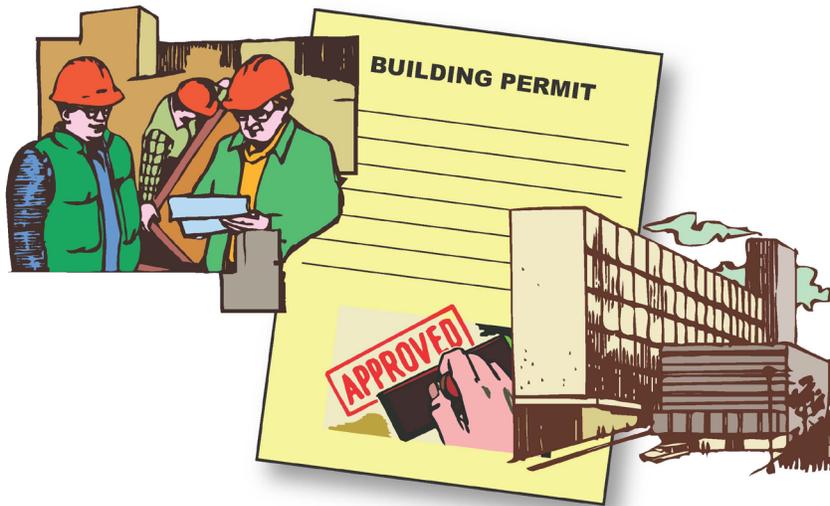




Lackawanna County

Commissioners

Bill Gaughan • Matt McGloin • Chris Chermak



Lackawanna County Land Development & Construction Fee Waiver Program

Program Manual & Application Form

01/19/2024

Prepared by

Lackawanna County Department of Economic Development

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Introduction

Lackawanna County is a great place to work and live, with an excellent quality of life. Lackawanna County offers easy access to major interstate highways, rail lines, an international airport, award-winning education and qualified workforce programs. Lackawanna County's healthy economic environment, competitive business community, exceptional quality of life and attractive financial incentives are perfect conditions for companies looking to expand or relocate.

This program is available to companies relocating to or expanding in Lackawanna County. This waiver is awarded on a case-by-case basis depending on the type of company, number of jobs created, wages, physical or geographical location, and capital investment.

Target Industries

- Advanced Manufacturing;
- Headquarters and Professional Services;
- Health Sciences, Biosciences and Services;
- Information Technology Solutions; and
- Logistics and Supply Chain Management.

Lackawanna County's land development and construction fee waiver program may waive a portion or all of the following permits and fees:

- municipal land development review fees reimbursement;
- municipal zoning and UCC building permit fees reimbursement;
- PennDOT Highway Occupancy Permit or municipal Driveway Permit fee reimbursement (whichever is applicable);
- municipal variance, special exception, or conditional use zoning hearing fees reimbursement (if a hearing is necessary);
- state environmental protection permit fees reimbursement;
- waiver of all county review agency fees (Planning Commission, Conservation District, Engineering)

Eligibility

A business is eligible for this program so long as the business creates at least ten (10) new, full-time, permanent jobs on site within twenty-four (24) months of this application's approval.

Procedure for Program Consideration

To take advantage of this program, a business must submit the application packet to the Lackawanna County Department of Economic Development.

Submit to: Land Development & Construction Fee Waiver Program Coordinator
Lackawanna County Department of Economic Development
123 Wyoming Avenue, 5th Floor
Scranton PA 18503
Phone: 570-963-6830 Fax: 570-963-7596

Type of Funding

Funding provided through this program will be reimbursable to the applicant, upon submission of copies of all municipal and state approvals; permits; and itemized receipts of fees paid, documented and signed by the appropriate municipal or state agency. This funding is available only to businesses located in or locating to Lackawanna County.

Application Packet

Two (2) copies of the application packet, containing original signatures, must be submitted.

The packet must include the following documentation:

- Completed and signed Application Form LC-LDCFWP-1 (3 pages).
- Project description
- Resolution authorizing the applicant to apply for program funds and agreeing to the "Terms and Conditions of the Program."

Selection Criteria for Applications

The Lackawanna County Department of Economic Development will manage this program and will evaluate the applications. Funding recipients will be chosen based upon the clearly demonstrated compliance with eligibility requirements and the overall economic impact on

the county. The amount of reimbursement will be based upon the number of full-time jobs created, combined with the positive financial impact in Lackawanna County.



**LACKAWANNA COUNTY
LAND DEVELOPMENT & CONSTRUCTION
FEE WAIVER PROGRAM**



**Lackawanna
County**

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APPLICATION FORM LC-LDCFWP-1

Revised: 1/19/2024

SECTION 1. BUSINESS INFORMATION

Business Name:		Federal Employer ID Number:	
Mailing Address of Headquarters (Street/PO Box):		(City/Town/Post Office)	(ZIP Code)
Telephone:	FAX:	E-mail:	
Contact Person:			
Industry Classification/Product or Service Provided:			

SECTION 2. EMPLOYMENT & SITE LOCATION INFORMATION

Does this business have a place of operation in Lackawanna County?		<input type="checkbox"/> Yes, within _____ (city, borough, township)	<input type="checkbox"/> No
Mailing Address (Street/PO Box):		(City/Town/Post Office)	(ZIP Code)
Will this business have a proposed new place of operation in Lackawanna County?		<input type="checkbox"/> Yes, within _____ (city, borough, township)	<input type="checkbox"/> No
If Yes, provide the specify site location (street, industrial park, etc.)			
What is the current municipal zoning designation of the property?			
Will this business have an expanded operation at the current site in Lackawanna County?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
What is the current municipal zoning designation of the property?			
How many employees are presently working at the business?			
How many full-time employees will be hired?			
What is/will be the average salary paid to employees?			
What other locations are actively being sought for this business's location or re-location?			

SECTION 3. ESTIMATED FISCAL IMPACT & BENEFIT *(County Use Only – Do NOT Complete This Section)*

SECTION 4. REQUIRED PERMITS & REVIEW APPROVAL FEES

In this space, please provide a comprehensive list of ALL development review and permit approvals required (State, County, & Local) and fees associated with each permit and/or approval:

SECTION 5. SUMMARY OF REVIEW & PERMIT FEE COSTS

Total Review & Permit Fees Required (State, County, & Local): \$ _____

County Review Fees to Be Waived (Planning, Conservation, Engineering): \$ _____

County-Determined Reimbursement Amount for State & Local Fees: \$ _____

Outstanding Fees Amount Responsible by the Applicant: \$ _____

SECTION 6. CERTIFICATION & ACCEPTANCE

By signing this program application, I certify that to the best of my knowledge that the above information provided on this form and related attachments are true and correct, and the Applicant agrees to the terms and conditions of the program and will be bound by the Program Agreement if the County awards the program reimbursements to the Applicant.

Applicant:

Signature

Type or Print Name for Signature Above

Title

Date

Witness:

Signature

Date

CORPORATE RESOLUTION

WHEREAS, _____ **[Applicant]** desires to
[identification of project] _____
_____ ;and

WHEREAS, the Applicant desires to apply to the County of Lackawanna **[County]** for a Land Development and Construction Fee Waiver and Reimbursement for the purpose of carrying out this project; and

WHEREAS, the Program Manual includes a document titled “Terms and Conditions of Program” and an Application Form with a section titled “Section 6. Certification and Acceptance”; and

WHEREAS, the Applicant understands that the contents of the document entitled “Terms and Conditions of Program,” will become the terms and conditions of an Agreement between the Applicant and the County if the Applicant is awarded an incentive; and

WHEREAS, the Applicant understands that, by signing “Section 6. Certification and Acceptance” of the Application Form and submitting it to the County as part of the application, the Applicant agrees to the terms and conditions of the program and will be bound by the Agreement if the County awards an incentive;

NOW THEREFORE, it is resolved that:

1. The official with the title of _____ is authorized to sign “Section 6. Certification and Acceptance” of the Application Form on behalf of the Applicant.

2. If this official signed “Section 6. Certification and Acceptance” prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.

3. If the Applicant is awarded an incentive, "Section 6. Certification and Acceptance" of the Application Form, signed by the above official, will become the Applicant's executed signature for the Agreement, and the Applicant will be bound by the Agreement.

I hereby certify that this Corporate Resolution was approved by

_____ **[Applicant]** this _____ day of
_____, 20__.

Signature

Title

PROGRAM TERMS AND CONDITIONS

We suggest that your legal counsel review the terms and conditions in this section before you submit an application for the land development and construction fee waiver program. They are mandatory for all businesses awarded an incentive through this program and are not negotiable.

If the business is selected for this program, the TERMS AND CONDITIONS OF LAND DEVELOPMENT & CONSTRUCTION FEE WAIVER PROGRAM in this section will be incorporated into the Agreement, and SECTION 6. CERTIFICATION & ACCEPTANCE included in this application package (Page 7) will become the signature page for the Agreement.

TERMS AND CONDITIONS OF BUSINESS INCENTIVE PROGRAM

“COUNTY” in the terms and conditions below means the Board of Commissioners of Lackawanna County. “GRANTEE” means a Business that has been awarded the waiver/reimbursements of the fees associated with land development approval and building/zoning permits and hearings.

ARTICLE I

REIMBURSEMENT AMOUNT

Subject to the availability of funds, the COUNTY makes available to the GRANTEE a check in the amount of \$_____ for the reimbursement of state and/or local development review approvals and issuance of required state and/or local permits associated with the development approval and construction. THE GRANTEE shall provide the COUNTY copies of all municipal and state approvals; permits; and itemized receipts of fees paid, documented and signed by the appropriate municipal or state agency, prior to the approval of payment by the COUNTY.

ARTICLE II
EXECUTION OF AGREEMENT

This AGREEMENT is not binding on the COUNTY until it has been properly executed by all required signatories for the COUNTY. Any cost incurred by the GRANTEE prior to such execution is incurred at the GRANTEE'S risk.

ARTICLE III
COMPLIANCE WITH APPLICABLE FEDERAL, STATE, AND LOCAL LAWS

The GRANTEE shall comply with all applicable federal and state statutes and regulations and local ordinances pertaining to the business construction and activities.

ARTICLE IV
PAYMENTS

The COUNTY will issue a payment to the GRANTEE based upon the COUNTY'S determination of the economic impact and benefit of the project in Lackawanna County.

The COUNTY will not be liable for any expenditure by the GRANTEE that is not a fee associated with a state and/or local agency for the purpose of obtaining land development approval and/or issuance of permits associated with project construction, or for costs exceeding the amount stated in this AGREEMENT.

ARTICLE V
PROGRESS REPORTS

The GRANTEE shall furnish to the COUNTY monthly progress reports, due by the 5th of each month, during the phases of construction. Upon completion of construction, a copy of the Occupancy Permit, issued by the local municipality, shall be furnished to the COUNTY. Fees associated with Occupancy Permits are not part of the Land Development & Construction Fee Waiver Program.

ARTICLE VI

SIGNAGE

Within sixty (60) days of the completion of the project and issuance of an Occupancy Permit, the GRANTEE shall erect and maintain on the site of the business operation a permanent sign acknowledging assistance from the COUNTY. The sign will state that the business was provided with financial assistance from the COUNTY. It will identify the land development and construction fee waiver program and the names of the Lackawanna County Commissioners and display the official county seal. The required signage may be incorporated onto any other sign(s) required as part of any additional financial assistance between the GRANTEE and any other public agency or financial institution.

ARTICLE VII

REFUND OF FEES

The GRANTEE shall refund to the COUNTY any overpayment as determined by the COUNTY.

The GRANTEE shall refund to the COUNTY the COUNTY'S reimbursement amount should the GRANTEE fail to adhere to the terms and conditions of this section as prescribed in this Agreement.

ARTICLE VIII

GOOD STANDING

In order to be eligible for the COUNTY Land Development & Construction Fee Waiver Program, the GRANTEE must be a company in good standing with the Commonwealth of Pennsylvania and be current on its federal, state, local and county taxes.

ARTICLE IX

VERIFICATION

The COUNTY shall verify the information provided by the GRANTEE prior to issuance of a check to the GRANTEE. The GRANTEE agrees to be available and shall provide all information requested by the COUNTY prior to COUNTY issuance of a check to the GRANTEE.