

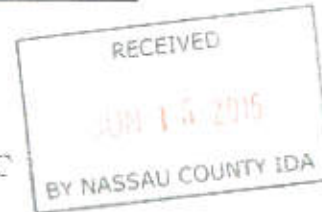
**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

(Straight Lease)

APPLICATION OF:

Cornerstone at Farmingdale 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.

April _____, 2015
DATE

PART I. APPLICANT

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

Name: Cornerstone at Farmingdale LLC

Address: 141 Merritts Rd, 2nd Floor, Farmingdale, NY 11735

Primary
Contact: Anthony Bartone

Phone: 516-249-2022 Fax: 516-249-0448

E-Mail: anthony@bartoneproperties.com

NY State Dept. of
Labor Reg #: _____ Federal Employer ID #: ~~XXXXXXXXXX~~

NAICS Code #: 236117

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 _____ Subchapter C _____
501(c)(3) Corporation _____ Partnership X

State and Year of Incorporation/Organization: Delaware LLC formed in 2015

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

Relationship to Applicant: _____

D. APPLICANT COUNSEL (subject to Agency approval):

Firm name: Forchelli, Curto, Deegan, Schwartz, Mineo, & Terrana LLP

Address: 333 Earle Ovington Blvd, Suite 1010, Uniondale, NY 11553

Primary Contact: Dan Deegan

Phone: 516-248-1700

Fax: 516-248-1729

E-Mail: ddeegan@forchellilaw.com

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

| Name | Percentage owned |
|-----------------------------------|------------------|
| Bartone Development Partners, LLC | 50% |
| FRG Farmingdale, LLC | 50% |

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:

N/A

- 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:

Bartone Properties 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> |
|-----------------------|---------------------|------------------------------------|
| Anthony Bartone | Co-Managing Partner | _____ |
| Frances Terwilliger | Co-Managing Partner | _____ |
| Michael Pellerito | Member | _____ |
| J. Ronald Terwilliger | Member | _____ |

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 X*

NO ____

*Anthony Bartone is a sergeant with the Suffolk County Police Department

- O. Operation at existing location(s) (Complete separate Section O for each existing location): N/A

1. (a) Location: _____

(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. N/A

YES ____

NO ____

- 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: N/A

YES ____

NO ____

- 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. See Schedule H annexed hereto.

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):
- X New Construction
 - Addition to Existing Facility
 - Renovation of Existing Facility
 - X Acquisition of Facility
 - X 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:
- See Schedule H annexed hereto
- C. If the Applicant is 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:
- See Schedule H annexed hereto
- D. Location of Project (attach map showing the location):
- Street Address:
- 100 Secatogue Ave and 143 North Front St
- City/Village(s):
- Village of Farmingdale
- Town(s):
- Oyster Bay

School District(s):

Farmingdale

Section: 49 Block: 75 Lot: 5,6,7

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: Truck service station, taxi office, taxi parking, and one single family house
- 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):
- Approximately \$40,500
- (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 _____ NO X

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

Applicant

- 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.)

A new 42 unit multifamily apartment building with amenities will be constructed with ten percent (10%) of the units set aside as affordable housing.

- 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:

The entire project will be leased to third parties as rental apartments.

- 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:

Construction materials, furniture, fixtures, and equipment.

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

YES X

NO _____

1. Describe present zoning/land use: D-MU (Downtown Mixed Use Zone)

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

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

Zone change approved by the Village of Farmingdale Board of Trustees on March 2, 2015.

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 _____

NO X

If YES, indicate:

(a) Date of purchase: _____

(b) Purchase price: \$ _____

(c) Balance of existing mortgage, if any: \$ _____

(d) Name of mortgage holder: _____

(e) Special conditions: _____

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

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?

YES X

NO

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

(a) Date signed: December 9, 2014

(b) Purchase price: \$2,520,000

(c) Closing date: Fall 2015

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 X

- 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 X Services: YES NO X

- 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):

See Schedule H annexed hereto

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

Architect: Ehasz Giacalone Architects

Engineer: Land Design Associates, WASA Engineering, Cates Engineering

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

The project will be constructed using modern energy efficient systems, and solar panels to supplement electric.

- 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 _____

See Schedule If annexed hereto

PART III. PROJECT COSTS

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

| | <u>Item</u> | <u>Cost</u> |
|-----|---|---------------------|
| 1. | Land Acquisition | \$2,520,000 |
| 2. | Building Acquisition | \$ _____ |
| 3. | Construction or Renovation | \$5,000,000 |
| 4. | Site Work | \$500,000 |
| 5. | Infrastructure Work | \$Included in above |
| 6. | Engineering Fees | \$ _____ |
| 7. | Architectural Fees | \$ _____ |
| 8. | Applicant's Legal Fees | \$ _____ |
| 9. | Financial Fees (incl. lender legal fees) | \$ _____ |
| 10. | Other Professional Fees | \$ _____ |
| 11. | Furniture, Equipment & Machinery (not included in 3. above) | \$50,000 |
| 12. | Other Soft Costs (describe) | \$ _____ |
| 13. | Other (describe) | \$ _____ |
| | Total | \$8,070,000 |

- B. Source of Funds for Project Costs:

| | | |
|----|-----------------|-------------|
| a. | Bank Financing: | \$7,000,000 |
| b. | Equity | \$1,070,000 |
| | TOTAL | \$8,070,000 |

- 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.

YES X

NO

Approximately \$100,000 has been incurred to date for contract deposit and schematic design development

- 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

NO X

- E. Construction Cost Breakdown:

Total Cost of Construction: \$5,050,000 (sum of 3 and 11 in Question A above)

Cost for materials: \$3,050,000

% Sourced in County: 70%

% Sourced in State: 90% (incl. County)

Cost for labor: \$2,000,000

% Sourced in County: 60%

% Sourced in State: 90% (incl. County)

Cost for "other": \$

% Sourced in County: %

% Sourced in County: % (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.

| | <u>Present</u> | <u>First Year</u> | <u>Second Year</u> | <u>Third Year</u> |
|------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Full-time: | <u> </u> | \$50,000 | \$52,500 | \$55,000 |
| Part-time: | <u> </u> | <u> </u> | <u> </u> | <u> </u> |

| | | | | |
|-----------------------|--|--|--|--|
| Seasonal: | | | | |
| Total Annual Payroll: | | | | |

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? \$50,000

What is the estimated average annual value of employee benefits per job, if any, for jobs to be created upon completion of the Project? \$20,000

Estimate the percentage of jobs to be created by the Applicant upon completion of the Project that will be filled by County residents: 100%

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:

20

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

\$1,247,688

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):

Above noted discretionary spending, plus Development Incentive Bonus' totaling \$110,000

- 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):

| | <u>Amount</u> | <u>% Sourced in County</u> | <u>% Sourced in State</u> |
|--------|---------------|----------------------------|---------------------------|
| Year 1 | \$190,165 | 100% | 100% |
| Year 2 | \$195,870 | 100% | 100% |
| Year 3 | \$201,746 | 100% | 100% |

- 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:

The new residents residing at the project are forecasted to spend \$1,247,688 per year in discretionary spending, of which the majority, if not all, would be subject to sales tax. The expenses associated with the project are forecasted to be \$190,165 per year (year one), of which a portion would be subject to sales tax.

- F. Costs to the County and affected municipalities:

Estimated Value of Sales Tax Exemption: \$263,062.50

Estimated Value of Mortgage Tax Exemption: \$73,500

Estimated Property Tax Exemption: \$TBD

Existing Property Tax paid on the Land and/or Building: (please provide current tax bills) \$40,500

Estimated new Real Property Tax Revenue if the Project did not receive Real Property Tax exemption: \$TBD

Estimated new Real Property Tax Revenue

if the Project does receive Real Property Tax exemption:

\$TBD

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

PART V. PROJECT CONSTRUCTION SCHEDULE

- A. Has construction work on the Project begun? If YES, indicate the percentage of completion: NO

- | | | | | |
|----|--|----------|---------|----------------|
| 1. | (a) Site clearance | YES ____ | NO ____ | ____% complete |
| | (b) Environmental Remediation | YES ____ | NO ____ | ____% complete |
| | (c) Foundation | YES ____ | NO ____ | ____% complete |
| | (d) Footings | YES ____ | NO ____ | ____% complete |
| | (e) Steel | YES ____ | NO ____ | ____% complete |
| | (f) Masonry | YES ____ | NO ____ | ____% complete |
| | (g) Interior | YES ____ | NO ____ | ____% complete |
| | (h) Other (describe below): | YES ____ | NO ____ | ____% 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? | | | |

Fall of 2015

-
- 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):

Construction commencement in the Fall of 2015, completion in the Summer of 2016, and occupancy also in the Summer of 2016

PART VI. ENVIRONMENTAL IMPACT

- A. What is the expected environmental impact of the Project? (Complete the attached Environmental Assessment Form (Schedule G)).

None

- B. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)?

YES _____

NO X_____

- C. Please be advised that the Agency may require at the sole cost and expense of the Applicant the preparation and delivery to the Agency of an environmental report in form and scope satisfactory to the Agency, depending on the responses set forth in the Environmental Assessment Form. If an environmental report has been or is being prepared in connection with the Project, please provide a copy.

- D. The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

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: Cornerstone at Farmingdale LLC

Signature: 
Name: Anthony Bartone
Title: Co-Managing Partner
Date: 6/8/15

State of New York
County of Nassau

Sworn to before me this 8th
day of June, 2015


Notary Public

NANCY ALAIMO
NOTARY PUBLIC, State of New York
No. 01ALE188075
Qualified in Nassau County
Term Expires April 28, 2016

**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: Cornerstone at Farningdale LLC

By: 
Name/Title: Anthony Bartone, Co-Managing Partner

**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.

Cornerstone at Farmingdale LLC


Name: Anthony Bartone
Title: Co-Managing Partner

State of New York
County of Nassau

Sworn to before me this 8th
day of June, 2015



Notary Public

NANCY ALAIMO
NOTARY PUBLIC, State of New York
No. 01AL6166075
Qualified in Nassau County
Term Expires April 28, 2018

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: Cornerstone at Farmingdale LLC

Signature: 

Name: Anthony Bartone

Title: Co-Managing Partner

Date: 6/8/15

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIESINITIAL EMPLOYMENT PLAN

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

Applicant Name: Cornerstone at Farmingdale LLC
 Address: 141 Merritts Rd, 2nd Floor, Farmingdale, NY 11735
 Type of Business: Real Estate Developers
 Contact Person: Anthony Bartone Tel. No.: 516-249-2022

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

| <u>Current and Planned Occupations</u> (provide NAICS Code for each) | <u>Current Number Full Time Equivalent Jobs Per Occupation</u> | | <u>Estimated Number of Full Time Equivalent Jobs in the County After Completion of the Project:</u> | | |
|--|--|------------------|---|----------------|----------------|
| | | | <u>1 year</u> | <u>2 years</u> | <u>3 years</u> |
| | <u>County</u> | <u>Statewide</u> | | | |
| <u>Office Manager</u> | <u>0</u> | <u>0</u> | <u>1</u> | <u>1</u> | <u>1</u> |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project: 20

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

Summer of 2016

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

YES _____

NO X

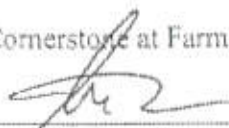
IF YES, Union Name and Local: _____

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: Cornerstone at Farmingdale LLC

Signature: 

Name: Anthony Bartone

Title: Co-Managing Partner

Date: 6/8/15

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: _____

Signature: _____

Name: _____

Title: _____

Date: _____

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 _____

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?

_____ %

- 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 _____

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 _____

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 _____

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 _____

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 _____

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 _____

NO _____

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

Retail Sales: _____%

Services: _____%

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

Retail Sales: _____%

Services: _____%

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: _____

Signature: _____

Name: _____

Title: _____

Date: _____

APPLICANT'S FINANCIAL ATTACHMENTS

As the company was organized in 2015 there have been no financial statements prepared

ENVIRONMENTAL ASSESSMENT FORM

*Full Environmental Assessment Form
Part 1 - Project and Setting*

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

| | | |
|--|------------------|--|
| Name of Action or Project: FARMINGDALE STATION - PHASE III | | |
| Project Location (describe, and attach a general location map): NORTHWEST CORNER OF SECATOGUE AVENUE AND LIRR (SOUTH FRONT STREET) | | |
| Brief Description of Proposed Action (include purpose or need): CONSTRUCTION OF 42 RENTAL APARTMENTS IN A 3 STORY STRUCTURE CONSISTING OF 28 STUDIO UNITS, 10 - ONE BEDROOM UNITS AND 4 - TWO BEDROOM UNITS. | | |
| Name of Applicant/Sponsor: BARTONE PROPERTIES | | Telephone: 516 249-2022 E-Mail: anthony@bartoneproperties.com |
| Address: 141 MERRITT ROAD - 2nd FLOOR | | |
| City/PO: FARMINGDALE | State: NY | Zip Code: 11803 |
| Project Contact (if not same as sponsor, give name and title/role): ANTHONY BARTONE, PRESIDENT | | Telephone: 516 249-2022 E-Mail: anthony@bartoneproperties.com |
| Address: SAME | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): CHARLES BRADLEY | | Telephone: E-Mail: |
| Address: 342 LAGOON DRIVE | | |
| City/PO: COPIAGUE | State: NY | Zip Code: 11726 |

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|--|--|---|
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | VILLAGE TRUSTEES | |
| b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission | PLANNING BOARD | |
| c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | VILLAGE HIGHWAY WATER DISTRICT CONNECTION | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | SEWER AGENCY CONNECTION | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

C.2. Adopted land use plans.

a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

| | |
|---|---|
| C.3. Zoning | |
| a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? If Yes, what is the zoning classification(s) including any applicable overlay district? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the use permitted or allowed by a special or conditional use permit? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| C.4. Existing community services. | |
| a. In what school district is the project site located? | <u>FARMINGDALE CENTRAL SCHOOL DISTRICT</u> |
| b. What police or other public protection forces serve the project site? | <u>NASSAU COUNTY</u> |
| c. Which fire protection and emergency medical services serve the project site? | <u>FARMINGDALE FIRE DEPT.</u> |
| d. What parks serve the project site? | <u>FARMINGDALE PARKS DEPT.</u> |

D. Project Details

| | |
|---|---|
| D.1. Proposed and Potential Development | |
| a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational, if mixed, include all components)? | <u>MULTIFAMILY RESIDENTIAL</u> |
| b. a. Total acreage of the site of the proposed action? | <u>.75</u> acres |
| b. Total acreage to be physically disturbed? | <u>.75</u> acres |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | <u>.75</u> acres |
| c. Is the proposed action an expansion of an existing project or use? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % | Units: _____ |
| d. Is the proposed action a subdivision, or does it include a subdivision? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| IF Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial, if mixed, specify types) | _____ |
| ii. Is a cluster/conservation layout proposed? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Number of lots proposed? | _____ |
| iv. Minimum and maximum proposed lot sizes? Minimum | Maximum |
| c. Will proposed action be constructed in multiple phases? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| i. If No, anticipated period of construction: | <u>16</u> months |
| ii. If Yes: | |
| • Total number of phases anticipated | <u>3</u> |
| • Anticipated commencement date of phase 1 (including demolition) | <u>6</u> month <u>15</u> year |
| • Anticipated completion date of final phase | <u>10</u> month <u>16</u> year |
| • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ | |

| | | | |
|--|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| If Yes, show numbers of units proposed: | | | |
| <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase | | | 42 |
| At completion of all phases | | | 42 |

| | |
|---|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. Total number of structures _____ | |
| ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length | |
| iii. Approximate extent of building space to be heated or cooled: _____ square feet | |

| | |
|---|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. Purpose of the impoundment: _____ | |
| ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify _____ | |
| iii. If other than water, identify the type of impounded/contained liquids and their source: _____ | |
| iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area _____ acres | |
| v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length | |
| vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete) _____ | |

D.2. Project Operations

| | |
|--|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| If Yes: | |
| i. What is the purpose of the excavation or dredging? _____ | |
| ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? | |
| • Volume (specify tons or cubic yards): _____ | |
| • Over what duration of time? _____ | |
| iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ | |
| iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If yes, describe: _____ | |
| v. What is the total area to be dredged or excavated? _____ acres | |
| vi. What is the maximum area to be worked at any one time? _____ acres | |
| vii. What would be the maximum depth of excavation or dredging? _____ feet | |
| viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ix. Summarize site reclamation goals and plan: _____ | |

| | |
|---|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ | |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres.

NA

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☒ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☒ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____

- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: 6150 gals/day gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: INC. VILLAGE OF FARMINGDALE WATER DISTRICT
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: 6,150 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): DOMESTIC SANITARY WASTE

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

| | | |
|--|--|---|
| <ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <p>b. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <p>c. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____</p> | | |
| <p>d. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> | | |
| <p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources: _____</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</p> <p style="padding-left: 20px;">• If to surface waters, identify receiving water bodies or wetlands: _____</p> <p style="padding-left: 20px;">• Will stormwater runoff flow to adjacent properties? _____</p> | | |
| <p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, hatch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <p>g. Will any air emission sources named in D 2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No |

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

w. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☒ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 AM - 5 PM
- Saturday: 7 AM - 5 PM
- Sunday: 0
- Holidays: 0

ii. During Operations:

- Monday - Friday: 24/7
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No
 If yes:
 i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No
 Describe: _____

n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
PARKING LOT LIGHTING DIRECTED TOWARDS PROPOSED PARKING AREA AND AWAY FROM EXISTING NEIGHBORING FACILITIES.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No
 If Yes:
 i. Product(s) to be stored: _____
 ii. Volume(s) _____ per unit time (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation: _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses:

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify) _____

ii. If mix of uses, generally describe:

IN A TRANSITION AREA BORDERING ON COMMERCIAL PROPERTIES TO THE SOUTH AND SMALL LOT RESIDENTIAL TO THE NORTH.

b. Land uses and covertypes on the project site:

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 20,720 sf | 27,100 sf | 6,380 sf |
| • Forested | 0 | 0 | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 0 | 0 | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0 | 0 | |
| • Wetlands (freshwater or tidal) | 0 | 0 | |
| • Non-vegetated (bare rock, earth or fill) | 0 | 0 | |
| • Other Describe: LANDSCAPED AND OPEN SPACE | 12,040 sf | 5,660 sf | 6,380 sf |

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
 i. If Yes, explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
 If Yes:
 i. Has the facility been formally closed? ☐ Yes ☒ No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
 ☐ Yes - Spills Incidents database Provide DEC ID number(s): _____
 ☐ Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 ☐ Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

☐ Yes ☒ No
 Is the project site subject to an institutional control limiting property uses?
 • If yes, DEC site ID number: _____
 • Describe the type of institutional control (e.g., deed restriction or easement): _____
 • Describe any use limitations: _____
 • Describe any engineering controls: _____
 • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
 • Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? UNKNOWN feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: U1 - URBAN LAND 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: 19.6 feet

e. Drainage status of project site soils: ☒ Well Drained: 100 % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
 If Yes, describe: _____

h. Surface water features.
 i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No
 ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No
 If Yes to either i or ii, continue. If No, skip to E.2 i.
 iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No
 iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
 • Streams: Name _____ Classification _____
 • Lakes or Ponds: Name _____ Classification _____
 • Wetlands: Name _____ Approximate Size _____
 • Wetland No. (if regulated by DEC): _____
 v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
 If Yes:
 i. Name of aquifer: _____

| | |
|---|-------------|
| m. Identify the predominant wildlife species that occupy or use the project site: _____ | |
| NONE | |
| n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. Describe the habitat/community (composition, function, and basis for designation): _____ | |
| ii. Source(s) of description or evaluation: _____ | |
| iii. Extent of community/habitat: | |
| • Currently: | _____ acres |
| • Following completion of project as proposed: | _____ acres |
| • Gain or loss (indicate + or -): | _____ acres |
| o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If yes, give a brief description of how the proposed action may affect that use: _____ | |
| E.3. Designated Public Resources On or Near Project Site | |
| a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes, provide county plus district name/number: _____ | |
| b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| i. If Yes: acreage(s) on project site? _____ | |
| ii. Source(s) of soil rating(s): _____ | |
| c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature | |
| ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ | |
| d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: | |
| i. CEA name: _____ | |
| ii. Basis for designation: _____ | |
| iii. Designating agency and date: _____ | |

| | |
|---|---|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____ | |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: i. Describe possible resource(s) _____ ii. Basis for identification: _____ | |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles | |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? | |
| | <input type="checkbox"/> Yes <input type="checkbox"/> No |

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name ROBERT MANNIELLO, AGENT Date JANUARY 21, 2015
 Signature  Title AGENT FOR APPLICANT
PRINCIPAL LAND DESIGN ASSOCIATES CONSULTING GROUP

OTHER ATTACHMENTS

Schedule H

Cornerstone at Farmingdale, LLC

Attachment to Nassau County Industrial Development Agency
Application for Financial Assistance

Part I

Item S: *Attach a brief history of the Applicant and its business/operations*

Cornerstone at Farmingdale LLC is a Single Purpose Entity (SPE) formed for the sole purpose of acquiring, developing, building, and managing the parcel of land located at 100 Secatogue Ave, and 143 North Front St, Farmingdale. Cornerstone at Farmingdale LLC is a joint venture between the Bartone Properties organization of companies and FRG Farmingdale LLC, an entity owned by Ronald and Frances Terwilliger.

The Bartone Properties organization was founded in 2002 by Anthony Bartone. Prior to the formation of Bartone Properties, Anthony served as Vice President of a general contracting & construction management firm which was formed in 1971 and completed over 1100 projects of varying size. He currently sits on the Board of Directors for Long Island Builders Institute (LIBI), and Long Island Home Builders Care (the charitable arm of LIBI). It is this depth of experience and commitment to developing the highest quality product that has made Bartone Properties a respected leader in development community and pioneer with "smart growth" and Transit Oriented Development as recognized by Vision Long Island, LIBI, and Long Island Business News (LIBN). Bartone Properties has garnered recognition on a national stage forming joint venture partnerships with national developers such as TDI Real Estate who is headquartered in Dallas, Texas. TDI chose to launch their new Northeast operation by partnering with Bartone Properties in 2012 to develop and build a mixed-use community in the Village of Farmingdale. Currently with TDI this mixed use rental project is under construction and leasing up. The project consists of two buildings located south of the train tracks at the Farmingdale Train Station as a Transit Oriented Development (TOD). Building one, or Phase I, has 115 residential apartments, 13,200 square feet of retail, 174 underground parking stalls, and is currently under construction. Building two, or Phase II, consists of 39 residential apartments, 6,200 square feet of retail space with 59 on-grade parking stalls, and is currently open and leasing up. This project won the Vision Long Island 2012 Smart Growth Award, the 2013 Long Island Business News Real Estate Development Award, and has an overall all-in budget of \$62M.

FRG Farmingdale LLC is an entity-owned and managed by Ronald and Frances Terwilliger. Frances Terwilliger is Co-developer of Cornerstone at Farmingdale LLC. She has 30 years of real estate experience including executive positions at ADCO, Heller Financial and GE Capital. She has an MBA in Finance from Adelphi University and a BA from Ohio University. Ron Terwilliger spent 30 years as an executive at Trammell Crow Residential where he participated in the development of projects across the United States. He has an undergrad degree from the U.S. Naval Academy and an MBA from Harvard Business School. Mr. and

Mrs. Terwilliger have participated in the development of apartment projects in more than 15 states and are currently active in investment and development in the Southeastern United States. Nationally renowned for his multifamily development expertise, Ron has served on many Boards, highlights of which are Trustee and past Chairman of the Urban Land Institute, Chairman Emeritus of the Wharton Real Estate Center, past Chairman of the Atlanta Neighborhood Dev. Partnership and Chairman of the Board of Directors for I have a Dream Foundation, past Chairman of National Homebuilders Multifamily Leadership Board, as well as philanthropically supporting Habitat for Humanity both nationally and internationally. Notable honors include the ULI Atlanta Community Achievement Award, the ORT Award, the Hearthstone Builder Humanity Award, election to the National Association of Homebuilders Hall of Fame, National Housing Conference Person of the Year Award, in 2012 honored with the National Patriotism Award by the National Foundation of Patriotism among others and recently received the prestigious ULI J. C. Nichols Prize for Visionary Development.

Part II

Item 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 site of the proposed project was identified on the Village of Farmingdale's Master Plan as a "site subject to change" and as such was captured in the studies associated with the Master Planning effort. The site currently sits immediately adjacent to the LIRR tracks, Ronkonkoma line, directly across the street from the Farmingdale Train Station. The key element to the Village's Master Plan is Transit Oriented Development (TOD) surrounding the Village's key asset, its train station. The train station is the gateway into the Village and has long been underutilized with the surrounding areas becoming blighted creating a disconnect with the Main Street Shopping District. In fact, the Village achieved Brownfield grants for its Master Plan due to the "urban blight" specifically around the train station. The project as proposed is ultimately a phase III to the other two TOD projects currently under production, and would create the final piece of TOD as described within the Master Plan. Prior to the commencement of Phase I and II at the Farmingdale Train Station, Main Street Farmingdale was struggling with 23 stores vacant. Since commencement of the first two TOD phases vacancy rates on Main Street now hover slightly above zero. A rejuvenation is occurring in Farmingdale with new businesses relocating to the Village, and current businesses deploying funds to revitalize their properties. Currently existing on the site of the proposed project there is a truck service station, taxi office/taxi parking, and a single family residential house which is an underutilization of a key property as stated by the Village planners. The intention of all three phases of TOD in Farmingdale is to create a welcoming gateway into the Village with well lit, vibrant, and walkable developments. Phase I & II are creating the much needed connectivity to Main Street on the south side of the LIRR tracks, while Phase III will create the northern connection.

As part of the proposed project several community amenities will be provided by the Applicant, one of which is a new pedestrian walkway on the north side of the LIRR tracks with ADA compliant sidewalks, ornamental street lights, and new decorative metal estate style fencing running from Secatogue Avenue down to Main Street. In addition to the capital improvement projects, payments will be made to the Village totaling \$110,000. The phase III project, known as "The Cornerstone", will have 42 residential apartments consisting of 28 studios units, 10 one-bedroom units and 4 two-bedroom units and is intended to create a diverse blend of housing options at the train station while complementing, not competing, with Phase I & II, since those phases have no studios. The studio unit is designed to attract and provide a housing option for our young professionals. The absence of housing options for our next generation here in Nassau County is reaching critical levels and the massive departure of our youthful workforce is rapidly becoming an epidemic. By creating studio units that are efficiently sized they can be offered at monthly rents which are affordable to this age group. Further, four of the units will be set aside and rented via lottery as affordable workforce housing units.

The project will boast a fitness center, club room, roof top patio with BBQ, high ceilings, stainless appliances, stone counter tops, and the ability to wait for the train right in the lobby of the building. The site is located less than one mile from Bethpage Golf Course, less than one mile from SUNY Farmingdale, and less than two miles from Republic Airport. It will truly create a "lifestyle community". Additionally, the Cornerstone will have a solar system installed on the flat roof to supplement the electric in an effort to reduce the development's carbon footprint. By virtue of its location at the train station, the Cornerstone will encourage its residents to utilize mass transit, thus reducing dependency on automobiles. High efficiency equipment and high density insulations will also be utilized to create an energy efficient building envelope.

The project is the sole reason Cornerstone at Farmingdale LLC was formed, as such the success is vital to the company's survival. The project is also of significance to the Village of Farmingdale as the final piece of the TOD needed to create the welcoming, vibrant gateway into the Village while furthering their Master Plan. Given the oppressively high price of land on Long Island, the hurdles associated with entitling projects, and high property taxes, without financial assistance the project would be economically infeasible to build.

Item C: *If the Applicant is 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.*

If unable to obtain financial assistance the application will need to be abandoned, and the project scrapped. Given the high price of land on Long Island, the hurdles which must be overcome to entitle the property along with the at-risk capital associated therewith, and high property taxes, without financial assistance the project would be economically infeasible to build. This would have obvious adverse impacts for the Applicant as all of the design development capital that has been deployed to date would be lost. The impact on the Village of Farmingdale would be significant as they would lose all of the community amenities being provided by the Applicant by way of capital improvement projects and cash payments. The

Village would also have a key element of their Master Plan lost and the northern connectivity to Main Street not come to be. Nassau County would lose an opportunity for more affordable housing plus diversity of housing that targets our next generation (20 – 35 year old professionals). The construction job loss and area discretionary spending from both the workers and new residents would also be lost. Sales tax generation from discretionary spending would not occur should the project not move forward, along with the property tax escalations in the PILOT. An opportunity to create another community that truly fosters mass transit use versus the automobile would not happen. All-in-all the loss of this final piece of Farmingdale's TOD would be tremendous to the Applicant, the Village of Farmingdale, and Nassau County.

Item 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 social and economic impacts of TOD in the Village of Farmingdale is undeniable. Prior to the commencement of the first two phases of TOD at the Farmingdale Train Station Main Street was withering with 23 vacant stores and landlords struggling to get by. Now, the Village of Farmingdale is thriving with new businesses relocating to Main Street and vacancy rates hovering slightly above zero. This third phase will complete the "gateway" to the Village by revitalizing the north side of the tracks as done on the south side and completing the connections to Main Street from the train station. These new walkable developments not only enhance the social aspects of the community, but they create an atmosphere where the residents are truly less reliant on the automobile, hence fostering environmentally friendly, or "green" projects.

The economic benefits are far reaching. Beginning with the construction which will be ongoing for just under one year creating jobs and encouraging local spending on food, gas, and the like, not to mention the purchase of millions of dollars of construction supplies. Then there are the residents who will live in the building who are forecast to deploy approximately \$1,247,688 in monies on discretionary spending as calculated by taking 40% of their projected income.

Infrastructure, traffic, fire, police, and other governmental services were all studied during the Village Master Plan, and several were updated as part of this site specific application with all findings reporting back that the proposed development would not have an adverse impact.

Item 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?

The project will provide much needed housing which is in a walkable proximity to the Main Street Shopping District, and located immediately adjacent to a transit hub thereby

encouraging mass transit use. The project will provide four housing units that will be rented via lottery at affordable rates for our workforce, plus create a diversity of housing options around the Village Train Station. The housing in the Cornerstone will appeal to many age groups, including the providing of a much needed housing option to help curb the massive losses we are seeing countywide in young professionals opting to live in areas outside of Long Island.