



NED-NEW ENERGY SOLAR 8 LLC - Solar Project

[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

Project Name	NED-NEW ENERGY SOLAR 8 LLC Tier III Solar Energy Project and 3- Lot Residential Subdivision
Project Summary	This Project consists of: (1) a proposed Tier III Solar Energy Project on the rear approximately 39.6 acres of an approximately 42.8 acres site (actual solar project located to the rear 21.9 acres with 9.7 acres to remain vacant in middle of parcel) with a private driveway on New Road for access with the Solar Energy System size being 4.384 MW; and (2) a three-lot residential subdivision fronting upon New Road with lot sizes of 1.09 acres, 1.09 acres and 1.02 acres.
Applicant Name	NED-NEW ENERGY SOLAR 8 LLC
Applicant Address	166 Taylor Drive
Applicant Address 2	
Applicant City	Depew
Applicant State	New York
Applicant Zip	14043
Phone	(716) 683-2505
Fax	
E-mail	jb@nedrenewables.com
Website	https://www.nedrenewables.com/
NAICS Code	221114

Business Organization

Type of Business

Limited Liability Company

Year Established

2022

State

New York

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 Certified

Individual Completing Application

Name Matthew T. Dubois
Title Authorized Representative for Applicant
Address 9276 Main Street
Address 2 Suite 3
City Clarence
State New York
Zip 14031
Phone (716) 320-3150
Fax (716) 854-0059
E-Mail mdubois@blockandlongo.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application No
Name James A. Bodecker, II
Title Partner
Address 166 Taylor Drive
Address 2
City Depew
State New York
Zip 14043
Phone (716) 228-2294
Fax
E-Mail jb@nedrenewables.com

Company Counsel

Name of Attorney Jeffery D. Palumbo
Firm Name Block, Longo, LaMarca & Brzezinski
Address 9276 Main Street
Address 2 Suite 3
City Clarence
State New York
Zip 14031
Phone (207) 951-6395
Fax
E-Mail jpalumbo@blockandlongo.com

Benefits Requested (select all that apply).

Exemption from Sales Tax	Yes
Exemption from Mortgage Tax	Yes
Exemption from Real Property Tax	Yes
Tax Exempt Financing*	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%.

National Energy Development, LLC (NED) is a reputable renewable energy company based in New York, operating throughout the Northeast. Founded in 2019 by partners Paul Vargovich and Jim Bodecker, NED specializes in community solar facilities and renewable energy solutions for residential, small commercial, and municipal customers. Committed to environmental stewardship and technological innovation, the company has grown steadily and is currently developing over 70 megawatts (MW) of renewable energy projects. NED manages the entire development process, collaborating with land and business owners, local authorities, engineers, vendors, contractors, and financiers. This comprehensive approach ensures that project solutions are easy to implement and beneficial to all stakeholders. By providing expert knowledge of complex and evolving solar options, NED designs and scales end-to-end systems that match clients' needs and budgets, creating custom, cost-effective solutions that generate measurable returns on investment. Serving a diverse customer base, NED works diligently to create distributed renewable energy projects that contribute to a better future for communities and the planet. With a management team boasting over 50 years of combined experience in the renewable energy industry, NED remains at the forefront of delivering the latest solar technology solutions through a consultative and collaborative business model. Ownership Structure: As of 2023, National Energy Development, LLC is jointly owned by its founding partners: Paul Vargovich- 50% Ownership Jim Bodecker- 50% Ownership

Estimated % of sales within Erie County	75 %
Estimated % of sales outside Erie County but within New York State	25 %
Estimated % of sales outside New York State but within the U.S.	0 %
Estimated % of sales outside the U.S.	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?

20

Describe vendors within Erie County for major purchases

Each project built requires a dedicated team of 1-2 highly skilled technicians and maintenance personnel to conduct thorough routine preventative maintenance and perform meticulous site inspections, evaluating the performance of our solar farm, as well as 1-2 laborers associated with vegetation management, and 1-2 laborers involved in snow removal. These positions are filled in most cases from local/regional vendors, TBD.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

1050 New Road, Amherst, NY 14228

Town/City/Village of Project Site

Amherst

School District of Project Site

Williamsville Central School District

Current Address (if different)

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

SBL Number(s) for proposed Project

16.00-2-10

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

\$ 1,042.07

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

Land

\$ 125,400

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

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.)

Vacant land

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)

This project is a community solar farm. The renewable energy generated by the facility is fed into the local distribution grid. The energy produced can be purchased by area homes and businesses at a discount and credited to their electric bill. Project construction will be subject to standard AIDA terms and conditions, including local labor requirements. However labor services associated with the solar farm equipment installation and commissioning will be performed by specialized firms or equipment manufacturers. NED-NEW ENERGY SOLAR 8, LLC anticipates that this project will be transferred to an equity investor in order to claim federal tax credits as is the case with most solar projects across the industry. Once the membership interests have transferred, the company will provide notice to the AIDA in a timely manner.

Municipality or Municipalities of current operations

Amherst

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

Yes

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?

No

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?

No

(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?

No

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

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

No

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

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 Agency's financial assistance is crucial for the viability of the project for a number of reasons, including the high initial capital costs and the decreasing availability of grant funding. The construction costs for solar projects in New York State have significantly increased, driven by rising material costs and the requirement to pay prevailing wages. Simultaneously, incentives such as NYSERDA grants have decreased compared to previous years. The financial assistance will enable the developer to offset some of the substantial upfront costs through sales and use tax exemptions, mortgage recording tax relief, and property tax abatements. These benefits are essential to making the project financially feasible, allowing us to offer competitive energy pricing to subscribers and ensuring a reasonable return on investment. Additionally, a negotiated PILOT and local sales and use tax exemption rate eliminate the risks around forecasting the long-term operating expenses of the project and instill confidence with the investment partners who fund the upfront costs with a project such as the materials, labor and operations of the solar farm. Without the Agency's assistance, and without the ability and confidence in forecasting project taxes and expenses, the project may not meet the necessary financial thresholds to proceed, potentially leading to its cancellation. This would result in the loss of significant private investment in the community and the forfeiture of the environmental benefits associated with increased renewable energy generation.

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?

If financial assistance is not obtained, the project may become financially unfeasible, leading to its postponement or cancellation. This outcome would have several negative impacts:- Loss of a multimillion-dollar investment in Erie County, which would have stimulated economic activity during the construction phase.- Foregone environmental benefits from generating clean, renewable energy, thereby missing an opportunity to reduce local carbon emissions.- Loss of significant community benefits including construction jobs, material procurements, revenue from a community benefit agreement, and increased property taxes.- Residents and businesses in Erie County would miss out on potential energy cost savings and the option to participate in community solar programs. Overall, the absence of the project would hinder efforts to promote sustainable development and economic growth within the county.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Is your project located near public transportation?

No

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

4.) Reconstruction/Renovation

\$ 0 square feet

5.) Manufacturing Equipment

\$ 0

6.) Infrastructure Work

\$ 0

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

\$ 0

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

\$ 250,000

9.) Other Cost

\$ 602,040

Explain Other Costs Interconnection costs with National Grid

Total Cost \$ 10,330,944

Construction Cost Breakdown:

Total Cost of Construction	\$ 8,219,043 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	\$ 6,628,478
% sourced in Erie County	20%

Sales and Use Tax:

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 \$ 2,484,485

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 217,392

** 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.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only) \$ 0

Have any of the above costs been paid or incurred as of the date of this Application? Yes

If Yes, describe particulars:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	\$ 0
Bank Financing:	\$ 0
Tax Exempt Bond Issuance (if applicable):	\$ 0
Taxable Bond Issuance (if applicable):	\$ 0
Public Sources (Include sum total of all state and federal grants and tax credits):	\$ 822,150

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)

NYSERDA Upstate Commercial MW Block Grant; and NYSERDA Prevailing Wage Grant

Total Sources of Funds for Project Costs: \$822,150

Have you secured financing for the project? Yes

Mortgage Recording Tax Exemption Benefit:

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

Mortgage Amount (include sum total of construction/permanent/bridge financing). 10,136,787

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$76,025

Real Property Tax Benefit:

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):

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?

No

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).

Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	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 **
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Full time	0	0	0	0
Part time	0	0	2	2
Total	0	0	2	

If you estimated new job growth over the next 2 years, please provide a short description of how those estimates were calculated (i.e. jobs per square foot, new contracts/increased revenues, etc.)

Community solar projects don't just provide clean energy, utility bill savings, and jobs; they also generate reliable revenue for rural landowners and municipalities. Operational Solar Array provides an annual income to the host landowner equivalent to a full-time paid highly skilled position. Further, while solar investments are passive 24/7 operations with no or burden to the school district or local government, each project built requires a dedicated team of 1-2 highly skilled technicians and maintenance personnel to conduct thorough routine preventative maintenance and perform meticulous site inspections, evaluating the performance of our solar farm, as well as 1-2 laborers associated with vegetation management. These positions are filled in most cases from local/ regional vendors, TBD. This project is one of hundreds that become operational in this region over the next several years, providing for new opportunities to residents across the County and region. According to NYSEIA, there is an estimated 15,000 jobs that will be created as a result of community solar projects in Upstate NY by 2035. This project will directly contribute to this estimate.

Salary and Fringe Benefits for Jobs to be Retained and Created

Job Categories	# of Full Time Employees retained and created	Average Salary for Full Time	Average Fringe Benefits for Full Time	# of Part Time Employees retained and created	Average Salary for Part Time	Average Fringe Benefits for Part Time
Management	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Professional	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Administrative	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Production	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	2	\$ 8,000	\$ 0
Other	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Total	0			2		

** 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			
Full time	0	0	0
Part time	0	0	0
Total	0	0	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

0

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

0

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

0

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

0

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

8,000

Estimated salary range of jobs to be created

From (Full Time)	0	To (Full Time)	0
From (Part Time)	0	To (Part Time)	16,000

Section III: 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 NED-NEW ENERGY SOLAR 8 LLC
Address 1050 New Road, Amherst, NY 14228
Contact Person Jim Bodecker
Phone (716) 228-2294
Fax
E-Mail jb@nedrenewables.com
Federal ID #
SIC/NAICS Code 221114

SS

Section V: 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 VI: 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 VII: 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

1050 New Road

City/Town

Amherst

State

New York

Zip Code

14228

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?

No

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

No

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:

N/A

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

Within New York State

No

Within Erie County

No

If Yes to either question, please, explain

N/A

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.)

N/A

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?

<BLANK>

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

N/A

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

N/A

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.

N/A

Section VIII: 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 IX: 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