Town of Amity	158-1-31
3.	A portion of County Road 20, Town of Angelica	145-1-5-1

A copy of map showing the proposed Land to be acquired via eminent domain can be found on the Agency's website at <https://www.acida.org/great-lakes-cheese-project-block.html>

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(2) the construction of a manufacturing plant around 480,000 square feet, with a waste water treatment facility of around 50,000 square feet, and any other required improvements (all said improvements being collectively referred to as the "Facility"); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a cheese manufacturing plant to be owned and operated by the Company (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 and real estate transfer 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.

The Agency is considering whether (A) to undertake the Project, including acquisition of the Land pursuant to the EDPL, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Allegany County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility, if any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

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If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency, and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQRA Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with respect to the Project as required under Article 2 of the EDPL and on any other matter relevant to the Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. It is also available on the Agency's website at www.acida.org.

The Public Hearing is intended to inform the property owner(s) and the public about the proposed acquisition of the above-described Land and to outline and review the public use benefit and purpose to be served by the Project. The property owner(s) and public are invited to (1) participate in the Public Hearing either in person or via Webex or telephone; and (2) present oral and/or written statements or other documents concerning this matter. Written statements and other documents concerning this matter may be submitted prior to the Public Hearing and addressed to the Executive Director of the Agency at the address listed below.

Please be advised that pursuant to Article 2 of the EDPL, those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts, and objections raised at such hearing.

Minutes of the Public Hearing will be transcribed and posted on the Agency's website.

Additional information can be obtained from and written comments may be addressed to: Craig R. Clark, P.E., Ph.D., Executive Director, Allegany County Industrial Development Agency, Crossroads Commerce and Conference Center, 6087 NYS Route 19N, Suite 100, Belmont, New York 14813; Telephone: (685) 268-7445; E-mail: clarkcr@alleganyco.com.

Dated: March __, 2021

**ALLEGANY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By:
Craig R. Clark, P.E., Ph.D., Executive
Director

**Great Lakes Cheese Co, Inc
Public Hearing of 03-22-2021
Patriot Newspaper Publishing 03-10-2021**