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### PRESS RELEASE

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May 7, 2021

The State of New York Appellate Division, on May 6, 2021, affirmed the earlier decision by Supreme Court Judge Michael Cocco in the lawsuit brought against the City of Oneonta and Parkview Development by Johna M. Peachin and others, claiming errors on the part of the City of Oneonta Planning Board in its approval of the Dietz Lofts project now under construction on Dietz Street. In the original action, Ms. Peachin claimed that the planned Dietz Street Lofts would block views of the distant hills, reduce nearby parking for customers of her business, and require her to walk further to exercise at the YMCA.

In its decision, the Appeals Court unanimously confirmed the earlier dismissal of the action and further stated that the City of Oneonta Planning Commission, "... undertook the requisite hard look at the parking impacts associated with the project, and the City's conveyance of the parking lot did not violate the Public Trust Doctrine." The Court rejected all points raised in the appeal as "lacking in merit."

The project, located on Oneonta's Dietz Street is part of the City of Oneonta's Downtown Revitalization Initiative. Projected for completion in 2022, the Lofts on Dietz Street will provide 40 affordable artists' live work/spaces, 24 affordable middle-income apartments, and home for the Hartwick College Grain Innovation Center.

City of Oneonta Mayor Gary Herzig states, "The Appeals Court has now confirmed the Supreme Court's decision that our Oneonta Planning Commission carried out its responsibilities in both a professional and diligent manner".

(Rendering Attached)