



## Stark Incentives

[Instructions and Insurance Requirements Document](#)

### Section I: Applicant Background Information

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law.

#### Applicant Information- Company Receiving Benefit

<b>Project Name</b>	Stark Renewables Capacity Expansion- 91 Sawyer
<b>Project Summary</b>	Stark Renewables designs and manufactures equipment for the Renewable Natural Gas (RNG) industry. Our equipment and systems process dirty methane from landfills, farm, food waste, and waste water treatment facilities into clean gas. This gas can be used to generate electricity, power vehicles, and be injected into the natural gas pipeline grid system. Our systems provide a dual environmental benefit: 1) capture and elimination of harmful methane in the atmosphere and 2) production of clean energy from a renewable resource. This project involves a manufacturing capacity expansion plan to meet rapidly growing market demands for green tech renewable natural gas equipment and battery energy storage systems "BESS." Our current facility has significant space and ceiling height restrictions which limit our capacity and size capability. This new skid production facility will afford us the opportunity to build larger and more complex equipment at a much higher capacity rate. We anticipate investing over \$15 million into the purchase and renovation of an existing building, along with additional capital equipment and infrastructure. A sizeable portion of this investment will be required to make repairs and upgrades to an asbestos roof which has exceeded its useful life. In addition to the investment, we expect to add 130 new jobs to support our growth, maintain 50 existing jobs, and purchase an additional \$25- \$50 million in materials, parts, and services from local suppliers. All of this will have a very substantial positive economic impact in the Town of Tonawanda.
<b>Applicant Name</b>	Stark Real Estate Holdings, LLC
<b>Applicant Address</b>	95 Stark Street
<b>Applicant Address 2</b>	
<b>Applicant City</b>	Tonawanda
<b>Applicant State</b>	New York
<b>Applicant Zip</b>	14150
<b>Phone</b>	(516) 655-0680
<b>Fax</b>	
<b>E-mail</b>	kds@stateadvisers.com
<b>Website</b>	www.starktech.com
<b>NAICS Code</b>	221210

#### Business Organization

##### **Type of Business**

Limited Liability Company

**Year Established**

2022

**State**

Delaware

**Indicate if your business is 51% or more (Check all boxes that apply)** [No] Minority Owned [No] Woman Owned**Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)** [No] NYS Certified [No] Erie Country CertifiedIndividual Completing Application

**Name** keith sernick  
**Title** Attorney  
**Address** 666 Old Country Road  
**Address 2** Suite 900  
**City** Garden City  
**State** New York  
**Zip** 11530  
**Phone** (516) 655-0680  
**Fax**  
**E-Mail** kds@stateadvisers.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** No  
**Name** Timothy Geiger  
**Title** CEO  
**Address** 95 Stark Street  
**Address 2**  
**City** Tonawanda  
**State** New York  
**Zip** 14150  
**Phone** (716) 445-4041  
**Fax**  
**E-Mail** geigert@starktech.com

Company Counsel

**Name of Attorney** Brian Lewandowski  
**Firm Name** Lewandowski and Associates  
**Address** 721 Center Road  
**Address 2**  
**City** West Seneca  
**State** New York

**Zip** 14224  
**Phone** (716) 674-4710  
**Fax**  
**E-Mail** blewandowski@lewandowskiandassoc.com

Benefits Requested (select all that apply).

<b>Exemption from Sales Tax</b>	Yes
<b>Exemption from Mortgage Tax</b>	Yes
<b>Exemption from Real Property Tax</b>	Yes
<b>Tax Exempt Financing*</b>	No

\* (typically for not-for-profits & small qualified manufacturers)

Applicant Business Description

**Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.**

Stark Tech is a multi-faceted clean energy company, which is composed of the following commercial and industrial environments: Master Systems Integration, HVAC, boilers, and critical power, microgrids and solar. We are a full service provider of critical infrastructure, engineering clean-tech and mechanical equipment, project management and energy solutions. We monitor and manage utility spend and consumption across the country. This includes building automation, intelligence, high-quality products, and services to bring a focus to a building's health and wellness and energy efficiency with actions and insights that future proof each building's needs. We provide intelligent building solutions by bringing together capabilities. We have a total of 18 locations nation-wide, including the following locations in western New York: Buffalo 95 Stark Street, Tonawanda, 14150 4 Pequet Parkway, Tonawanda, 14150 60 Lawrence Bell Drive, Buffalo, 14221 1600 Commerce Parkway, Lancaster, 14086 Jamestown 2663 3rd Avenue, Jamestown 14733 Allegany 80 N Fourth Street, Allegany 14706 Rochester 88 University Avenue, Rochester, 14605 300 Mile Crossing, Rochester, 14624 1 Grove Street, Pittsford, 14534 The project application is for renewable natural gas equipment production, which will be sold to entities for the conversion of methane gas at renewable gas feedstock sites including landfills, large farms, food waste generators, and waste water treatment plants across the state and country. This business and specifics of the project are further described below. The ownership is as follows: Timothy Geiger 70% Randy Urschel 20% Dennis Donovan 10% Stark Renewables designs and manufactures equipment for the Renewable Natural Gas (RNG) industry. Our equipment and systems process dirty methane from landfills, farm, food waste, and waste water treatment facilities into clean gas. This gas can be used to generate electricity, power vehicles, and be injected into the natural gas pipeline grid system. Our systems provide a dual environmental benefit: 1) capture and elimination of harmful methane in the atmosphere and 2) production of clean energy from a renewable resource. This project involves a manufacturing capacity expansion plan to meet rapidly growing market demands for green tech renewable natural gas equipment and battery energy storage systems "BESS." Our current facility has significant space and ceiling height restrictions which limit our capacity and size capability. This new skid production facility will afford us the opportunity to build larger and more complex equipment at a much higher capacity rate. We anticipate investing over \$15 million into the purchase and renovation of an existing building, along with additional capital equipment and infrastructure. A sizeable portion of this investment will be required to make repairs and upgrades to an asbestos roof which has exceeded its useful life. In addition to the investment, we expect to add 130 new jobs to support our growth, maintain 50 existing jobs, and purchase an additional \$25- \$50 million in materials, parts, and services from local suppliers. All of this will have a very substantial positive economic impact in the Town of Tonawanda.

<b>Estimated % of sales within Erie County</b>	5 %
<b>Estimated % of sales outside Erie County but within New York State</b>	15 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	80 %
<b>Estimated % of sales outside the U.S.</b>	0 %

(\*Percentage to equal 100%)

**For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?**

**Describe vendors within Erie County for major purchases**

Steel plate, beams, and piping fabrication sand blasting paint sub-components- valves, instruments, insulation, welding suppliers and other consumables used in the assembly of skids and battery energy storage systems

## Section II: Eligibility Questionnaire - Project Description & Details

### Project Location

**Address of Proposed Project Facility**

91, 93, 185, 189 Sawyer Avenue

**Town/City/Village of Project Site**

Tonawanda

**School District of Project Site**

Kenmore

**Current Address (if different)**

1600 Commerce Parkway, Lancaster, NY 14086

**Current Town/City/Village of Project Site (if different)**

Lancaster

**SBL Number(s) for proposed Project**

(189) 65.09-6-7; (91) 65.13-1-4.1; (185) 65.13-1-5; (93) 65.13-1-4.2

**What are the current real estate taxes on the proposed Project Site**

\$1,984.64; \$62,283.22; \$7,935.96; \$67,018.35

**If amount of current taxes is not available, provide assessed value for each.**

Land

\$ 0

Building(s)

\$ 0

If available include a copy of current tax receipt.

**Are Real Property Taxes current at project location?**

Yes

**If no please explain**

\*The ECIDA has an unpaid tax policy and you will be required to certify all taxes and PILOTS are current.

**Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?**

Yes

**If No, indicate name of present owner of the Project Site****Does Applicant or related entity have an option/contract to purchase the Project site?**

Yes

**Describe the present use of the proposed Project site (vacant land, existing building, etc.)**

Existing building currently vacant and formerly used for large industrial heat exchanger manufacturing by Alfa-Laval.

**Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)**

Stark Renewables designs and manufactures equipment for the Renewable Natural Gas (RNG) industry. Our equipment and systems process dirty methane from landfills, farm, food waste, and waste water treatment facilities into clean gas. This gas can be used to generate electricity, power vehicles, and be injected into the natural gas pipeline grid system. Our systems provide a dual environmental benefit: 1) capture and elimination of harmful methane in the atmosphere and 2) production of clean energy from a renewable resource. This project involves a manufacturing capacity expansion plan to meet rapidly growing market demands for green tech renewable natural gas equipment and battery energy storage systems "BESS." Our current facility has significant space and ceiling height restrictions which limit our capacity and size capability. This new skid production facility will afford us the opportunity to build larger and more complex equipment at a much higher capacity rate. We anticipate investing over \$15 million into the purchase and renovation of an existing building, along with additional capital equipment and infrastructure. A sizeable portion of this investment will be required to make repairs and upgrades to an asbestos roof which has exceeded its useful life. In addition to the investment, we expect to add 130 new jobs to support our growth, maintain 50 existing jobs, and purchase an additional \$25- \$50 million in materials, parts, and services from local suppliers. All of this will have a very substantial positive economic impact in the Town of Tonawanda. Stark will move from a 30,000 sq. ft. facility with significant ceiling height and infrastructure limitations to a 125,000 sq. ft. building with high bay ceilings (30 ft. under crane hook) and high capacity cranes (up to 60 tons) to accommodate efficient handling of our large skid systems. We plan to sell the existing facility to another manufacturer which will help support additional manufacturing growth in Lancaster. We will purchase or lease the building and add infrastructure and equipment as follows: blast prep booth, paint booth, assembly equipment, pipe cutting equipment, welding equipment, skid pad fabrication equipment, new receiving and shipping area, test equipment for power controls, IT equipment, office furnishings, exterior lighting, signage, and new parking lot surface. Please note that in an unrelated project that is not requesting ECIDA support, we plan to vacate our 4 Pequet location which is owned and move all 43 employees from there to a new location at 2100 Wehrle Dr. We own and are renovating this facility to be our new headquarters building. There are currently no employees at the 2100 Wehrle location.

**Municipality or Municipalities of current operations**

Lancaster

**Will the Proposed Project be located within a Municipality identified above?**

No

**Will the completion of the Project result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the project occupant located within the state?**

Yes

**If the Proposed Project is located in a different Municipality within New York State than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?**

Yes

(If yes, you will need to complete the Intermunicipal Move Determination section of this application)

**Is the project reasonably necessary to prevent the project occupant from moving out of New York State?**

Yes

**If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available**

If assistance is not added, assembly can be done at a facility outside of NY state.

**Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?**

Yes

**If yes, please indicate the Agency and nature of inquiry below**

NYS ESD award of Excelsior Tax Credits have been granted

**If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:**

**Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)**

The assistance will enable Stark to rapidly scale capacity and improve operational efficiency to serve the growing RNG market demand. We are not able to do this in our current space. RNG is a key green energy market with a dual benefit of creating clean burning fuel from a renewable resource and capturing and eliminating harmful methane emission into the atmosphere. We also intend to manufacture Battery Energy Storage Skids (BESS) at this facility, which is another key green energy market. Without assistance, we will not be able to perform the asbestos remediation of the roof which will substantially reduce the life of the building. This is a key part of our decision process in whether to move forward with the project. We are not comfortable adding high capital equipment like surface blasting and paint booth to a building with a limited life. These investments are critical to achieving the business revenue targets which will directly impact our ability to add 130 new high-paying manufacturing jobs and make additional purchases of \$25 to \$50 million from local suppliers.

**Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency**

Yes

**If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and Erie County?**

The applicant will either scale back or abandon the project. We will miss a significant market opportunity to serve the rapidly growing RNG market needs. In addition, the related substantial economic benefit and development that would occur through use of the new, larger, more efficient facility will be lost. These include the creation of 130 new high-paying manufacturing jobs, \$16 million in local investment, \$25 to \$50 million in additional purchases from local suppliers, all associated payroll and property tax revenues, and additional employment and investment by supplier partners.

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

### Site Characteristics

**Is your project located near public transportation?**

Yes

**If yes describe if site is accessible by either metro or bus line (provide route number for bus lines)**

A bus stop is located at the end of the property. River Road and Sawyer Avenue #40 Grand Island bus.

**Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?**

Yes

**If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.**

**If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.**

May 1, 2023; we have spoken to The Town of Tonawanda Director of Planning and Development, Jim Hartz, and he has indicate that this will be a Type II action under SEQR which requires no application and only a letter from him to the ECIDA which he will rea

**Will the Project meet zoning/land use requirements at the proposed location?**

Yes

**Describe the present zoning/land use**

Industrial

**Describe required zoning/land use, if different**

NA

**If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements**

NA

**Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?**

Yes

**If yes, please explain**

Most of the existing roof requires repair and asbestos remediation.

**Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?**

Yes

If yes, please provide a copy.

**Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?**



If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)

Standard

Provide estimate of additional construction cost as a result of LEED certification you are seeking < BLANK >

Will project result in significant utility infrastructure cost or uses Yes

What is the estimated project timetable (provide dates).

Start date : acquisition of equipment or construction of facilities

7/1/2023

End date : Estimated completion date of project

6/30/2024

Project occupancy : estimated starting date of occupancy

7/1/2023

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 6,500,000 125,000 square feet 5 acres

2.) New Building Construction

\$ 0 square feet

3.) New Building addition(s)

\$ 0 square feet

4.) Reconstruction/Renovation

\$ 4,000,000 square feet

5.) Manufacturing Equipment

\$ 3,900,000

6.) Infrastructure Work

\$ 1,000,000

7.) Non-Manufacturing Equipment: (furniture, fixtures, etc.)

\$ 750,000

8.) Soft Costs: (Legal, architect, engineering, etc.)

\$ 100,000

9.) Other Cost

\$ 0

Explain Other Costs

Total Cost \$ 16,250,000

Construction Cost Breakdown:

<b>Total Cost of Construction</b>	\$ 5,000,000 (sum of 2, 3, 4 and 6 in Project Information, above)
<b>Cost of materials</b>	\$ 3,500,000
<b>% sourced in Erie County</b>	50%

Sales and Use Tax:

<b>Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit</b>	\$ 4,250,000
<b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>	\$ 371,875

\*\* Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

<b>Project refinancing estimated amount, if applicable (for refinancing of existing debt only)</b>	\$ 0
<b>Have any of the above costs been paid or incurred as of the date of this Application?</b>	No
<b>If Yes, describe particulars:</b>	

Sources of Funds for Project Costs:

<b>Equity (excluding equity that is attributed to grants/tax credits):</b>	\$ 1,500,000
<b>Bank Financing:</b>	\$ 11,000,000
<b>Tax Exempt Bond Issuance (if applicable):</b>	\$ 0
<b>Taxable Bond Issuance (if applicable):</b>	\$ 0
<b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>	\$ 3,500,000
<b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b>	\$3.5 mil Excelsior Tax Credits granted, this is paid out on a set schedule over 10 years based on jobs created. We are in the process of applying for a US Department of Energy Advanced Energy Manufacturing and Recycling grant program which could provide up to 50% cost sharing in the project. The expected award date is November 2023.
<b>Total Sources of Funds for Project Costs:</b>	\$16,000,000
<b>Have you secured financing for the project?</b>	No

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

<b>Mortgage Amount (include sum total of construction/permanent/bridge financing).</b>	11,000,000
<b>Lender Name, if Known</b>	
<b>Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):</b>	\$82,500

Real Property Tax Benefit:

<b>Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):</b>	N/A
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IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

**Is project necessary to expand project employment?**

Yes

**Is project necessary to retain existing employment?**

No

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

Employment Plan (Specific to the proposed project location).

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

	<b>Current # of jobs at proposed project location or to be relocated at project location</b>	<b>If financial assistance is granted – project the number of FT and PT jobs to be retained</b>	<b>If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion</b>	<b>Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **</b>
<b>Full time</b>	50	50	120	120
<b>Part time</b>	0	0	10	10
<b>Total</b>	50	50	130	

Salary and Fringe Benefits for Jobs to be Retained and Created

<b>Job Categories</b>	<b># of Full Time Employees retained and created</b>	<b>Average Salary for Full Time</b>	<b>Average Fringe Benefits for Full Time</b>	<b># of Part Time Employees retained and created</b>	<b>Average Salary for Part Time</b>	<b>Average Fringe Benefits for Part Time</b>
<b>Management</b>	10	\$ 175,000	\$ 35,000	0	\$ 0	\$ 0
<b>Professional</b>	20	\$ 80,000	\$ 16,000	0	\$ 0	\$ 0
<b>Administrative</b>	5	\$ 60,000	\$ 12,000	0	\$ 0	\$ 0
<b>Production</b>	125	\$ 110,000	\$ 22,000	0	\$ 0	\$ 0
<b>Independent Contractor</b>	0	\$ 100,000	\$ 0	0	\$ 0	\$ 0
<b>Other</b>	10	\$ 105,000	\$ 21,000	10	\$ 50,000	\$ 0
<b>Total</b>	170			10		

\*\* Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant

by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

Employment at other locations in Erie County: (provide address and number of employees at each location):

Address	95 Stark Street Tonawanda, NY 14150	4 Peuquet Parkway, Tonawanda, NY 14150	60 Lawrence Bell Drive, Williamsville 14221
<b>Full time</b>	126	39	41
<b>Part time</b>	6	4	1
<b>Total</b>	132	43	42

Payroll Information

**Annual Payroll at Proposed Project Site upon completion**

19,450,000

**Estimated average annual salary of jobs to be retained (Full Time)**

112,000

**Estimated average annual salary of jobs to be retained (Part Time)**

0

**Estimated average annual salary of jobs to be created (Full Time)**

106,800

**Estimated average annual salary of jobs to be created (Part Time)**

50,000

**Estimated salary range of jobs to be created**

<b>From (Full Time)</b>	54,000	<b>To (Full Time)</b>	215,000
<b>From (Part Time)</b>	40,000	<b>To (Part Time)</b>	60,000

## Section III: Environmental Questionnaire

INSTRUCTIONS: Please complete the following questionnaire as completely as possible. If you need additional space to fully answer any question, please attach additional page(s).

### General Background Information

#### **Address of Premises**

91, 93, 185,189 Sawyer avenue, Tonawanda, NY

#### **Name and Address of Owner of Premises**

Stark Tech 95 Stark Drive Tonawanda, NY 14150

#### **Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)**

Industrial site on flat terrain, no immediately adjacent wetlands, rivers, streams, lakes, etc.

#### **Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises**

Original construction date was 1948, additions made in 1990 General manufacturing of medium to large skid systems in support of gas compression and RNG markets

#### **Describe all known former uses of the Premises**

General manufacturing of various industrial products including large heat exchangers

#### **Does any person, firm or corporation other than the owner occupy the Premises or any part of it?**

No

#### **If yes, please identify them and describe their use of the property**

#### **Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises?**

No

#### **If yes, describe and attach any incident reports and the results of any investigations**

#### **Has the Premises or any part of it ever been the subject of any enforcement action by any federal, state or local government entity, or does the preparer of this questionnaire have knowledge of: a) any current federal, state or local enforcement actions; b) any areas of non-compliance with any federal, state or local laws, ordinances, rules or regulations associated with operations over the past 12 months?**

No

#### **If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances**

#### **Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises?**

No

#### **If yes, describe in full detail**

### Solid And Hazardous Wastes And Hazardous Substances

#### **Does any activity conducted or contemplated to be conducted at the premises generate, treat or dispose of any petroleum, petroleum-related products, solid and hazardous wastes or hazardous substances?**

No

**If yes, provide the Premises' applicable EPA (or State) identification number**

**Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes?**

No

**If yes, please provide copies of the permits.**

**Identify the transporter of any hazardous and/or solid wastes to or from the Premises**

N/A

**Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years**

N/A

**Does or is it contemplated that there will occur at the Premises any accumulation or storage of any hazardous wastes on-site for disposal for longer than 90 days?**

No

**If yes, please identify the substance, the quantity and describe how it is stored**

Discharge Into Waterbodies

**Briefly describe any current or contemplated industrial process discharges (including the approximate volume, source, type and number of discharge points). Please provide copies of all permits for such discharges**

N/A

**Identify all sources of discharges of water, including discharges of waste water, process water, contact or noncontact cooling water, and stormwater. Attach all permits relating to the same. Also identify any septic tanks on site**

**Is any waste discharged into or near surface water or groundwaters?**

No

**If yes, please describe in detail the discharge including not only the receiving water's classification, but a description of the type and quantity of the waste**

Air Pollution

**Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?**

No

**If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source**

**Are any of the air emission sources permitted?**

No

**If yes, attach a copy of each permit.**

Storage Tanks

**List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks**

N/A

**Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?**

No

**If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved**

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

**Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.**

**Have there been any PCB spills, discharges or other accidents at the Premises?**

No

**If yes, relate all the circumstances**

**Do the Premises have any asbestos containing materials?**

Yes

**If yes, please identify the materials**

Transite roof panels contain asbestos

## Section IV: Facility Type - Single or Multi Tenant

### Is this a Single Use Facility or a Multi-Tenant Facility?

Single Use Facility

#### For Single Use Facility.

**Occupant Name** Stark Compression, LLC  
**Address** 95 Stark Drive, Tonawanda, NY 14150  
**Contact Person** Timothy Geiger  
**Phone** (716) 445-4041  
**Fax**  
**E-Mail** geigert@starktech.com  
**Federal ID #**  
**SIC/NAICS Code** 221210

SS

## **Section VI: Retail Determination**

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

**Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?**

No

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

## **Section VII: Adaptive Reuse Projects**

Adaptive Reuse is the process of adapting old structures or sites for new purposes.

**Are you applying for tax incentives under the Adaptive Reuse Program?**

No

## Section VIII: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

### Current Address

1600 Commerce Parkway

### City/Town

Lancaster

### State

New York

### Zip Code

14086

### Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

Yes

### Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

Yes

### If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

The Agency's assistance will enable Stark to rapidly scale capacity and improve operational efficiency to serve the growing RNG market demand. We are not able to do this in our current space. RNG is a key green energy market with a dual benefit of creating clean burning fuel from a renewable resource and capturing and eliminating harmful methane emission into the atmosphere. We also intend to manufacture Battery Energy Storage Skids (BESS) at this facility, which is another key green energy market. Without assistance, we will not be able to perform the asbestos remediation of the roof which will substantially reduce the life of the building. This is a key part of our decision process in whether to move forward with the project. We are not comfortable adding high capital equipment like surface blasting and paint booth to a building with a limited life. These investments are critical to achieving the business revenue targets which will directly impact our ability to add 130 new high-paying manufacturing jobs and make additional purchases of \$25 to \$50 million from local suppliers.

### Does this project involve relocation or consolidation of a project occupant from another municipality?

#### Within New York State

Yes

#### Within Erie County

Yes

### If Yes to either question, please, explain

We currently have a 30,000 sq. ft. facility in Lancaster, NY. The square footage, ceiling height and crane capacity is not adequate to accommodate our planned growth or the large size skid systems we will manufacture. We have been unable to find a suitable building in Lancaster. We plan to move to a much larger 125,000 sq. ft. facility with high bay ceilings (30 ft. under hook) and heavy crane capacity (50 tons) in Tonawanda, NY. We intend to consolidate operations at the Tonawanda facility, move all current employees to that facility, and add 130 new jobs in Tonawanda.

### Will the project result in a relocation of an existing business operation from the City of Buffalo?

No

### If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

**What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)**

Greater than 100,000 sq. ft. total manufacturing space Greater than 20,000 sq. ft. office space 25 ft. minimum height ceilings (under crane hooks) High capacity cranes (50 ton) over a large portion of the manufacturing space Truck loading which can be accessed inside the building and under high capacity cranes

**If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?**

Yes

**What factors have lead the project occupant to consider remaining or locating in Erie County?**

Stark has a strong presence in Western New York and we are proud to continue to build our workforce and capability in this area. We specifically wanted to find a facility that was in close enough proximity to our current building in Lancaster to allow us to retain all of our existing skilled workforce at a new location. We also have good, long-standing relationships with local supplier partners which are critical to our continued growth and success.

**If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?**

We will sell the existing facility to another manufacturer which will be a growth opportunity for a new owner who is seeking more space and utility. It is still a very good space for many other types of manufacturing operations.

**Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.**

We were unable to find any suitable facilities within the Town of Lancaster. The following properties were considered. Please see attached property listings for details. 3825 Walden Ave, Lancaster, NY 14086- 43,000 sq. ft. is not enough floorspace for our needs 5636 Transit Rd, Depew, NY 14043- 21,000 sq. ft. is not enough floorspace for our needs 6640 Transit Rd, Buffalo, NY 14221- 25,000 sq. ft. is not enough floorspace for our needs 703-757 Elk St, Buffalo, NY 14210- building layout and poor condition not adequate for our needs, would require extensive investment to be useable 2381 Fillmore Ave, Buffalo, NY 14214- first floor space (80,000 sq. ft.) and low ceiling height (20 ft.) not adequate for our needs 3211 Transit Rd, Elma, NY 14059- 22,000 sq. ft. not adequate for our floorspace needs 175 Milens Rd, Tonawanda, NY 14150- the lack of existing cranes makes this less desirable for our needs compared to the property at 91 Sawyer Ave.

## **Section IX: Senior Housing**

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

**Are you applying for tax incentives under the Senior Rental Housing policy?**

No

## **Section X: Tax Exempt Bonds**

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

**Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?**

No