

Exhibit 1

Town of Clay Petition for Change of Zone Application Form

Routing (1) Commissioner of Planning & Development

(2) Town Clerk

(3) Town Board Attorney

(4) City County Planning

(5) Town Supervisor

Town Board Case # _____

Planning Board Case # _____

Tax Map # _____ - _____ - _____

TOWN OF CLAY

PETITION FOR CHANGE OF ZONE

PROJECT NAME White Pine Commerce Park

PROJECT LOCATION White Pine Commerce Park - multiple properties; please see Letter of Intent

PROJECT DESCRIPTION _____

Zone Change request concerning multiple properties in White Pine Commerce Park, rezoning same to Industrial I-2 to accommodate Micron Semiconductor Plant

NAME OF APPLICANT Onondaga County Industrial Development Agency c/o Barclay Damon LLP, Jeff Davis

Mailing Address Barclay Damon Tower - 125 East Jefferson Street, Syracuse, New York 1322

Email jdavis@barclaydamon.com

Phone (315) 425-2823

PROPERTY OWNER(s) (if not applicant) applicant

Mailing Address _____ **Phone #** _____

PERSON/FIRM REPRESENTING APPLICANT Barclay Damon LLP, Jeff Davis

(if applicable, please check one: ☐ architect, ☐ engineer, ☒ attorney)

Mailing Address Barclay Damon Tower - 125 East Jefferson Street, Syracuse, New York 1322

Email jdavis@barclaydamon.com

Phone (315) 425-2823

LAND USE:

Current Use of Land Vacant

Total Acres +/- 861.58

Present Zoning: RA-100 and R-15

Requested Zoning: I-2

ACTION ON PETITION

- | | |
|---|--------------|
| 1. Date Petition and Fee received by Commissioner: | _____20_____ |
| 2. Planning Board Action: (a) Date of Filing | _____20_____ |
| (b) Date of Hearing | _____20_____ |
| (c) Date of Recommendation | _____20_____ |
| 3. Date Petition referred to County Planning | _____20_____ |
| 4. Date recommendation received from County Planning | _____20_____ |
| 5. Date of Public Hearing to be <i>called</i> by the Town Board | _____20_____ |
| 6. Date of Public Hearing to be <i>heard</i> by the Town Board | _____20_____ |
| 7. Date of Town Board decision on Petition | _____20_____ |
| Application <i>granted</i> () <i>denied</i> () | |
| 8. Date of notification to Petitioner | _____20_____ |

Commissioner of Planning and Development

9/16

TO THE TOWN BOARD OF THE TOWN OF CLAY:

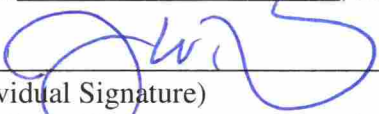
The Petitioner of Onondaga County Industrial Development Agency, residing at _____
333 West Washington Street, Suite 130, Syracuse, NY 13202

respectfully states:

1. The Petitioner is the owner & purchase under contract of certain property located at: 64 different parcels, see letter of intent in the Town of Clay. (List the street address of the subject premises.)
2. The name of the school district in which the subject premises is located is:
North Syracuse
3. The Petitioner requests that the Zoning Ordinance of the Town of Clay, be amended, and the Zoning Map of the Town of Clay be to reclassify and change the zone of the subject premises from RA-100 and R-15 District to I-2 District.
4. The Petitioner hereby declares, for the purpose of reliance thereon by the Town of Clay, that the full particulars of the Petitioner's proposed use of the subject premises for the next five (5) years, if this change of zone is granted, are as follows: (Preliminary plat or site plan will be required upon request by the Planning Board.)
5. The proposed change of zone will not be materially detrimental to the public welfare nor to other property in the neighborhood because:
6. There are no nonconforming uses or structures on the subject premises and have been none during the last six (6) months preceding this Petition, except as follows: (Specify exact date when nonconforming use or structure was commenced.)
7. The subject premises (are) (are not) located within 500 feet of the town line of the Town of Clay.
8. The subject premises (are) (are not) located within 500 feet of the boundary of the Village of North Syracuse.

9. The subject premises (are) (are not) located within 500 feet of any existing or proposed County or State park or other recreation area.
10. The subject premises (are) (are not) located within 500 feet of any right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway.
11. The subject premises (are) (are not) located within 500 feet of any existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel rights.
12. The subject premises (are) (are not) located within 500 feet from the existing or proposed boundary of any County or State owned land on which a public building or institution is situated.
13. The proposed zone change (does) (does not) affect property within the protectively zoned area of a housing project authorized under the Public Housing Law.
14. The Petitioner hereby consents to Board action reverting the subject premises to its original zoning classification if the Town Board subsequently determines that any statement contained in this Petition or any statement made by the Petitioner at the public hearing called to consider the said Petition is materially false and was not made in good faith, the Petitioner further consents to Board action reverting the subject premises to its original zoning classification in the event that the Petitioner fails to abide by any conditions or restrictions contained herein or imposed hereafter by the Town Board.
15. Petitioner further waives any or all rights otherwise afforded to him under provisions of The Zoning Ordinance of the Town of Clay upon the granting of the change of zone requested herein.

Dated: March 24, 2023


(Individual Signature)
Barclay Damon LLP, as agent/attorney for Onondaga County IDA
(Entity Name)

By: Jeffrey W. Davis agent/attorney
(Officer) (Title)
125 East Jefferson Street, Syracuse, NY 13202
(Mailing Address of Applicant)

Telephone Number (315) 425-2823

Dated: _____, 20____

(Individual Signature)

(Entity Name)

By: _____
(Officer) (Title)

(Mailing Address of Applicant)

Telephone Number _____

See enclosed
Owner
Authorization

NOTE: It is desirable to obtain the signatures of owners of adjacent property certifying that they have no objection to the reclassification of the zone as applied for in this Petition.

WE, the undersigned owners of the property adjacent to the property legally described in the PETITION FOR CHANGE OF ZONE, hereby certify that we do not object to the granting of this Petition.

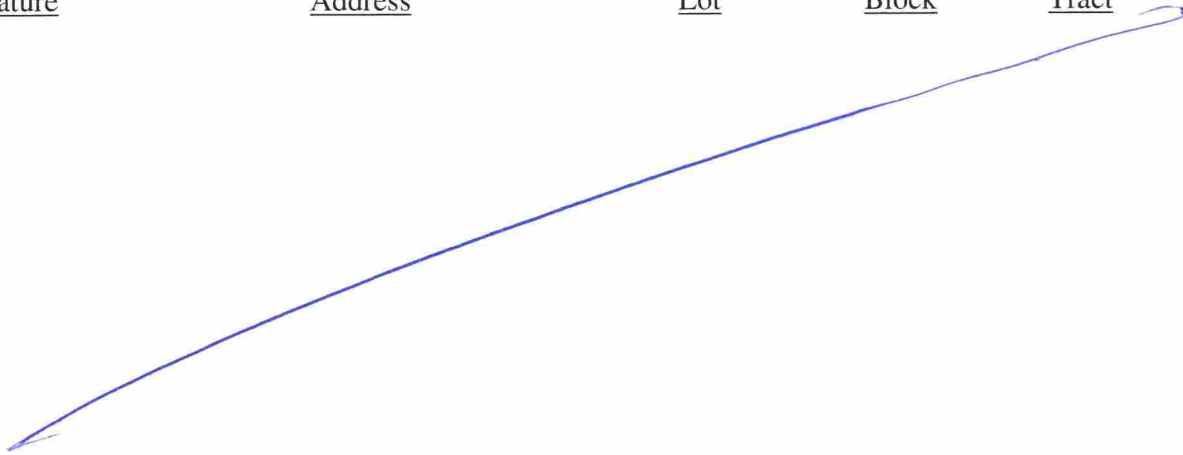
Signature

Address

Lot

Block

Tract



TOWN OF CLAY

DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:
 OF)

- I. Jeffery W. Davis, being duly sworn, deposes and says that (s)he is:
Agent/attorney for the Petitioner, Onondaga County Industrial Development Agency,
(applicant, petitioner, corporation officer, property owner, etc.)
-
- II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:
- A. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
- 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s)he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

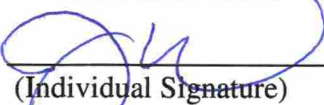
III. That no Town of Clay officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

~~-OR-~~

~~If a Town of Clay officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.~~

Date: March 24, 2023.

Date: _____, 20____.

 JEFFERY DAVIS
(Individual Signature) (Print Name)

(Individual Signature) (Print Name)

Barclay Damon LLP as agent/attorney for Onondaga County IDA

(Entity Name)
Jeffery W. Davis agent/attorney

(Entity Name)

By (Officer) (Title)
125 East Jefferson Street, Syracuse, NY 13202

By (Officer) (Title)

(Mailing address of applicant)
(315) 425-2823 (315) 703-6233

(Mailing address of applicant)

(Telephone Number) (Fax Number)

(Telephone Number) (Fax Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

On this 24th day of March in the year 2023, before me, the undersigned, a notary public in and for said state, personally appeared Jeffery W. Davis, and _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me that he/she/they executed the same in her capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.


Notary Public

AMY CAMPBELL
Notary Public, State of New York
No. 01CA6037836
Qualified in Onondaga County 26
Commission Expires February 28, 2026