

**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE
(Straight Lease)

APPLICATION OF:

AVR CARLE PLACE ASSOCIATES, LLC

APPLICANT NAME

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate:

- filling in blanks;
- checking the applicable term(s);
- attaching additional text (with notation in Application such as "see Schedule H, Item # 1", etc.); or
- writing "N.A.", signifying "not applicable".

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule H to the Application. If an estimate is given, enter "EST" after the figure. One signed original and 9 copies of the Application (including all attachments) must be submitted.

The following amounts are payable to the Nassau County Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); (ii) a \$3,500 expense deposit for the Agency's Transaction Counsel fees and expenses (the "Counsel Fee Deposit"); (iii) a \$2,500 expense deposit for the cost/benefit analysis with respect to the project contemplated by this Application (the "Cost/Benefit Deposit"); and (iv) a \$500 expense deposit for the real property tax valuation analysis, if applicable, with respect to the project contemplated by this Application (the "Valuation Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit, the Cost/Benefit Deposit and/or the Valuation Deposit to defray the cost of Transaction Counsel fees and expenses, the cost of obtaining a cost/benefit analysis and/or the cost of obtaining a real property tax valuation with respect to the Project. In the event that the subject transaction does close, the Counsel Fee Deposit, the Cost/Benefit Deposit and the Valuation Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

Every signature page comprising part of this Application must be signed by the Applicant or this Application will not be considered complete or accepted for consideration by the Agency.

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any Financial Assistance with respect to the proposed Project or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

03/15/11

DATE

PART I. APPLICANT

- A. APPLICANT FOR FINANCIAL ASSISTANCE (If more than one applicant, copy application and complete for each applicant):

Name: AVR CARLE PLACE ASSOCIATES, LLC

Address: 1 EXECUTIVE BLVD. YONKERS, NEW YORK 10701

Primary
Contact: STEVEN EICKELBECK

Phone: 914-965-3990 Fax: 914-476-6748

E-Mail: steven.eickelbeck@avrtrealty.com

NY State Dept. of
Labor Reg #: N/A Federal Employer ID #:

NAICS Code #: N/A

- B. BUSINESS TYPE (Check applicable status. Complete blanks as necessary):

Sole Proprietorship General Partnership Limited Partnership

Limited Liability Company X Privately Held Corporation

Publicly Held Corporation Exchange listed on

Not-for-Profit Corporation

Income taxed as: Subchapter S X Subchapter C
501(c)(3) Corporation Partnership

State and Year of Incorporation/Organization: New York State 2006

Qualified to do Business in New York: Yes X No N/A

- C. ANY ENTITY PROPOSED TO BE A USER OF THE PROJECT:

Name: Applicant will own the hotel. An independent company will operate the hotel under a Franchise Agreement with Hilton Hotels

Relationship to Applicant:

D. APPLICANT COUNSEL (subject to Agency approval):

Firm name: Sahn Ward Coschignano & Baker PLLC

Address: The Omni 333 Earle Ovington Blvd
Uniondale, NY 11553

Primary Contact: Michael Sahn

Phone: 516-228-1300

Fax: 516-228-0038

E-Mail: msahn@swcblaw.com

F. Principal stockholders, members or partners, if any (i.e., owners of 10% or more of equity/voting rights in Applicant):

Name	Percentage owned
Allan V. Rose	0/0
	0/0
	0/0
	0/0

F. If any of the persons described in the response to the preceding Question, or a group of said persons, owns more than a 50% interest in the Applicant, list all other entities which are related to the Applicant by virtue of such persons having more than a 50% interest in such entities:

See Attached Schedule

G. Is the Applicant related to any other entity by reason of more than 50% common ownership? If YES, indicate name of related entity and relationship:

YES _____ NO X

H. List parent corporation, sister corporations and subsidiaries, if any:

AVR REALTY COMPANY, LLC

- I. Is the Applicant (including any parent company, subsidiary or related entity or person) or any principal(s) of the Applicant or its related entities involved in any litigation or aware of any threatened litigation that would have a material adverse effect on the Applicant's financial condition or the financial condition of said principal(s)? If YES, attach details.

YES

NO X

- J. Has the Applicant (or any parent company, subsidiary or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, ever been involved, as debtor, in bankruptcy, creditors rights or receivership proceedings or sought protection from creditors? If YES, attach details.

YES

NO X

- K. Has the Applicant (or any parent company, subsidiary or related entity or person) or any principal(s) of the Applicant or its related entities, ever been charged with or convicted of any felony or misdemeanor (other than minor traffic offenses), or have any such related persons or principal(s) held positions or ownership interests in any firm or corporation charged or convicted of a felony or misdemeanor (other than minor traffic offenses)? If YES, attach details.

YES

NO X

- L. Has the Applicant (or any parent company, subsidiary or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, been cited for (or is there pending proceeding or investigation with respect to) a violation of federal, state or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution, taxation, or other operating practices? If YES, attach details.

YES

NO X

- M. Is the Applicant (or any parent company, subsidiary or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, delinquent or have any of the foregoing persons or entities been delinquent on any New York State, federal or local tax obligations within the past five (5) years? If YES, attach details.

YES

NO X

N.

Complete the following information for principals (including, in the case of corporations, officers and members of the board of directors and, in the case of limited liability company, members and managers) of the Applicant:

<u>Name</u>	<u>Title</u>	<u>Other Business Affiliations</u>
Allan V. Rose	Managing Member	See Attached Schedule
_____	_____	_____
_____	_____	_____
_____	_____	_____

Do any of the foregoing principals hold elected or appointive public positions? If YES, attach details. YES NO X

Are any of the foregoing principals employed by any federal, state or local municipality or any agency, authority, department, board, or commission thereof or any other governmental or quasi-governmental organization? YES NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location):

1. (a) Location: N/A

(b) Number of Employees: Full-Time: Part-Time:

(c) Annual Payroll, excluding benefits:

(d) Type of operation (e.g. manufacturing, wholesale, distribution) and products or services:

(e) Size of existing facility real property (i.e., acreage of land):

(f) Buildings (number and square footage of each):

(g) Applicant's interest in the facility.

FEE TITLE (i.e. own) LEASE OTHER (describe below)

(h) If Applicant leases, state annual rent and lease expiration date:

2. If any of the facilities described above are located within the State of New York, is it expected that any of the described facilities will be closed or be subject to reduced activity? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D). YES NO

P. Has the Applicant considered moving to another state or another location within New York State? If YES, explain circumstances.

YES NO
N/A

Q. Does any one supplier or customer account for over 50% of Applicant's annual purchases or sales, respectively? If YES, attach name and contact information for supplier and/or customer, as applicable:

YES NO X

R. Does the Applicant (including any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, have any contractual or other relationship with the Agency or the County of Nassau? If YES, attach details.

YES NO X

S. Attach a brief history of the Applicant and its business/operations.

Single purpose entity formed for the purposes of owning and developing real estate on the subject property

By signing this Application, the Applicant authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

PART II. PROPOSED PROJECT

A. Description of proposed Project (check all that apply):

- ☒ New Construction
☐ Addition to Existing Facility
☐ Renovation of Existing Facility
☐ Acquisition of Facility
☐ New machinery and equipment
☐ Other (specify): _____

B. Briefly describe the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

The proposed project consists of a 4 story, 150 suite, extended stay hotel constructed on approximately 3 acres in the Town of N. Hempstead. The land was leased by the applicant for many years and was acquired in 2004. The applicant has been carrying the land without any income derived from it since 2005 when BOCES vacated the property. The company has carried the property at great expense and needs to develop the property in order to create value. However, this project can only proceed in the current economic climate with the benefits provided with the financial assistance of the IDA.

C. ~~Is the Applicant unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Nassau County? Would the Applicant proceed with the Project without Agency financial assistance? Describe.~~

Without the financial assistance to develop the property the value of the property will continue to decline. This project will not proceed without the benefit of the IDA assistance. The financing commitment obtained from M&T Bank has made the commitment contingent on obtaining the IDA benefits. Not developing this project would result in the loss to the County of a needed extended stay hotel that would serve the local business and residential community as well as the loss of future revenues to the county from the sales taxes derived from the operating business and payroll taxes from the construction and permanent jobs. Ultimately, once the project is completed, real estate tax revenue will also increase to the benefit of the town and county.

D. Location of Project (attach map showing the location):

Street Address: 234 WESTBURY AVENUE *Is. Village?*
City/Village(s): CARLE PLACE
Town(s): NORTH HEMPSTEAD
School District(s): CARLE PLACE
Section: 9 Block: 663 Lot: 44
Census Tract Number: ?

If exact street address is not available, please provide a survey and the most precise description available.

E. Describe the present use of the Project site: Vacant Land.

F. (a) What are the current real estate taxes on the Project site? (If amount of current taxes is not available, provide assessed value for each):

Land: \$ 212,968. Building(s): \$ N/A

(b) Are tax certiorari proceedings currently pending with respect to the Project real property? If YES, attach details including copies of pleadings, decisions, etc.

YES X NO

G. Describe Project ownership structure (*i.e.*, Applicant or other entity):

AVR CARLE PLACE ASSOCIATES, LLC

H. To what purpose will the building or buildings to be acquired, constructed or renovated be used by the Applicant? (Include description of goods to be sold, products to be manufactured, assembled or processed and services to be rendered.)

EXTENDED STAY ALL SUITE HOTEL

(HOMewood SUITES BY HILTON)

I. If any space in the Project is to be leased to or occupied by third parties, or is currently leased to or occupied by third parties who will remain as tenants, provide the names and contact information for each such tenant, indicate total square footage of the Project to be leased to each tenant, and describe proposed use by each tenant:

N/A

J. Provide, to the extent available, the information requested, in Part I, Questions A, B, E and O, with respect to any party described in the preceding response.

N/A

K. List principal items or categories of equipment to be acquired as part of the Project:

SEE ATTACHED LIST

L. Will Project meet zoning/land use requirements at proposed location?

YES X

NO

1. Describe present zoning/land use: INDUSTRIAL B - VACANT

2. Describe required zoning/land use, if different: N/A

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

THE TOWN OF N. HEMPSTEAD HAS APPROVED THE SITE PLAN AND HAS GRANTED A VARIANCE FOR PARKING FOR THE DEVELOPMENT. NASSAU COUNTY HAS APPROVED A WAIVER OF SUBDIVISION TO CREATE THE CURRENT BUILDING LOT.

M. Does the Applicant, or any related entity or person, currently hold a lease or license on the Project site? If YES, please provide details and a copy of the lease/license.

YES

NO X

N. Does the Applicant, or any related entity or person, currently hold fee title to (i.e. own) the Project site?

YES X

NO

If YES, indicate:

(a) Date of purchase: 6/7/2004

(b) Purchase price: \$ PART OF LAND EXCHANGE

(c) Balance of existing mortgage, if any: \$ N/A

(d) Name of mortgage holder: N/A

(e) Special conditions: N/A

If NO, indicate name of present owner of Project site:

- O. Does the Applicant or any related person or entity have an option or a contract to purchase the Project site and/or any buildings on the Project site? N/A

YES ☐ NO ☐

If YES, attach copy of contract or option and indicate:

- (a) Date signed: _____
(b) Purchase price: \$ _____
(c) Closing date: _____

Is there a relationship legally or by virtue of common control or ownership between the Applicant (and/or its principals) and the seller of the Project (and/or its principals)?
If YES, describe:

YES ☐ NO ☒

- P. Will customers personally visit the Project site for either of the following economic activities?
If YES with respect to either economic activity indicated below, complete the attached Retail Questionnaire (Schedule E).

Retail Sales: YES ☐ NO ☐ Services: YES ☒ NO ☐

- Q. Describe the social and economic conditions in the community where the Project site is or will be located and the impact of the proposed Project on the community (including impact on infrastructure, transportation, fire and police and other government-provided services):

✓ The site is currently vacant and unsightly. A part of the site is temporarily used for car storage. This use would terminate upon commencement of the project. It is bounded by residences to the north and commercial retail properties to the east, west and south. If developed, the property will create an attractive, landscaped beneficial use to the surrounding community. Infrastructure improvements include the looping of a water main that will improve the water service to the area and the installation of onsite drainage structures where none were adequately provided before. No negative impacts to fire, police or transportation services are predicted for this development.

- R. Identify the following Project parties (if applicable):

Architect: James L. Browning Architect
Engineer: Nelson & Pope
Contractors: TBD

S. Will the Project be designed and constructed to comply with Green Building Standards? (if YES, describe the LEED green building rating that will be achieved):

YES ____

NO X

T. Is the proposed Project site located on a Brownfield? (if YES, provide description of contamination and proposed remediation)

YES ____

NO X

U. Will the proposed Project produce a unique service or product or provide a service that is not otherwise available in the community in which the proposed Project site is located?

YES X

NO ____

THE MARKET IS NOT SERVED BY AN EXTENDED STAY ALL SUITE HOTEL

PART III. PROJECT COSTS

A. Provide an estimate of cost of all items listed below:

<u>Item</u>	<u>Cost</u>
1. Land Acquisition	\$ <u>N/A</u>
2. Building Acquisition	\$ <u>N/A</u>
3. Construction or Renovation	\$ <u>11,500,000.</u>
4. Site Work	\$ <u>1,000,000.</u>
5. Infrastructure Work	\$ <u>140,000.</u>
6. Engineering Fees	\$ <u>50,000.</u>
7. Architectural Fees	\$ <u>190,000.</u>
8. Applicant's Legal Fees	\$ <u>50,000.</u>
9. Financial Fees (incl. lender legal fees)	\$ <u>500,000.</u>
10. Other Professional Fees	\$ <u>50,000.</u>
11. Furniture, Equipment & Machinery (not included in 3. above)	\$ <u>3,240,000.</u>
12. Other Soft Costs (describe)	\$ <u>1,680,000.</u>
13. Other (describe) Contingency	\$ <u>600,000.</u>
Total	\$ <u>19,000,000</u>

B. Source of Funds for Project Costs:

- a. Bank Financing: \$ 18,000,000
b. Equity (Not inc. value of land, owned free and clear) \$ 1,000,000

TOTAL \$ 19,000,000.

C. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.
Architectural, Engineering and Legal Fees

YES X NO

D. Has the Applicant made any arrangement for the provision of third party financing? If YES, indicate with whom (subject to Agency approval) and provide a copy of any term sheet or commitment letter issued with respect to such financing.

YES X NO

TBD

E.

Construction Cost Breakdown: 14,740,000.
Total Cost of Construction: \$ 14,840,000.00 (sum of 3 and 11 in Question A above)

Cost for materials: \$ 7,250,000
% Sourced in County: 35 %
% Sourced in State: 65 % (incl. County)

Cost for labor: \$ 5,490,000
% Sourced in County: 30 %
% Sourced in State: 85 % (incl. County)

Cost for "other": \$ 2,000,000
% Sourced in County: 35 %
% Sourced in State : 90 % (incl. County)

PART IV. COST/BENEFIT ANALYSIS

- A. If the Applicant presently operates in Nassau County, provide the current annual payroll, excluding benefits. Estimate payroll, excluding benefits, in First Year, Second Year and Third Year after completion of the Project. N/A

	Present	First Year	Second Year	Third Year
Full-time:	\$ _____	\$ <u>444,560</u>	\$ <u>457,897</u>	\$ <u>471,633</u>
Part-time: (Hourly)	_____	<u>503,880</u>	<u>518,996</u>	<u>534,566</u>
Seasonal:	_____	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Total Annual Payroll:	\$ <u>N/A</u>	\$ <u>948,440</u>	\$ <u>976,893</u>	\$ <u>1,006,199</u>

What are the average wages of employees (excluding benefits) presently employed by the Applicant in Nassau County? \$ N/A

What is the average annual value of employee benefits paid per job, if any, for the employees presently employed by the Applicant in Nassau County? \$ N/A

What are the estimated average wages of the jobs (excluding benefits) to be created by the Applicant upon completion of the Project? \$ 948,440 (ANNUALLY)

What is the estimated average annual value of employee benefits per job, if any, for jobs to be created upon completion of the Project? \$ 188,211

Estimate the percentage of jobs to be created by the Applicant upon completion of the Project that will be filled by County residents: 95 %

Please note that the Agency may utilize the foregoing employment projections and the projections set forth in Schedule C, among other things, 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, types of occupations and amount of payroll with respect to the Project set forth in this Application.

- B. (i) Will the Applicant transfer current employees from existing location(s)? If YES, describe, please describe the number of current employees to be transferred and the location from which such employees would be transferred:

YES _____

NO X

- (ii) Describe the number of estimated full time equivalent construction jobs to be created as a result of undertaking the project, to the extent any

It is expected that up to 250 different people will be working on the project and averaging approximately 70 people per day for the duration of the work

C. What, if any, is the anticipated increase in the dollar amount of production, sales or services rendered as a result of the Project?

\$ 7.3 Million/Yr

What percentage of the foregoing amount is subject to New York sales and use tax?

100 %

Describe any other municipal revenues that will result from the Project (excluding the above and any PILOT payments):

Building Permit Fees

D. What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project and what portion will be sourced from businesses located in the County and the State (including the County):

	Amount	% Sourced in County	% Sourced in State
Year 1	\$ 945,000	52	52
Year 2	\$ 973,000	52	52
Year 3	\$ 1,000,000	52	52

E. Describe, if applicable, other benefits to the County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

SERVICES TO HOTEL MAINTENANCE CONTRACTORS, CATERING

\$629,625 FROM REVENUE -- FROM PURCHASED ITEMS

F. Costs to the County and affected municipalities:

Estimated Value of Sales Tax Exemption: \$ 500,000.

Estimated Value of Mortgage Tax Exemption: \$ 189,000
199,000. ~~242~~

Estimated Property Tax Exemption: \$ 447,032.

Existing Property Tax paid on the Land and/or Building: (please provide current tax bills)
Estimated new Real Property Tax Revenue if the Project did not receive Real Property Tax exemption:

\$ 212,968. / yr
\$ 660,000 / yr

see attached estimate from Assessor

Estimated new Real Property Tax Revenue if the Project does receive Real Property Tax exemption: assumes 20 yr exemption

\$ 230,000 / yr

- G. Describe any other one-time municipal revenues (not including fees payable to the Agency) that the Project will create:

BUILDING PERMIT

PART V. PROJECT CONSTRUCTION SCHEDULE

- A. Has construction work on the Project begun? If YES, indicate the percentage of completion:

- | | | | | |
|----|-------------------------------|---------------|--------------|------------------------------|
| 1. | (a) Site clearance | YES <u>X</u> | NO <u> </u> | <u>75</u> % complete |
| | (b) Environmental Remediation | YES <u> </u> | NO <u> </u> | <u> </u> % complete N/A |
| | (c) Foundation | YES <u> </u> | NO <u>X</u> | <u> </u> % complete |
| | (d) Footings | YES <u> </u> | NO <u>X</u> | <u> </u> % complete |
| | (e) Steel | YES <u> </u> | NO <u>X</u> | <u> </u> % complete |
| | (f) Masonry | YES <u> </u> | NO <u>X</u> | <u> </u> % complete |
| | (g) Interior | YES <u> </u> | NO <u>X</u> | <u> </u> % complete |
| | (h) Other (describe below): | YES <u> </u> | NO <u>X</u> | <u> </u> % complete |

2. IF NO to all of the above categories, what is the proposed date of commencement of construction, renovation or acquisition of the Project?

MAY 1, 2011 (PENDING APPROVAL OF IDA AGREEMENT)

- B. Provide an estimate of time schedule to complete the Project and when the first use of the Project is expected to occur (attach additional sheet if necessary):

14 MONTH CONSTRUCTION SCHEDULE

1 MONTH TO PREPARE HOTEL FOR OPENING

RULES AND REGULATIONS OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY

The Nassau County Industrial Development Agency (the "Agency"), in order to better secure the integrity of the projects it sponsors, declares that it is in the public interest (i) to ensure the continuity of such projects and the jobs created by such projects, (ii) to prevent the conversion of the use of the premises upon which a sponsored project is to be constructed or renovated and (iii) to limit and prevent unreasonable profiteering or exploitation of a project, and does hereby find, declare and determine as follows:

FIRST:

Upon the approval of a sponsored project, the Agency shall take title to, or acquire a leasehold or other interest in, all premises upon which an Agency sponsored project is to be constructed or renovated, and shall lease, sublease, license, sell or otherwise transfer the premises to the Applicant for a term to be determined by the Agency.

At such time as, among other things, the Applicant fails to retain or create the jobs as represented in the Application or changes the use of the project or ownership of the project or the Applicant during the life of the project in a manner inconsistent with the Application, and such employment default or change of use or ownership does not meet with the prior written approval of the Agency, a recapture of benefits may be required to be paid by the Applicant to the Agency. The amount and sufficiency (with respect to a particular applicant) of the applicable recapture of benefits payment shall be determined by the Agency and shall be set forth in the straight lease documents.

SECOND:

At such time as a proposed Project is reviewed, the members of the Agency must disclose any blood, marital or business relationships they or members of their families have or have had with the Applicant (or its affiliates). The Applicant represents that no member, manager, principal, officer or director of the Applicant has any such relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

All applicants must disclose whether they have been appointed, elected or employed by New York State, any political division of New York State or any other governmental agency.

FOURTH:

All proposed lenders, title companies and their respective attorneys must be satisfactory to and approved in writing by the Agency.

Understood and Agreed to:

Name of
Applicant: Albany V. Rose

By: Albany V. Rose
Name/Title:

**CERTIFICATION AND AGREEMENT
WITH RESPECT TO FEES AND COSTS**

The undersigned deposes and says: that I am an authorized representative of the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules and attachments thereto), and that said contents are true, correct and complete to my knowledge. Capitalized terms used but not otherwise defined in this Certification and Agreement shall have the meanings assigned to such terms in the Application.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the Nassau County Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction and/or installation of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project, including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, transaction counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or is unable to secure third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, transaction counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

Upon successful closing of the "straight lease" transaction, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:

- (A) Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs.
- (D) General Counsel Fee - One-tenth (1/10) of one percent (1%) of total project costs, with a minimum fee of \$2,000.

- (E) Two Thousand Five Hundred Dollars (\$2,500) closing compliance fee payable at closing and One Thousand Dollars (\$1,000) per year (or part thereof) administrative fee, payable in advance, at the closing for the first year (or part thereof) and on January 1st of each year for the term of the financing. The annual service fee is subject to periodic review and may be adjusted from time to time in the discretion of the Agency.
- (F) Refinancings – The Agency fee shall be determined on a case-by-case basis.
- (G) Assumptions – The Agency fee shall be determined on a case-by-case basis.
- (H) Modifications – The Agency fee shall be determined on a case-by-case basis.

Transaction counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

Upon the termination of the Project, Applicant agrees to pay all costs in connection with any conveyance by the Agency to the Applicant of the Agency's interest in the Project and the termination of all related Project documents, including the fees and expenses of the Agency's general counsel, transaction counsel, and all applicable recording, filing or other related fees, taxes and charges.

Name Allen V. Rose
Title: _____

Sworn to before me this 15th
day of March, 2011

Denise M. Peragine
Notary Public

DENISE M. PERAGINE
Notary Public, State of New York
No: 01PE6052918
Qualified in Orange County
Commission Expires Dec. 26, 2014

TABLE OF SCHEDULES:

<u>Schedule</u>	<u>Title</u>	<u>Complete as Indicated Below</u>
A.	Intentionally omitted	
B.	New York State Financial and Employment Requirements for Industrial Development Agencies	All applicants
C.	Guidelines for Access to Employment Opportunities	All applicants
D.	Anti-Raiding Questionnaire	If Applicant checked "YES" in Part I, Question Q.2. of Application
E.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question P of Application (See Page 11)
F.	Applicant's Financial Attachments, consisting of:	All applicants
	1. Applicant's audited financial statements for the last two fiscal years (unless included in Applicant's annual reports).	
	2. Applicant's annual reports (or Form 10-K's) for the two most recent fiscal years.	
	3. Applicant's quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.	
	4. In addition, attach the financial information described above in items F1, F2, and F3 of any anticipated Guarantor of the proposed transaction, if different than the Applicant, including the personal financial statement of any anticipated Guarantor that is a natural person.	
	5. Dun & Bradstreet report.	
G.	Environmental Assessment Form	All applicants
H.	Other Attachments	As required

Schedule A

Intentionally omitted

**NEW YORK STATE FINANCIAL AND EMPLOYMENT REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

- A. Pursuant to applicable law, the Agency requires the completion of an Initial Employment Plan (see Schedule C) and a year-end employment plan status report, both of which shall be filed by the Nassau County Industrial Development Agency (the "Agency") with the New York State Department of Economic Development on January 15. The Project documents will require the Applicant to provide such report to the Agency on or before January 1 of each year, together with such employment verification information as the Agency may require.

Except as otherwise provided by collective bargaining agreements, the Applicant agrees to list any new employment opportunities with the New York Department of Labor Community Services Division and the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (P.L. 97-300), or any successor statute thereto (the "JTPA Entities"). In addition, except as otherwise provided by collective bargaining agreements, the Applicant, where practicable, will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for such new employment opportunities.

- B. The Applicant will be required to file annually a statement with the New York State Department of Taxation and Finance and the Agency of the value of all sales or use tax exemptions claimed in connection with the Project by reason of the involvement of the Agency.

- C. Please be advised that the New York State Industrial Development Agency Act imposes additional annual reporting requirements on the Agency, and the Applicant will be required to furnish information in connection with such reporting, as follows:

The following information must be provided for straight-lease transactions entered into or terminated during the year:

Name, address and owner of the project; total amount of tax exemptions granted (broken out by state and local sales tax, property taxes, and mortgage recording tax); payments in lieu of taxes made; total real estate taxes on the Project prior to exemption; number of jobs created and retained, and other economic benefits realized.

Failure to provide any of the aforesaid information will be constitute a DEFAULT under the Project documents to be entered into by the Agency and the Applicant in connection with the proposed Project.

Please sign below to indicate that the Applicant has read and understood the above and agrees to provide the described information on a timely basis.

Name of
Applicant: Alan V. Rose

Signature: Alan V. Rose

Name: Alan V. Rose

Title: _____

Date: 03/15/11

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES

INITIAL EMPLOYMENT PLAN

Prior to the granting of financial assistance, the Applicant shall complete the following employment plan:

Applicant Name: AVR CARLE PLACE ASSOCIATES, LLC

Address: 1 EXECUTIVE BLVD YONKERS NY

Type of Business: HOTEL OWNER

Contact Person: STEVEN EICKELBECK Tel. No.: 914 965 3990

Please complete the following table describing the Applicant's projected employment plan following receipt of financial assistance:

Estimated Number of Full Time
Equivalent Jobs in the County After
Completion of the Project:

Current and Planned Occupations (provide NAICS Code for each)	Current Number Full Time Equivalent Jobs Per Occupation	<u>1 year</u>	<u>2 years</u>	<u>3 years</u>

<u>County</u>	<u>Statewide</u>
---------------	------------------

SEE ATTACHED SCHEDULE 0 0

[illegible]

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project:

Please indicate the estimated hiring dates for the new jobs shown above and any special recruitment or training that will be required:

CONSTRUCTION START DATE IS MAY 1, 2011. HOTEL OPENING IS 15 MONTHS LATER. HIRING FOR THE HOTEL WILL START 4 MONTHS PRIOR TO OPENING.

Are the Applicant's employees currently covered by a collective bargaining agreement?

YES	NO
_____	<u> X </u>

IF YES, Union Name and Local: _____

Please note that the Agency may utilize the foregoing employment projections, among other things, 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 above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

Attached hereto is a true, correct and complete copy of the Applicant's most recent Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Return (Form NYS-45-MN) (first page only). Upon request of the Agency, the Applicant shall provide such other or additional information or documentation as the Agency may require with respect to the Applicant's current employment levels in the State of New York.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant:

Alan V. Rose

Signature:

Alan V. Rose

Name:

Alan V. Rose

Title:

Date:

03/15/11

ANTI-RAIDING QUESTIONNAIRE

(To be completed by Applicant if Applicant checked "YES" in Part I, Question Q.2 of the Application for Financial Assistance)

- A. Will the completion of the Project result in the removal of a plant or facility of Applicant, or of a proposed occupant of the Project, from an area in New York State (but outside of Nassau County) to an area within Nassau County?

YES ☐NO ☒

If the answer to Question A is YES, please provide the following information:

Address of the to-be-removed plant or facility: _____

Names of all current occupants of the to-be-removed plant or facility: _____

- B. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant, or of a proposed occupant of the Project, located in an area of the State of New York other than in Nassau County?

YES ☐NO ☒

If the answer to Question B is YES, please provide the following information:

Addresses of the to-be-abandoned plants or facilities: _____

Names of all current occupants of the to-be-abandoned plants or facilities: _____

- C. Has the Applicant contacted the local industrial development agency at which its current plants or facilities in New York State are located with respect to the Applicant's intention to move or abandon such plants or facilities?

YES ☐NO ☒

If the answer to Question C is YES, please provide details in a separate attachment.

IF THE ANSWER TO EITHER QUESTION A OR B IS "YES", ANSWER QUESTIONS D AND E.

D. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed occupant of the Project, in its industry?

YES ____

NO ____

E. Is the Project reasonably necessary to discourage the Applicant, or a proposed occupant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES ____

NO ____

IF THE ANSWER TO EITHER QUESTION D OR E IS "YES", PLEASE PROVIDE DETAILS IN A SEPARATE ATTACHMENT.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant:

Allyn V. Rose

Signature:

Allyn V. Rose

Title:

Allyn V. Rose

Date:

08/15/11

RETAIL QUESTIONNAIRE

(To be completed by Applicant if Applicant checked either "YES" in Part II, Question P of the Application for Financial Assistance)

- A. Will any portion of the Project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making retail sales to customers who personally visit the Project?
YES X NO

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

- B. If the answer to Question A is YES, what percentage of the cost of the Project (including that portion of the cost to be financed from equity or other sources) will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?
100 %

- C. If the answer to Question A is YES, and the amount entered for Question B is greater than 33.33%, indicate whether any of the following apply to the Project:

1. Will the Project be operated by a not-for-profit corporation?
YES NO X
2. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Long Island) in which the Project is or will be located?
YES NO X
3. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York?
YES NO X
4. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?
YES X NO
5. Will the Project be located in one of the following: (a) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?
YES NO X

If the answer to any of the subdivisions 1 through 5 of Question C is YES, attach details.

- D. If the answer to any of the subdivisions 3 through 5 of Question C is YES, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? If YES, attach details.

YES X

NO

- E. State percentage of the Applicant's annual gross revenues comprised of each of the following:

Retail Sales: 0 %

Services: 100 %

- F. State percentage of Project premises utilized for same:

Retail Sales: 0 %

Services: 100 %

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant:

Alan V. Rose

Signature:

Alan V. Rose

Name:

Alan V. Rose

Title:

Date:

03/15/11

Schedule F

APPLICANT'S FINANCIAL ATTACHMENTS

ENVIRONMENTAL ASSESSMENT FORM

Schedule G

SCHEDULE 4

1336

14-16-2 (2/87)-7c

SEQR

617.21
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concern affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts.

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small, to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE - TYPE 1 AND UNLISTED ACTIONS

Identify the Portions of EAF completed for this project: X Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration** will be prepared.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration** will be prepared.

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Homewood Suites/Hilton
Name of Action

Town Board, Town of North Hempstead
Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Signature of Responsible Officer in Lead Agency Signature of Preparer
If different from responsible officer)

Date

PART 1 - PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION <i>Homewood Suites/Hilton</i>			
LOCATION OF ACTION (Include Street Address, Municipality and County) <i>234 Westbury Avenue, Carle Place</i>			
NAME OF APPLICANT/SPONSOR <i>AYR-Carle Place Development Corp.</i>		BUSINESS TELEPHONE <i>(914) 965-3990</i>	
ADDRESS <i>1 Executive Blvd, 4th Floor</i>			
CITY/PO <i>Yonkers</i>	STATE <i>NY</i>	ZIP CODE <i>10701</i>	
NAME OF OWNER (if different) <i>Same</i>		BUSINESS TELEPHONE	
ADDRESS			
CITY/PO	STATE	ZIP CODE	
DESCRIPTION OF ACTION <i>The subject property is presently vacant land, zoned Industrial B. The applicant seeks to subdivide the parcel into 2 lots of 3 and 2.52 acres. A 150 room hotel and associated parking is proposed for the 3-acre parcel located on the eastern portion of the property. A total of 160 parking stalls are proposed for the hotel. The site will be accessible from a proposed curb cut at the northeastern portion of the property along Westbury Ave. A future phase of the project would involve a 48,386 SF, 3 story office building on the 2.52-acre western parcel. A total of 238 parking stalls would be provided on the office building parcel and site access would be provided via an existing curb cut on the western side of the property along Westbury Avenue. A cross access driveway will be provided at the southwest corner of the hotel site Both proposed developments will be connected to the Nassau County Sewer system as they are constructed and will be serviced by the Carle Place Water District.</i>			

Please Complete Each Question - Indicate N/A if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (Suburban)
 Rural (non-farm) Forest Agriculture
 X Other Vacant

2. Total acreage of project area: 5.52 acres *Phase 1 / Overall*

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u> 0 </u> acres	<u> 0 </u> acres
Forested	<u> 0 </u> acres	<u> 0 </u> acres
Agricultural (includes orchards, cropland, pasture, etc.)	<u> 0 </u> acres	<u> 0 </u> acres
Wetland (Freshwater or Tidal as per Articles 24, 25 of ECL)	<u> 0 </u> acres	<u> 0 </u> acres
Water Surface Area	<u> 0 </u> acres	<u> 0 </u> acres
Unvegetated (Rock, earth or fill)	<u> 0 </u> acres	<u> 0 </u> acres
Roads, buildings and other paved surfaces	<u> 5.52 </u> acres	<u> 2.45 / 4.63 </u> acres

Other (Indicate type) Landscape _____ 0 acres 0.55/0.89 acres

3. What is predominant soil type(s) on project site? Urban Land (Ure)
- a. Soil drainage: X Well drained 100 % of site; _____ Moderately well drained _____ % of site;
_____ Poor drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? _____ Yes X No
- a. What is depth to bedrock? 1,000± (in feet)
5. Approximate percentage of proposed project site with slopes: X 0-10% 100 %; _____ 10-15% _____ %
_____ 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? _____ Yes X No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks?
_____ Yes X No
8. What is the depth of the water table? 30 ± (in feet)
9. Is site located over a primary, principal, or sole source aquifer? X Yes _____ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? _____ Yes X No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
Yes X No According to Site Inspection by NPY field ecologist
Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations) _____ Yes X No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
Yes _____ X No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
_____ Yes X No
15. Streams within or contiguous to project area N/A
- a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area: N/A
- a. Name _____ Size (in Acres) _____
17. Is the site served by existing public utilities? X Yes _____ No
- a) If Yes, does sufficient capacity exist to allow connection? X Yes _____ No
- b) If Yes, will improvements be necessary to allow connection? X Yes _____ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? _____ Yes X No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 61.7? _____ Yes X No
20. Has the site ever been used for the disposal of solid or hazardous wastes? _____ Yes X No
- B. PROJECT DESCRIPTION**
1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 5.52 acres.
- b. Project acreage to be developed 5.52 acres initially; 5.52 acres ultimately.
- c. Project acreage to remain undeveloped 0 acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed N/A %

- f. Number of off-street parking spaces existing 0*; proposed 160 Hotel/399 total (*previously existing building/parking area has been demolished)
- g. Maximum vehicular trips generated per hour 105 Hotel/238 total* (upon completion of project)?
- h. If residential: Number and type of housing units: N/A *PM Peak Hour Total, see attached
- Initially _____
- One Family _____ Two Family _____ Multiple Family _____ Condominium _____
- Ultimately _____
- i. Dimensions (in feet) of largest proposed structure: 40'* height; 175' ±* width; 240' ±* length. *Hotel
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 341 ft. (Westbury Ave)
2. How much natural material (i.e., rock, earth, etc.) will be removed from the site?
Unknown at this time cubic yards.
3. Will disturbed areas be reclaimed? X Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? Landscaping/parking
- b. Will topsoil be stockpiled for reclamation? X Yes No N/A
- c. Will upper subsoil be stockpiled for reclamation? X Yes No N/A
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0* acres. *Site was cleared during demolition activities
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes X No
6. If single phase project: Anticipated period of construction months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated 2 (number).
- b. Anticipated date of commencement phase 1 ±June month 2009 year (including demolition).
- c. Approximate completion date of final phase ±June month 2012 year.
- d. Is phase 1 functionally dependent on subsequent phases? Yes X No
8. Will blasting occur during construction? Yes X No
9. Number of jobs generated: during construction ±50; after project is complete ±10 hotel / ±170 total.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes X No
- If yes, explain _____
12. Is surface liquid waste disposal involved? Yes X No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes X No Type (public sanitary sewers) _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes X No
- If yes, explain: No surface water body present or tributary
15. Is project or any portion of project located in a 100 year flood plain? Yes X No
16. Will the project generate solid waste? X Yes No
- a. If yes, what is the amount per month ±6.75 hotel/10 total tons. Based on 3lbs/room-hotel & 1.55 lbs/worker-
assuming 140 for office
- b. If yes, will an existing solid waste facility be used? X Yes No
- c. If yes, give name Transfer Station location Town of N. Hempstead
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? X Yes No
- e. If yes, explain Estimated 5% of waste stream to be recycled.
17. Will the project involve the disposal of solid waste? Yes X No
- a. If yes, what is the anticipated rate of disposal? tons/month.
- b. If yes, what is the anticipated site life? years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☒ Yes ☐ No
If yes, indicate type(s) Electricity, natural gas/fuel oil

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day 30,000 gpd hotel/37,238 total ± gallons/day.) Based on 200 gpd/room - hotel & 0.15 gpd/3-office

24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No
If yes, explain _____

25. Approvals Required:

	Type	Submittal Date
Town Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Town Planning Dept.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subdivision/Site Plan Sept 2008
Town Building Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building Permit Pending Planning approvals
Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
City, County Health Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Sanitary, Water Supply Sept 2008
NCDPW	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Sanitary & 239F Sept 2008
NYSDEC	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater ± winter 2009
NC Sewer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Construction Permit Sanitary ± fall 2008
Carle Place Water Dist.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Supply ± fall 2008

C. ZONING AND PLANNING INFORMATION

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No
If yes, indicate decision required:
_____ zoning amendment ☒ zoning variance _____ special use permit ☒ subdivision ☒ site plan
_____ new/revision of master plan _____ resource management plan _____ other _____
2. What is the zoning classification(s) of the site? I-B (Industrial B)
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
190,000 ± SF (80% building coverage)
4. What is the proposed zoning of the site? N/A
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N/A
6. Is the proposed action consistent with the recommended uses in adopted local land use plans?
☒ Yes ☐ No (Nassau County Comprehensive Plan)
7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Residential, Commercial/Retail, Office, I-B, R-C, B-A
8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? ☒ Yes ☐ No
9. If the proposed action is the subdivision of land, how many lots are proposed? 2
a. What is the minimum lot size proposed? 2,52
10. Will proposed action require any authorization(s) for the formation of sewer or water districts?
☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? X Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? X Yes No

a. If yes, is the existing road network adequate to handle the additional traffic? X Yes No

D. INFORMATIONAL DETAILS

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. VERIFICATION

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Nelson, Pope & Voorhis, LLC

Date February 26, 2009

Signature Maui Bree (Marissa Da Bree) Title Environmental Analyst

Summary of Trip Generation Calculation
For 150 Occupied Rooms of Hotel
August 26, 2008

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	8.92	6.04	1.00	1338
7-9 AM Peak Hour Enter	0.39	0.00	1.00	59
7-9 AM Peak Hour Exit	0.28	0.00	1.00	42
7-9 AM Peak Hour Total	0.67	0.84	1.00	101
4-6 PM Peak Hour Enter	0.34	0.00	1.00	51
4-6 PM Peak Hour Exit	0.36	0.00	1.00	54
4-6 PM Peak Hour Total	0.70	0.87	1.00	105
Saturday 2-Way Volume	10.50	4.11	1.00	1575
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.87	0.94	1.00	131

Note: A zero indicates no data available.

Source: Institute of Transportation Engineers
Trip Generation, 7th Edition, 2003.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation
For 48.386 Th.Sq.Ft. GFA of General Office Building
February 26, 2009

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	15.76	0.00	1.00	763
7-9 AM Peak Hour Enter	1.91	0.00	1.00	92
7-9 AM Peak Hour Exit	0.26	0.00	1.00	13
7-9 AM Peak Hour Total	2.17	0.00	1.00	105
4-6 PM Peak Hour Enter	0.47	0.00	1.00	23
4-6 PM Peak Hour Exit	2.28	0.00	1.00	110
4-6 PM Peak Hour Total	2.75	0.00	1.00	133
AM Pk Hr, Generator, Enter	1.91	0.00	1.00	92
AM Pk Hr, Generator, Exit	0.26	0.00	1.00	13
AM Pk Hr, Generator, Total	2.17	0.00	1.00	105
PM Pk Hr, Generator, Enter	0.47	0.00	1.00	23
PM Pk Hr, Generator, Exit	2.28	0.00	1.00	110
PM Pk Hr, Generator, Total	2.75	0.00	1.00	133
Saturday 2-Way Volume	2.52	0.00	1.00	122
Saturday Peak Hour Enter	0.23	0.00	1.00	11
Saturday Peak Hour Exit	0.20	0.00	1.00	9
Saturday Peak Hour Total	0.42	0.00	1.00	21
Sunday 2-Way Volume	0.79	0.00	1.00	38
Sunday Peak Hour Enter	0.10	0.00	1.00	5
Sunday Peak Hour Exit	0.07	0.00	1.00	4
Sunday Peak Hour Total	0.18	0.00	1.00	8

Note: A zero indicates no data available.
The above rates were calculated from these equations:

24-Hr. 2-Way Volume: $LN(T) = .77LN(X) + 3.65, R^2 = 0.8$
 7-9 AM Peak Hr. Total: $LN(T) = .8LN(X) + 1.55$
 $R^2 = 0.83, 0.88$ Enter, 0.12 Exit
 $T = 1.12(X) + 78.81$
 $R^2 = 0.82, 0.17$ Enter, 0.83 Exit
 4-6 PM Peak Hr. Total: $LN(T) = .8LN(X) + 1.55$
 $R^2 = 0.83, 0.88$ Enter, 0.12 Exit
 AM Gen Pk Hr. Total: $T = 1.12(X) + 78.81$
 $R^2 = 0.82, 0.17$ Enter, 0.83 Exit
 PM Gen Pk Hr. Total: $T = 2.14(X) + 18.47, R^2 = 0.66$
 $LN(T) = .8LN(X) + -1.12$
 Sat. 2-Way Volume: $R^2 = 0.59, 0.54$ Enter, 0.46 Exit
 $LN(T) = .86LN(X) + .31, R^2 = 0.5$
 Sun. 2-Way Volume: $LN(T) = .61LN(X) + -2.23$
 $R^2 = 0.56, 0.58$ Enter, 0.42 Exit

Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTURNS

Schedule H

OTHER ATTACHMENTS

Doc # 05-391133.2

PART 1. APPENDIX. SECTION F, N

Allan V. Rose – Entity List

New York Entities

S/M = Single Member

PHASE 2. PROPOSED PROJECT - SECTION K

Carle Place Homewood Suites - FF&E Schedule

Quantity	Unit of Measure	DESCRIPTION	Unit (11/24/10)	Total (11/24/10)	Cost/Suite (11/24/10)
150 ea		Suite Appliances (cooktop, microwave/hood, dishwasher, refrigerator, disposer) (OSCI)	1,200	180,000	1,200
150 ea		Suite Carpet, Base, Pad (OSCI)	900	135,000	900
150 ea		Suite Wallcovering (OSCI)	200	30,000	200
150 ea		Suite Casegoods	2,250	337,500	2,250
150 ea		Suite Seating	1,975	296,250	1,975
150 ea		Suite Window Treatment	1,150	172,500	1,150
138 ea		Mattresses, Box Springs Bed Bases, King	675	93,150	621
40 ea		Mattresses, Box Springs Bed Bases, Queen	500	20,000	133
156 ea		Distinctly Homewood Bedding, King (Comforter, Duvet Cover, Bedskirt, Decorative Throw Pillow)	400	62,400	416
48 ea		Distinctly Homewood Bedding, Queen (Comforter, Duvet Cover, Bedskirt, Decorative Throw Pillow) (Qty Incl 8 spares)	350	16,800	112
240 ea		Flat Screen Televisions (Qty Incl 6 Spares)	700	168,000	1,120
156 ea		DVD Players	55	8,580	57
150 ea		Suite Lamps (Including Decorative Vanity Sconces)	600	90,000	600
150 ea		Suite Artwork (Including Framed Vanity Mirror)	600	90,000	600
150 ea		Suite Florals	225	33,750	225
150 ea		Suite Housewares (China, Glass, Flatware, Small Appliances, Serving Pieces, etc.)	475	71,250	475
150 ea		Suite Linens	525	78,750	525
150 ea		Suite Supplies & Amenities (Logo Items, Irons, Ironing Bds, Hair Dryers, etc.)	-	-	-
1 ls		Allowance for Corridors (Carpet, Wallcovering, Elevator Lobby Furnishings & Accessories)	155,000	155,000	1,033
1 ls		Allowance for Lodge/Commercial Area Wallcovering & Lobby/Great Room Furnishings	50,000	50,000	333
1 ls		Allowance for Window Treatment in Lodge/Commercial	75,000	75,000	500
1 ls		Administrative Offices Furnishings	35,000	35,000	233
1 ls		Meeting/Board Room Furnishings	25,000	25,000	167
1 ls		Business Center Furnishings	35,000	35,000	233
1 ls		Fitness Center Equipment & Accessories	3,000	3,000	20
1 ls		Employee Lounge Furnishings	50,000	50,000	333
1 ls		Pool/Porch/Patio Furnishings & Accessories	1,500	1,500	10
1 ls		Office Equipment for Adm & Business Center(Computers, Copiers, Faxes, Postage Equip)	20,000	20,000	133
1 ls			-	-	-

Carle Place Homewood Suites - FF&E Schedule

Quantity	Unit of Measure	DESCRIPTION	Unit (11/24/10)	Total (11/24/10)	Cost/Suite (11/24/10)
1 ls		Interior Landscape	15,000	15,000	100
1 ls		Interior Sign Package	30,000	30,000	200
1 ls		Lodge Accessories	15,000	15,000	100
1 ls		Decorative Lighting in Lodge (Chandeliers, Great Room Sconces, Corridor Sconces, etc.) (OSCI)	40,000	40,000	267
1 ls		Commercial Laundry Equipment	60,000	60,000	400
1 ls		Kitchen Equipment	100,000	100,000	667
1 ea		Telephone System	115,000	115,000	767
1 ea		Property Management System	85,000	85,000	567
1 ls		Installation & Offsite Storage of FF&E	64,000	64,000	427
1 ls		Miscellaneous Back-of-House Items (Housekeeping & Maintenance Equipment & Supplies, Cribs, High Chairs, Rollaway Beds, Luggage Carts, Flags, etc.)	-	-	-
1 ls		Sound System for Lodge	15,000	15,000	100
1 ls		Security Cameras	10,000	10,000	67
1 ls		Cabling (Data, Voice, TV)	110,000	110,000	733
1 ls		HD Equipment	30,000	30,000	200
1 ls		HSIA (Wired & Wireless to Rooms & Comm Area)	45,000	45,000	300
4 ea		Allowance for Ice Machines in Vending Areas	5,000	20,000	133
1 ls		OS&E Controlled by Operations (office equipment, maint & hsk supplies & equip; high chairs, cribs, crib linens, rollaway beds, luggage carts, flags, uniforms, logo items and supplies for guestrooms, guest directories, paper products, ADA Kits, time clock, china, glass, silver & cooking utensils for lodge, banquet linens, int & ext decorative trash cans)	155,000	155,000	1,033

TOTAL

3,242,430 21,616

CARLE PLACE - BOCES
 AVR Carle Place Associates, LLC
 REAL PROPERTY TAXES:

TAX JURISDICTION
 NO. HEMPSTEAD
 COUNTY: MASSAU

SCHOOL TAX: 11/10, 5/10
 GENERAL TAX: 2/10,8/10

ADDRESS:
 GLEN COVE RD & WESTBURY AVE

RECEIVER: 516 627 0590
 COLLECTOR: 516 869 7800
 ASSESSOR: 516 571 2031

Lot	Original		Hotel	
	42	43	44	
Area/Ac)	5.54	2.54	3.00	
SIBL	096300420	96630043	96630044	

Note: Lot 42 was subdivided into lots 43 and 44
 The assessment was prorated between the two lots - The hotel lot is lot 44

YEAR	Lot #	ASSESSMENTS		TOTAL	RATE	First Half		Second Half		Total
		Land	Building							
2012	General	Lot 44	3,281,500	\$	32,816	204,458	\$	33,547.47	\$	67,094.94
2012/13	School	Lot 44	3,281,500	\$	32,816	444.52	\$	72,936.84	\$	145,873.68
					Total					212,968.62
2011	General	Lot 42		\$	57,723	200.091	\$	57,749.27	\$	115,498.53
2010/11	School	Lot 42		\$	57,723	445.414	\$	128,553.16	\$	257,106.32
2010	General	Lot 42		\$	58,938	204.458	\$	60,251.73	\$	120,503.46
2009/10	School	Lot 42		\$	58,938	444.52	\$	130,995.01	\$	261,990.02

Eickelbeck, Steven

From: Ferruggiarì, Brian
Sent: Monday, November 03, 2008 2:41 PM
To: Eickelbeck, Steven
Subject: FW: CARLE PLACE HOTEL
Attachments: CARLE PLACE HOTEL.xls

FYI

Brian Ferruggiarì
AVR Realty Company
1 Executive Boulevard
Yonkers, N.Y. 10701
Office: (914) 965-3990
Fax: (914) 476-6748
Cell: (516) 381-8433
E-mail: Brianf@Avrrealty.com
Visit us online at www.Avrrealty.com

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From: Arcuri, Anthony [mailto:arcuri@nassaucountyny.gov]
Sent: Monday, November 03, 2008 2:20 PM
To: Ferruggiarì, Brian
Subject: FW: CARLE PLACE HOTEL

OK!!!

From: Arcuri, Anthony
Sent: Friday, September 26, 2008 10:57 AM
To: 'BRIANFERRUGGIARI@AURREALTY.COM'
Subject: CARLE PLACE HOTEL

Attached is my analysis as read to you over the phone. Sorry to be so late with sending this to you. I had some problems with my Outlook. As previously stated, this opinion of value is provided to you for informational purposes only. As you know, changes in market conditions, trends, departmental policy or the property details provided by you can have an impact on the values provided.

Anthony Arcuri
Nassau County Department of Assessment
(516) 571-3670

HOTEL MODEL

MODEL AVERAGE DAILY RATE	\$143
ECONOMIC ADJUSTMENT	10%
ADJUSTED AVERAGE DAILY RATE	\$157
NUMBER OF ROOMS	150
POTENTIAL DAILY ROOM REVENUE	\$23,595
DAYS	365
POTENTIAL YEARLY ROOM REVENUE	\$8,612,175
OCCUPANCY RATE	70%
ADJUSTED GROSS HOTEL ROOM INCOME	\$6,028,523
EXPENSE RATIO	74%
NET HOTEL ROOM INCOME	\$1,567,416
MODEL CAP RATE	9.50%
EFF TAX RATE	6.53%
OVERALL CAP RATE	16.03%
MARKET VALUE BEFORE	\$9,778,015
FF&E PER ROOM	\$3,500
TOTAL FF&E (RETURN OF THE INVESTMENT)	\$525,000
HOTEL FULL MARKET VALLUE	\$9,253,015
TAXES USING LATEST RATES	\$627,354

PRO FORMA

PUBLISHED RACK RATE	\$170
ECONOMIC ADJUSTMENT	0
ADJUSTED RACK RATE	\$170
NUMBER OF ROOMS	150
POTENTIAL DAILY ROOM REVENUE	\$25,500
DAYS	365
POTENTIAL YEARLY ROOM REVENUE	\$9,307,500
OCCUPANCY RATE	70%
ADJUSTED GROSS HOTEL ROOM INCOME	\$6,515,250
EXPENSE RATIO	74%
NET HOTEL ROOM INCOME	\$1,693,965
MODEL CAP RATE	10.00%
EFF TAX RATE	6.53%
OVERALL CAP RATE	16.53%
MARKET VALUE BEFORE	\$10,247,822
FF&E PER ROOM	\$3,500
TOTAL FF&E (RETURN OF THE INVESTMENT)	\$525,000
HOTEL FULL MARKET VALLUE	\$9,722,822
TAXES USING LATEST RATES	\$659,207

INITIAL EMPLOYMENT PLAN

Employment Schedule

Homewood Suites at Carle Place

<u>Position</u>	<u>Head Ct</u>	<u>Per Hour</u>	<u>Annual Hrs</u>	<u>Annual \$</u>	<u>Payroll Per Day</u>
Houskeepers	16	\$8.75	33280	\$291,200	\$798
Housekeeping Supervisor	1	\$10.50	2080	\$21,840	\$60
Houseperson	2	\$8.75	4160	\$36,400	\$100
Laundry	2	\$8.75	4160	\$36,400	\$100
GSR	4	\$9.50	8320	\$79,040	\$217
Nt Audit	2	\$12.00	4160	\$49,920	\$137
Comp Services	3	\$9.75	6240	\$60,840	\$167
Ops Mgr	1	\$18.27	2080	\$38,000	\$104
GM	1	\$38.46	2080	\$80,000	\$219
Sales Mgr	2	\$19.23	4160	\$80,000	\$219
Sales Coordinator	1	\$15.00	2080	\$31,200	\$85
DOS	1	\$28.85	2080	\$60,000	\$164
Chief Engineer	1	\$20.19	2080	\$42,000	\$115
Maintenance Engineer	2	\$10.00	4160	\$41,600	\$114
TOTAL	39	\$11.69	81120	\$948,440	\$2,598

Payroll Tax (Est at 12% of PR)

\$113,813

Workers Comp (Est 5% of PR)

\$47,422

Total Payroll & Taxes

\$1,109,675