

**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

First Playhouse of Great Neck Corp.

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, fdate 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 I to the Application. If an estimate is given, enter "EST" after the figure. One signed original and one photocopy 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 \$1,500 non-refundable application fee (the "Application Fee"); (ii) a \$3,500 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"), (iii) a \$4,500 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/Bond 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.

3/16/23
DATE


PART I. APPLICANT

A. APPLICANT FOR FINANCIAL ASSISTANCE:

Name: First Playhouse of Great Neck Corp.

Address: 102-112 Middle Neck Road, Great Neck 11023

Fax: 201-601-0055



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

NAICS Code #: 5311190

Website: N/A

Name of CEO or
Authorized Representative Certifying Application: Jan Soleimani

Title of Officer: Managing member

Phone Number:  E-Mail: 

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

Sole Proprietorship General Partnership Limited Partnership

Limited Liability Company 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



State and Year of Incorporation/Organization: 1994 – New York

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

C. APPLICANT COUNSEL:

Firm name: Harras, Bloom & Archer LLP
Address: 445 Broad Hollow Road, Suite 127
Melville, NY 11747
Primary Contact: Paul J. Bloom
Phone: 631-393-6220
Fax: 631-393-6229
E-Mail: pbloom@hba-law.com

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

Name	Percentage owned
<u>Jan Soleimani</u>	
<u>Andre Sakhai</u>	
_____	_____%

E. 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 (no owner has more than 50% interest in the Applicant).

F. 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

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

N/A

H. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) been involved in, applied for or benefited by any prior industrial development financing in the municipality in which this Project is located, whether by the Agency or another issuer, or in a contiguous municipality? ("Municipality" herein means city, town or village, or, if the Project is not in an incorporated city or village, Nassau County.) If YES, describe:

YES _____ NO X

I. Is the Applicant (or any parent company, subsidiary, affiliate 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 at Schedule I.

YES _____

NO X __

J. Has the Applicant (or any parent company, subsidiary, affiliate 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 at Schedule I.

YES _____

NO X __

K. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, ever been 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 that has been convicted of a felony or misdemeanor (other than minor traffic offenses), or are any of the foregoing the subject of a pending criminal proceeding or investigation? If YES, attach details at Schedule I.

YES _____

NO X __

L. Has the Applicant (or any parent company, subsidiary, affiliate 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 a pending proceeding or investigation with respect to) a civil 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 at Schedule I.

YES _____

NO X __

M. Is the Applicant (or any parent company, subsidiary, affiliate 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 at Schedule I.

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>
<u>Jan Soleimani</u>	<u>Managing member</u>	<u>SEE ATTACHED</u>
<u>Andre Sakhai</u>	<u>Managing Member</u>	<u>SEE ATTACHED</u>
_____	_____	_____
_____	_____	_____

Do any of the foregoing principals hold elected or appointive positions with New York State, any political division of New York State or any other governmental agency? If YES, attach details at Schedule I.

YES _____ NO X

Are any of the foregoing principals employed by any federal, state or local municipality or any agency, authority, department, board, or commission thereof or any other governmental or quasi-governmental organization?

YES _____ NO X

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

1. (a) Location: 102-112 Middle Neck Road, Great Neck 11023
- (b) Number of Employees: Full-Time: 0 _____ Part-Time: 0 _____
- (c) Annual Payroll, excluding benefits: N/A
- (d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.) and products or services: N/A (vacant land)
- (e) Size of existing facility real property (i.e., acreage of land): 0.268 acres

(f) Buildings (number and square footage of each): 0 _____

(g) Applicant's interest in the facility

FEE Title: X Lease: ___ Other (describe below):

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES _____

NO X _____

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES _____

NO X _____

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

YES _____

NO X _____

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

YES _____

NO X _____

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

YES _____

NO X _____

S. Nature of Applicant's business (e.g., description of goods to be sold, products manufactured, assembled or processed, services rendered):

Development of multifamily residential apartments with ground-floor retail at this location.

T. ANY RELATED PARTY PROPOSED TO BE A USER OF THE PROJECT:

Name: N / A _____

Relationship to Applicant: _____

Provide the information requested in Questions A through S above with respect to each such party by attachment at Schedule I.

PART II. PROPOSED PROJECT

A. Types of Financial Assistance Requested:

- Tax-Exempt Bonds
- Taxable Bonds
- Refunding Bonds
- Sales/Use Tax Exemption
- Mortgage Recording Tax Exemption
- Real Property Tax Exemption
- Other (specify): _____

B. Type of Proposed Project (check all that apply and provide requested information):

- New Construction of a Facility
Square footage: 43,262
- Addition to Existing Facility
Square footage of existing facility: _____
Square footage of addition: _____
- Renovation of Existing Facility
Square footage of area renovated: _____
Square footage of existing facility: _____
- Acquisition of Land/Building
Acreage/square footage of land: _____
Square footage of building: _____
- Acquisition of Furniture/Machinery/Equipment
List principal items or categories:

Other (specify): Construction Materials

C. Briefly describe the purpose of 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 I

D. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project)

YES X

NO _____

Project is financially infeasible without financial assistance and likely cannot continue.

E. If the Applicant is unable to arrange Agency financing or other Agency 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 financing or other Agency financial assistance? Describe.

SEE SCHEDULE I

F. Location of Project:

Street Address: 102-112 Middle Neck Road, Great Neck 11023

City/Village(s): Great Neck Estates

Town(s): North Hempstead

School District(s): Great Neck - 7

Tax Map Section: 2 Block: 38 Lot: 116

Census Tract Number: _____

G. Present use of the Project site: Vacant land.

H. (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):

General: \$3,300.09

School: \$40,353.01

Village: \$4,338.99

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

YES _____

NO X _____

I. Describe proposed Project site ownership structure (i.e., Applicant or other entity):

50/50 ownership between the two members of the ownership entity.

J. 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.)

For the purpose of leasing residential apartments and ground floor retail space.

K. If any space in the Project is to be leased to or occupied by third parties (i.e., parties not related to the Applicant), 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:

Not yet determined.

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

N/A

M. Does the proposed Project meet zoning/land use requirements at proposed location?

YES X _____

NO _____

1. Describe present zoning/land use: Business D Incentive District

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

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

N/A

N. 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 _____

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

YES X _____ NO _____

If YES, indicate:

- (a) Date of purchase: 3/18/1994
- (b) Purchase price: \$ 800,000.00
- (c) Balance of existing mortgage, if any: \$ N/A
- (d) Name of mortgage holder: _____
- (e) Special conditions: _____

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

P. 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 _____ NO X _____

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

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

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

If YES, describe:

YES _____ NO _____

Q. 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).

Sales of Goods: YES NO Sales of Services: YES NO

R. 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 I

S. Identify the following Project parties (if applicable):

Architect: Newman Design
Engineer: John A. Dibari, P.E.
Contractors: Lions Group II LLC

T. 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

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

YES NO

V. 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 NO

W. Is the proposed Project site currently subject to an IDA transaction (whether through the Agency or otherwise)? If yes, explain.

YES _____

NO X _____

PART III. CAPITAL COSTS OF THE PROJECT

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

	<u>Item</u>	<u>Cost</u>
1.	Land and/or Building Acquisition	\$ 800,000 _____
2.	Building Demolition	\$ 2,622,588 _____
3.	Construction/Reconstruction/Renovation	\$14,730,000 _____
4.	Site Work	\$ 0 _____
5.	Infrastructure Work	\$ 0 _____
6.	Architectural/Engineering Fees	\$ 673,388 _____
7.	Applicant's Legal Fees	\$ 496,263 _____
8.	Financial Fees	\$ unknown _____
9.	Other Professional Fees	\$ 37,082 _____
10.	Furniture, Equipment & Machinery Acquisition (not included in 3. above)	\$ 0 _____
11.	Other Soft Costs (describe)	\$ 2,242,156 _____
12.	Other (describe)	\$ _____
	Total	\$ 21,601,477 _____

B. Estimated Sources of Funds for Project Costs:

a.	Tax-Exempt IDA Bonds:	\$0 _____
b.	Taxable IDA Bonds:	\$0 _____
c.	Conventional Mortgage Loans:	\$15,500,000 _____
d.	SBA or other Governmental Financing: Identify: _____	\$ _____
e.	Other Public Sources (e.g., grants, tax credits): Identify: _____	\$ _____

f.	Other Loans:	\$ _____
g.	Equity Investment: (excluding equity attributable to grants/tax credits)	\$6,101,740 _____
	TOTAL	\$21,601,740 _____

What percentage of the total project costs are funded/financed from public sector sources: 0 _____%

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 _____ NO _____

D. Are items of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of the bond proceeds (if applicable)? If YES, provide details:

YES _____ NO _____ NOT APPLICABLE _____

E. Will any of the funds to be borrowed through the Agency's issuance of bonds, if applicable, be used to repay or refinance an existing mortgage, outstanding loan or an outstanding bond issue? If YES, provide details:

YES _____ NO _____ NOT APPLICABLE _____

F. Has the Applicant made any arrangement for the marketing or the purchase of the bonds or the provision of other third party financing (if applicable)? 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 _____ NOT APPLICABLE _____

G. Construction Cost Breakdown:

Total Cost of Construction: \$18,152,588 (sum of 2-5 and 10 in Question A above)

Cost for materials: \$ 14,730,000
 % Sourced in County: 50 (est.) _____%

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

Cost for labor: \$ 3,422,588
 % Sourced in County: 75 (est.) _____%
 % Sourced in State: 100 (est.) _____% (incl. County)

Cost for "other": \$ N/A
 % Sourced in County: _____%
 % Sourced in County: _____% (incl. County)

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

PART IV. COST/BENEFIT ANALYSIS

A. If the Applicant presently operates in Nassau County, provide the current annual payroll. Estimate projected payroll at the Project site 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>\$ 0</u>	<u>\$130,000</u>	<u>\$130,000</u>	<u>\$130,000</u>
Part-time: ¹	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Nassau County as a result of the proposed Project:

<u>Category of Jobs to be Retained:</u>	<u>Average Salary or Range of Salary:</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management	N/A	
Professional	N/A	
Administrative	N/A	
Production	N/A	
Supervisor	N/A	
Laborer	N/A	

¹ NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

Independent Contractor ²		
Other		

<u>Category of Jobs to be Created:</u>	<u>Average Salary or Range of Salary:</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management		
Professional		
Administrative		
Production		
Supervisor		
Laborer	65,000	15,000
Independent Contractor ³		
Other	65,000	15,000

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/bond 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:

Approx. 30

² As used in this chart, this category includes employees of independent contractors.

³ As used in this chart, this category includes employees of independent contractors.

- C. What, if any, is the anticipated increase in the dollar amount of production, sales or services following completion of the Project?

\$N/A_____

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

_____N/A%

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Nassau and Suffolk Counties)?

_____N/A%

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

_____N/A_____

- 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	\$20,000_____	95_____	100_____
Year 2	\$20,600_____	95_____	100_____
Year 3	\$21,200_____	95_____	100_____

- E. Notice to Applicant under Section 224-a(8)(d) of the New York Labor Law and acknowledgment of Applicant:

Please note that incentives from the NCIDA are considered "public funds" unless otherwise excluded under Section 224-a(3) of the New York Labor Law. Other than the estimates of incentives if awarded pursuant hereto, NCIDA makes no representations or covenants with respect to the total sources of "public funds" received by you in connection with your project.

By completing this Section of the Application, Applicant (i) acknowledges that the estimated sales tax exemption benefit, the estimated mortgage recording tax benefit and the estimated PILOT benefit amount, if any, as so identified in this Application and if awarded constitute "public funds" unless otherwise excluded under Section 224-a(3) of the New York Labor Law (ii) confirms that it has received notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law and (iii) acknowledges its obligations pursuant to Section 224-a(8)(a) of the New York

Labor Law.

F. Estimated Value of Requested Financial Assistance:

Estimated Value of Sales Tax Benefit: \$ 1,270,462.50
(i.e., gross amount of cost of goods and services
that are subject to state and local sales and use taxes
multiplied by 8.625%)

Estimated Value of Mortgage Tax Benefit: \$116,250 _____
(i.e., principal amount of mortgage loans
loans multiplied by [0.75%])

Estimated Property Tax Benefit:

Will the proposed Project utilize a property tax
exemption benefit other than from the Agency: N/A _____
(if so, please describe)

Term of PILOT Requested: 23 years, 3-year freeze with straight line increases over remaining 20
years

Existing Property Taxes on Land and Building: \$ 47,992.09 ____

Estimated Property Taxes on completed Project: \$ 207,110 ____
(without Agency financial assistance)

NOTE: Upon receipt of this Application by the Agency,
the Agency's staff will create a PILOT schedule and estimate
the amount of PILOT Benefit/Cost utilizing anticipated
tax rates and assessed valuation, and attach such information
as Exhibit A hereto.

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

SEE ATTACHED

PART V. PROJECT SCHEDULE

A. If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

- | | | | | |
|----|-------------------------------|-----------|----------|-----------------|
| 1. | (a) Site clearance | YES X__ | NO ____ | 100__% complete |
| | (b) Environmental Remediation | YES X__ | NO ____ | 100__% complete |
| | (c) Foundation | YES X__ | NO ____ | 90__% complete |
| | (d) Footings | YES X__ | NO ____ | 90__% complete |
| | (e) Steel | YES N/A__ | NO N/A__ | ____% complete |
| | (f) Masonry | YES ____ | NO X__ | 0__% complete |
| | (g) Masonry | YES ____ | NO X__ | 0__% complete |
| | (h) Interior | YES ____ | NO X__ | 0__% complete |
| | (i) Other (describe below): | YES ____ | NO X__ | ____% complete |

2. If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project?

N/A

B. Provide an estimate of time schedule to complete the Project and when the first use of the Project is expected to occur:

November 2024

PART VI. ENVIRONMENTAL IMPACT

A. What is the expected environmental impact of the Project? (Complete the attached Environmental Assessment Form (Schedule G)).
No material adverse impact

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, under penalties of perjury, that the answers and information provided above and in any schedule, exhibit or statement attached hereto are true, accurate and complete, to the best of the knowledge of the undersigned.

Name of Applicant: First Playhouse of Great Neck Corp.

Signature: 

Name: Jan Sofenman

Title: Managing member

Date: 3/10/23

Sworn to before me this 10th
day of March 2023


Notary Public

ATUL PAREKH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PA5010145
Qualified in New York County
My Commission Expires 03-29-2023

**CERTIFICATIONS AND ACKNOWLEDGMENTS
OF THE APPLICANT**

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State.

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby 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.

FIFTH:

The Applicant hereby certifies that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

SIXTH:

The Applicant hereby acknowledges that the submission to the Agency of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the recapture from the Applicant of an amount equal to all or any part of any tax exemption claimed by reason of the Agency's involvement in the Project.

SEVENTH:

The Applicant hereby certifies that, as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the General Municipal Law, including, but not limited to, the provisions of Section 859-a and Section 862(1) thereof.

EIGHTH:

(i) Does the Project propose the creation of housing?

YES X___ NO ___

If YES, how many units? 20

If YES, the Applicant hereby certifies that:

- (a) the Applicant has adopted a Fair Housing/Equal Housing Opportunity Policy substantially in the form of Exhibit B to this Application;
- (b) the proposed Project complies with applicable fair housing laws and that eligibility criteria for housing in any part of the Project will not include any residency requirements or preferences, including durational ones, age restrictions (unless for senior housing permitted by law), or other discriminatory criteria;
- (c) the Applicant (1) has posted its Fair Housing/Equal Housing Opportunity Policy publicly; and (2) will display fair housing law posters for consumers in its rental or sales office(s), in a form substantially similar to the model fair housing posters attached to this Application as Exhibit C (the Agency will provide applicants with fair housing law posters for display upon request by an applicant); and
- (d) key employees of the Applicant in charge of marketing and rental of the Project have completed (or will complete within one year of closing) four (4) hours of fair housing training provided by Long Island Housing Services ("LIHS") at a reasonably acceptable time and location and at no additional cost to the Applicant. In the event LIHS declines to provide or make available reasonably acceptable no-cost fair housing training, the provisions of this Certification VIII(i)(d) shall cease to be of any force and effect.

(ii) If YES to (i) above, does the Project propose the creation of "affordable" or "workforce" housing ("Affordable Housing")?

YES X___ NO ___

If YES, the Applicant hereby certifies that the Applicant (1) has adopted a non-discriminatory affirmative marketing plan that meets the criteria set forth in Exhibit D to this Application; and (2) will submit such marketing plan to the Agency in writing prior to closing.

If YES, answer the following questions:

(a) What portion of the Project would consist of Affordable Housing (e.g., number of units)?

10% (2 apartments)

(b) What are the eligibility requirements for the Affordable Housing?


Occupants of the units will be individuals or families that do not exceed 80% of the median household income set by the United States Department of Housing and Urban Development for the Nassau Suffolk New York HUD Metro FMR, with adjustments for household size. The affordable housing units will be administered and managed by the Long Island Housing Partnership.

(c) Cite the specific source of such eligibility requirements (e.g., federal, state or local law).

Long Island Workforce Housing Act

Name of
Applicant: First Playhouse of Great Neck Corp.

By: _____


Name: Jan Soleimani
Title: Managing member

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

Capitalized terms used but not otherwise defined in this Certification and Agreement shall have the meanings assigned to such terms in the Application.

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind 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, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

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, reconstruction, renovation, installation and/or equipping 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/bond counsel, economic development consultant, real property tax valuation consultant and other attorneys, experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses (including attorneys' fees) 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 if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other 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/bond 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 required bond issue or other form of financing or Agency assistance, 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:

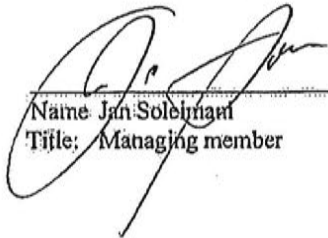
- (A) Taxable Bond Issues Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs.
- (B) Tax-Exempt Bond Issues – Six-tenths (6/10) of one percent (1%) of total project costs.
- (C) Straight-Lease Transactions 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 \$4,000.
- (E) All Initial Transactions - 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) Refundings – The Agency fee shall be determined on a case-by-case basis.
- (F) Assumptions – The Agency fee shall be determined on a case-by-case basis.
- (G) Modifications – The Agency fee shall be determined on a case-by-case basis, but in accordance with the following schedule.
 - A basic Consent - \$750
 - A Transfer of Benefits
 - Basic - \$3,000
 - Complex - \$6,000
 - Extensions - \$1,000
- (H) Terminations - The Agency fee shall be determined on a case-by-case basis, but in accordance with the following schedule.
 - Basic - \$2,000
 - Complex - \$2,500

The Agency's transaction/bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

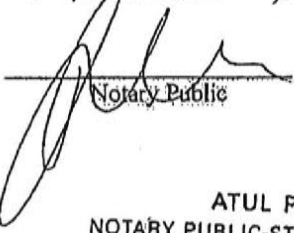
The Agency's transaction/bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Guided by the above stated schedule amounts, upon the termination of the financing 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, bond/transaction counsel, and all applicable recording, filing or other related fees, taxes and charges.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.


Name: Jan Solbjorn
Title: Managing member

Subscribed and affirmed to me this 23rd
day of March, 2023


Notary Public

ATUL PAREKH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PA5010145
Qualified in New York County
My Commission Expires 03-29-2023

TABLE OF SCHEDULES:

<u>Schedule</u>	<u>Title</u>	<u>Complete as Indicated Below</u>
A.	Tax-Exempt Bond Manufacturing Questionnaire	If Applicant checked "YES" in Part I, Question H of Application, if applicable[[
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 O.2. of Application
E.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question Q of Application
F.	Applicant's Financial Attachments, consisting of:	All applicants
	1. Applicant's 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.	
G.	Environmental Assessment Form	All applicants
H.	Form NYS-45 (and 45-ATT)	All applicants
I.	Other Attachments	As required

NOT APPLICABLE

Schedule A

TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE

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

Please complete the following questions for each facility to be financed. Use additional pages as necessary.

1. Describe the production process which occurs at the facility to be financed.

2. Allocate the facility to be financed by function (expressed in square footage) (e.g., production line, employee lunchroom, offices, restrooms, storage, warehouse, loading dock, repair shop, parking, research, sales, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.). Please attach blueprints of the facility to be financed.

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL

3. Of the space allocated to offices above, identify by function (e.g., executive offices, payroll, production, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.).

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL

4. Of the space allocated to storage or warehousing above, identify the square footage and location of the areas devoted to storage of the following:

SO. FOOTAGE

LOCATION

Raw Materials used
for production of
manufactured goods

Finished product storage

Component parts of
goods manufactured at
the facility

Purchased component
parts

Other (specify)

TOTAL

5. List raw materials used at the facility to be financed in the processing of the finished product(s).

6. List finished product(s) which are produced at the facility to be financed.

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

Name of
Applicant:

First Playhouse of Great Neck Corp.

Signature:

[Signature]

Name:

Jan Salschman

Title:

Managing member

Date:

1/31/10/23

Schedule B

**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. The Project documents will require the Applicant to provide such report to the Agency on or before February 11 of the succeeding 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. The following information must be provided for all bonds issued, outstanding or retired 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.

Date of issue; interest rate at end of year; bonds outstanding at beginning of year; bonds issued during year; principal payments made during year; bonds outstanding at end of year; federal tax status; and maturity date(s).

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:

First Playhouse of Great Neck Corp.

Signature:



Name:

Jay Solomon

Title:

Managing member

Date:

7/31/23

Schedule C

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES

INITIAL EMPLOYMENT PLAN

Prior to the expenditure of bond proceeds or the granting of other financial assistance, the Applicant shall complete the following initial employment plan:

Applicant Name: First Playhouse of Great Neck Corp.

Address: 102-112 Middle Neck Road, Great Neck 11023

Type of Business: _____

Contact Person: Jan Soleimani Tel. No. [REDACTED]

Please complete the following table describing the projected full-time equivalent employment plan for the proposed Project following receipt of financial assistance:

<u>Current and Planned Occupations</u>	<u>Present Jobs Per Occupation</u>	<u>Estimated Number of Full Time Equivalent Jobs After Completion of the Project:⁴</u>			<u>Estimate of Number of Residents of the LMA⁵ that would fill such jobs by the third year</u>
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>	
<u>Management</u>	_____	_____	_____	_____	_____
<u>Professional</u>	_____	_____	_____	_____	_____
<u>Administrative</u>	_____	_____	_____	_____	_____
<u>Production</u>	_____	_____	_____	_____	_____
<u>Supervisor</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Laborer</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Independent Contractor</u>	_____	_____	_____	_____	_____
<u>Other (describe)</u>	_____	_____	_____	_____	_____

⁴ NOTE: Convert part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

⁵ The "LMA" means the Local Market Area, which is defined by the Agency as Nassau and Suffolk Counties. The Labor Market Area is the same as the Long Island Economic Development Region, as established pursuant to Section 230 of the New York State Economic Development Law.

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project: 30 (approx.)

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

Until project completion.

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

YES N/A

NO N/A

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/board 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 as Schedule H 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 and 45-ATT). 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:

First Playhouse of Great Neck Corp.

Signature:

Name:

Jan Solemani

Title:

Managing member

Date:

3/10/23

Schedule D

ANTI-RAIDING QUESTIONNAIRE

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

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

YES _____

NO X ___

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

Address of the to-be-removed plant or facility or the plants or facilities from which employees are relocated: _____

Names of all current users, occupants or tenants of the to-be-removed plant or facility: N/A _____

- 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 user, occupant or tenant of the Project, located in an area of the State of New York other than in Nassau County?

YES _____

NO X ___

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 X _____

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 user, occupant or tenant of the Project, in its industry?

YES _____ NO _____

E. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant 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.

Accordingly, the Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

NOTE: If the proposed Project involves the removal or abandonment of a plant or facility of the Applicant, or a proposed user, occupant or tenant of the Project, within the State of New York, notification will be made by the Agency to the chief executive officer(s) of the municipality or municipalities in which such plant or facility was located.

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:	First Playhouse of Great Neck Corp.
Signature:	
Name:	Ian Seeman
Title:	Managing member
Date:	8/10/23

Schedule E

RETAIL QUESTIONNAIRE

(To be completed by Applicant if Applicant checked either "YES" in Part II, Question Q 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 sources other than Agency financing) 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 sources other than Agency financing) 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?

26 _____ %

- 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. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Nassau and Suffolk Counties) in which the Project is or will be located?

YES _____

NO _____

2. 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 _____

3. Will the Project be located in one of the following: (a) an area designated as an empire 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 3 of Question C is YES, attach details.

- D. If the answer to any of the subdivisions 2 through 3 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: 3 _____%

Services: 3 _____%

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

Retail Sales: 13 _____%

Services: 13 _____%

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:

First Playhouse of Great Neck Corp.

Signature:

Name:

Jan Soleiman

Title:

Managing member

Date:

3/23/23

Schedule F

APPLICANT'S FINANCIAL ATTACHMENTS



Ponce Bank®

2244 WESTCHESTER AVENUE
BRONX, NEW YORK 10462
TEL (718) 931- 9000
www.poncebank.com

March 21, 2023

First Playhouse of Great Neck Corp.
c/ Jan Soleimani and Andre Sakhai
50 Enterprise Avenue North
Secaucus, NJ 07094

Regarding the Property of 104 Middle Neck Road Great Neck, NY 11021
Section: 2, Block: 38 and Lot: 116

To whom it may concern:

A new construction facility on **104 Middle Neck Road, Great Neck, NY 11021** (Section: 2, Block: 38 and Lot: 116) was approved subject to the condition that the owner on record of this property is in receipt of Tax Pilot approval for the subject property from the Nassau County Industrial Development Agency (NCIDA).

If you have any questions, please call at 718-931-9000.

Yours truly,

Ioannis Kouzilos
Executive Vice President
Chief Lending Officer



LEVINE & SCHMUTTER CPA LLP

CERTIFIED PUBLIC ACCOUNTANTS

666 OLD COUNTRY ROAD, SUITE 510
GARDEN CITY, NY 11530
TEL. (212) 244-6611
FAX (212) 244-8385

March 15th, 2023

ATT: Jake Shirian
Lions Group
11 Grace Ave, Suite 401
Great Neck, NY 11021

RE: First Playhouse of Great Neck Corp

To Jake Shirian:

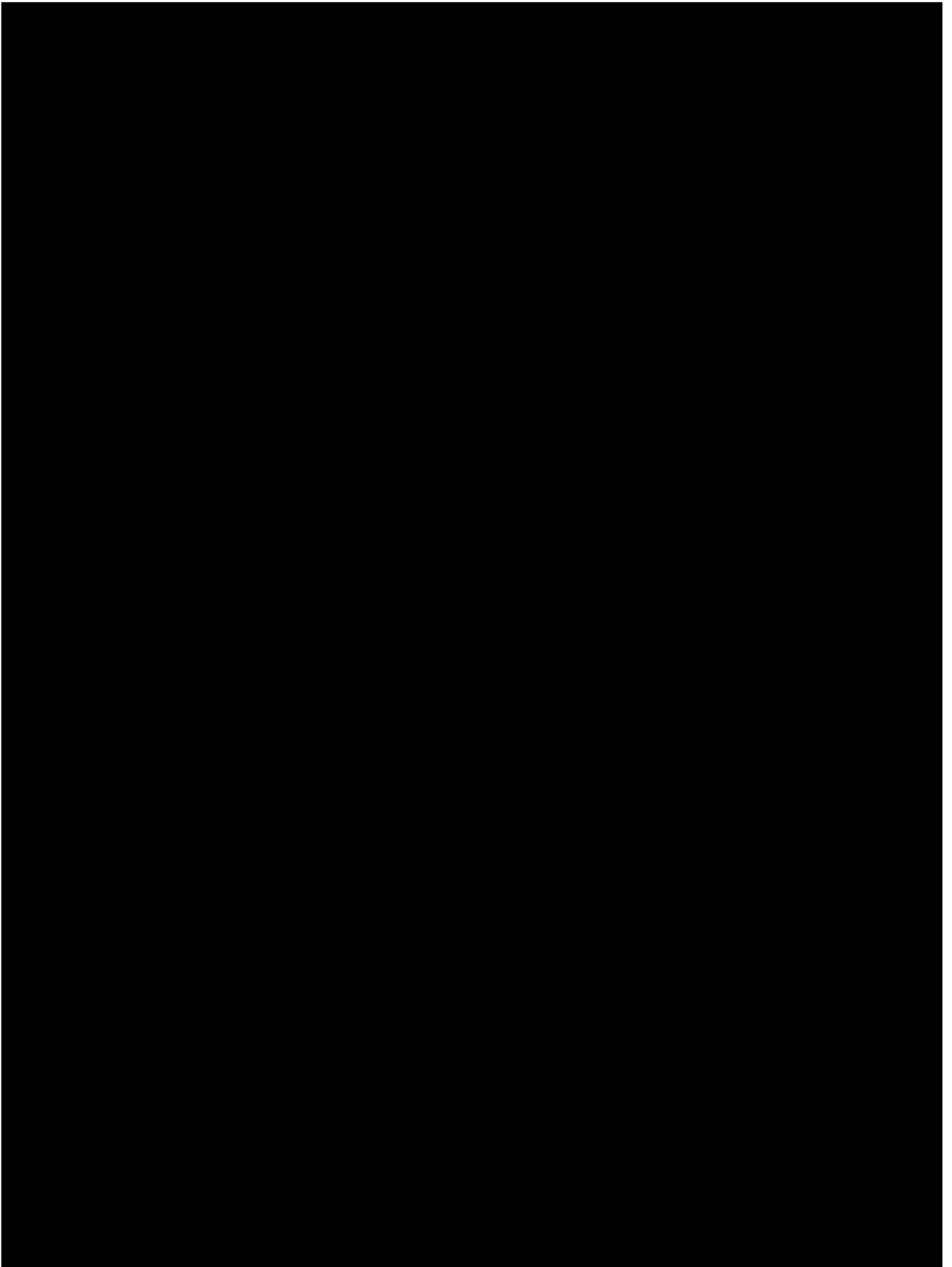
We are the Accountants for First Playhouse of Great Neck Corp.

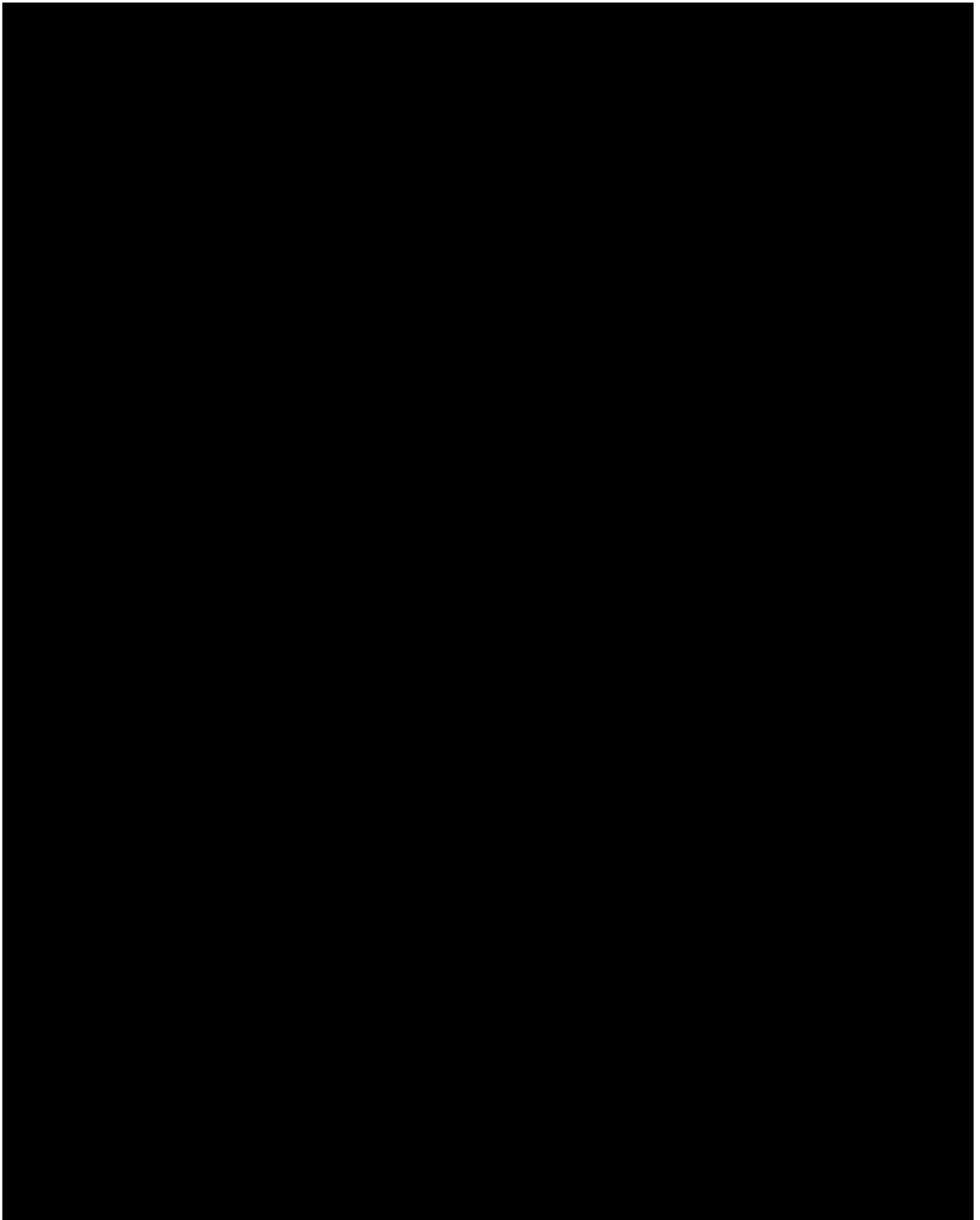
First Playhouse of Great Neck has no 10-Qs, 10-Ks, 8-Ks, or financial statements. This corporation is a development stage company with no profit or loss.

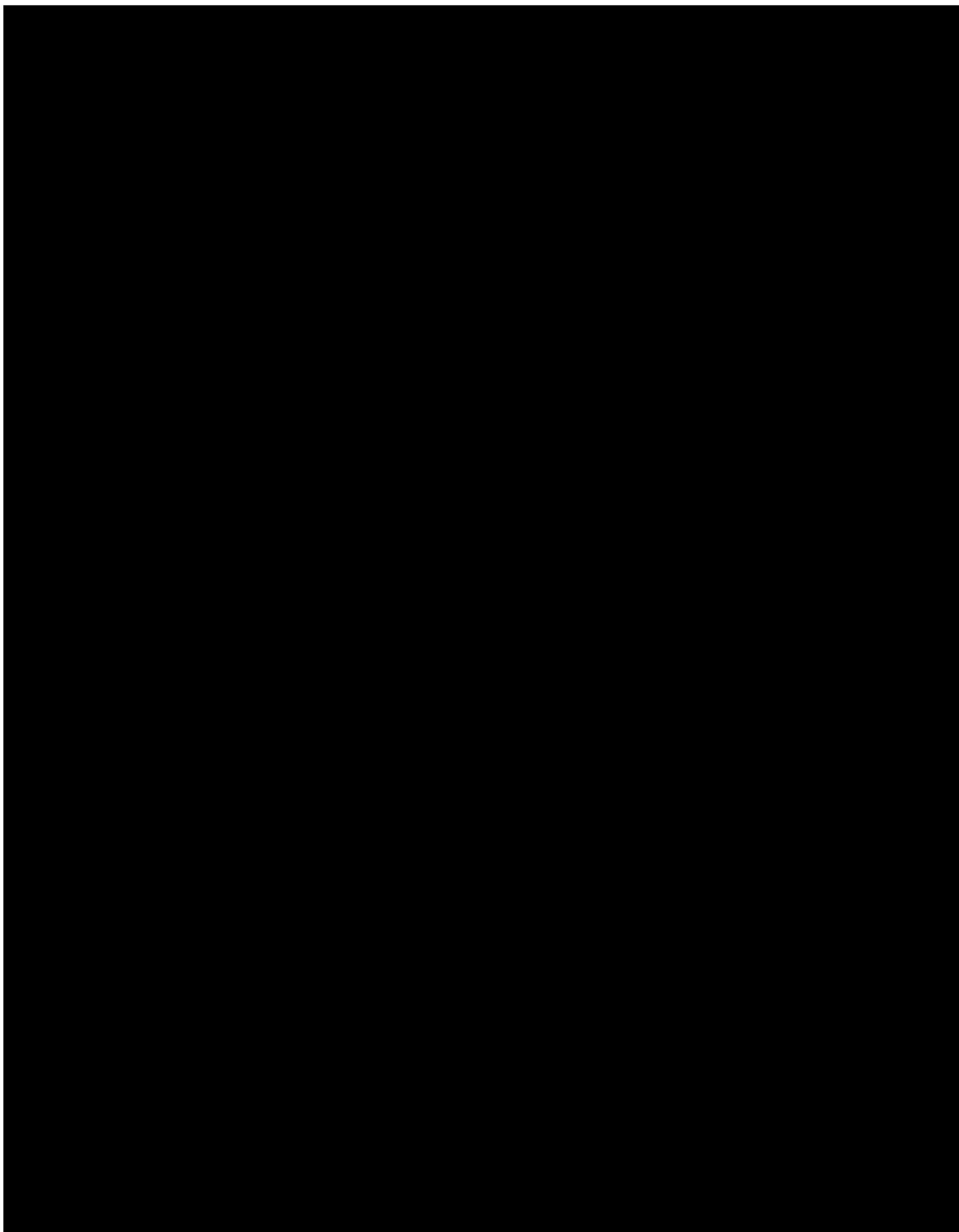
Very truly yours,

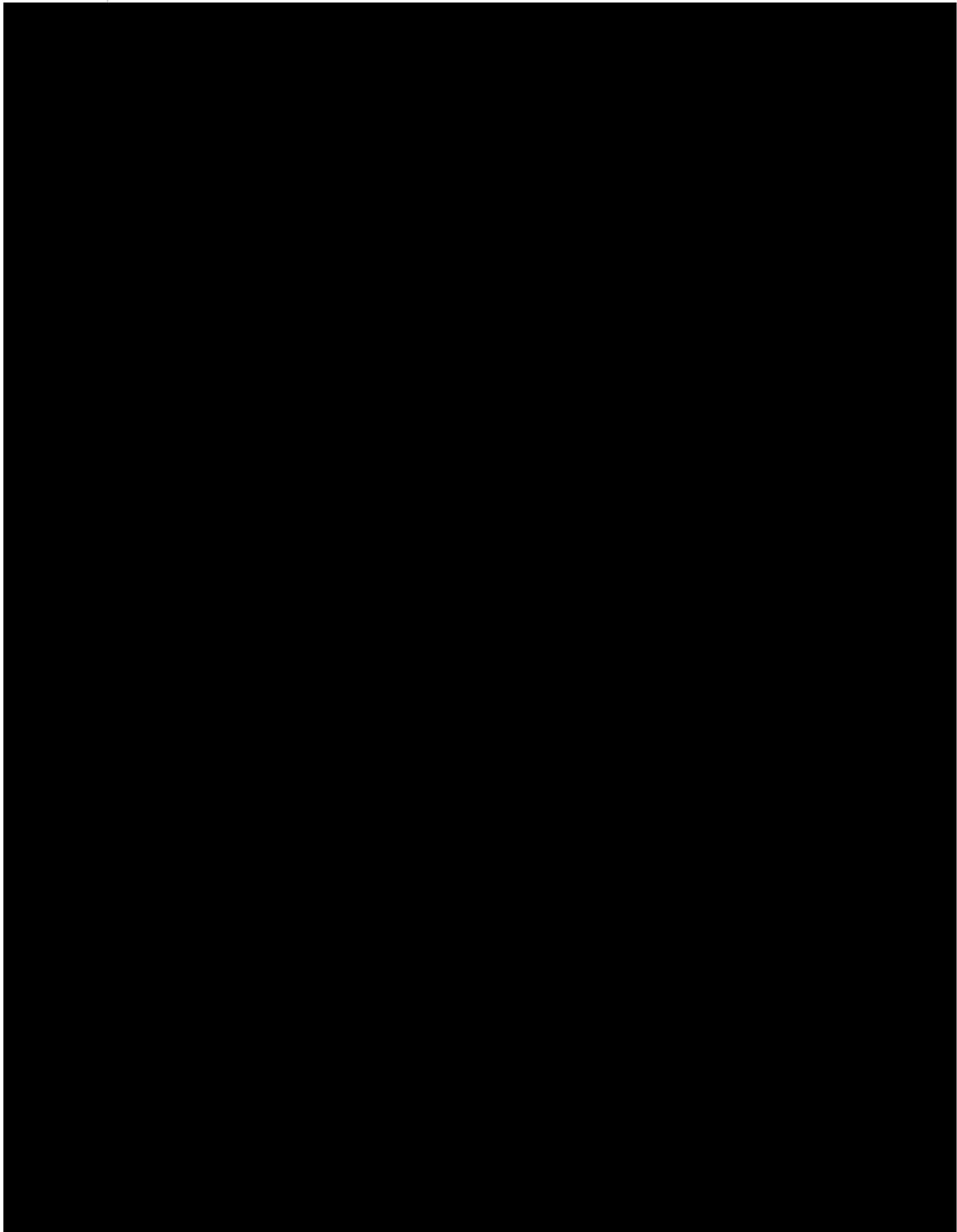


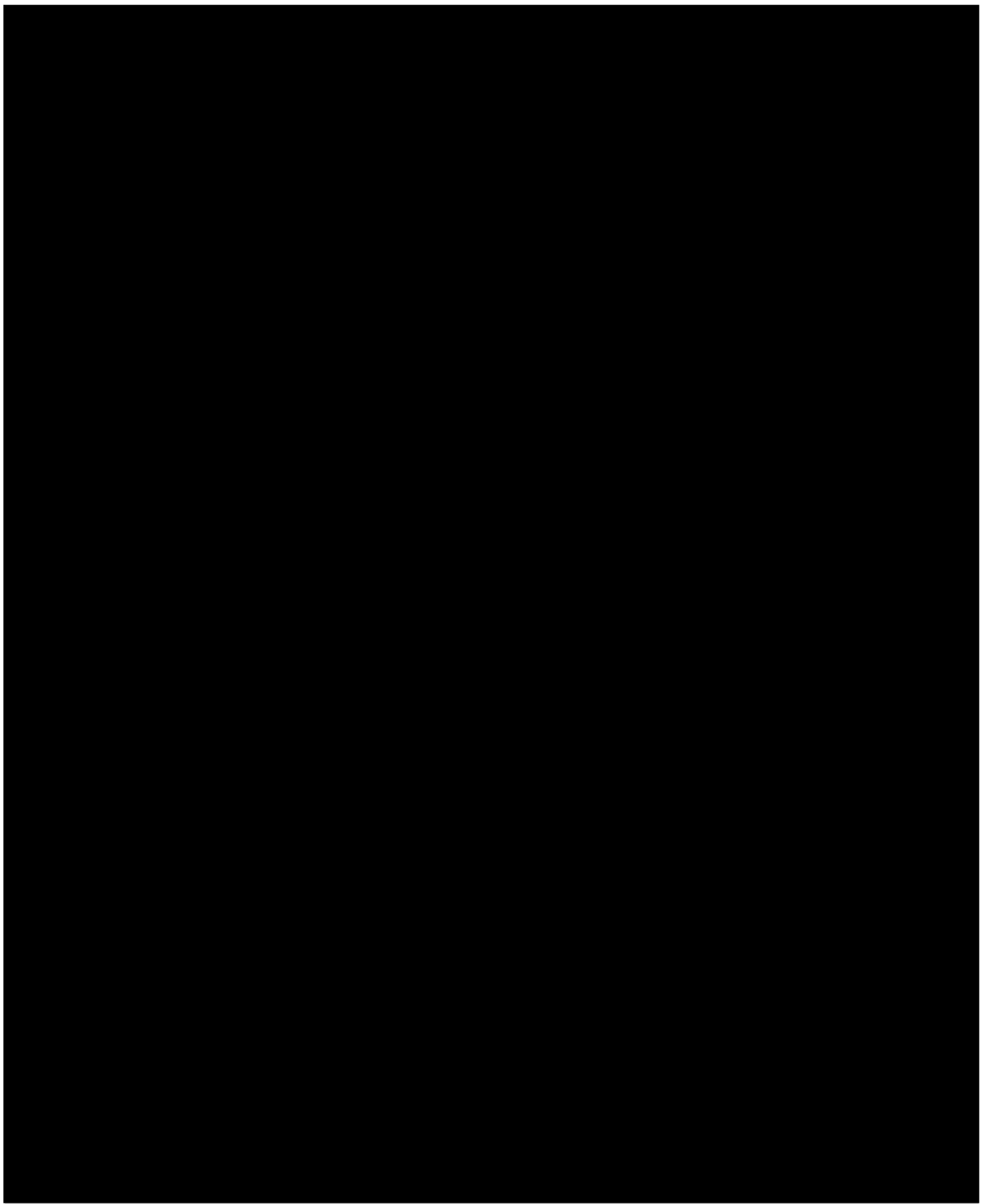
Irvin P Schmutter, CPA

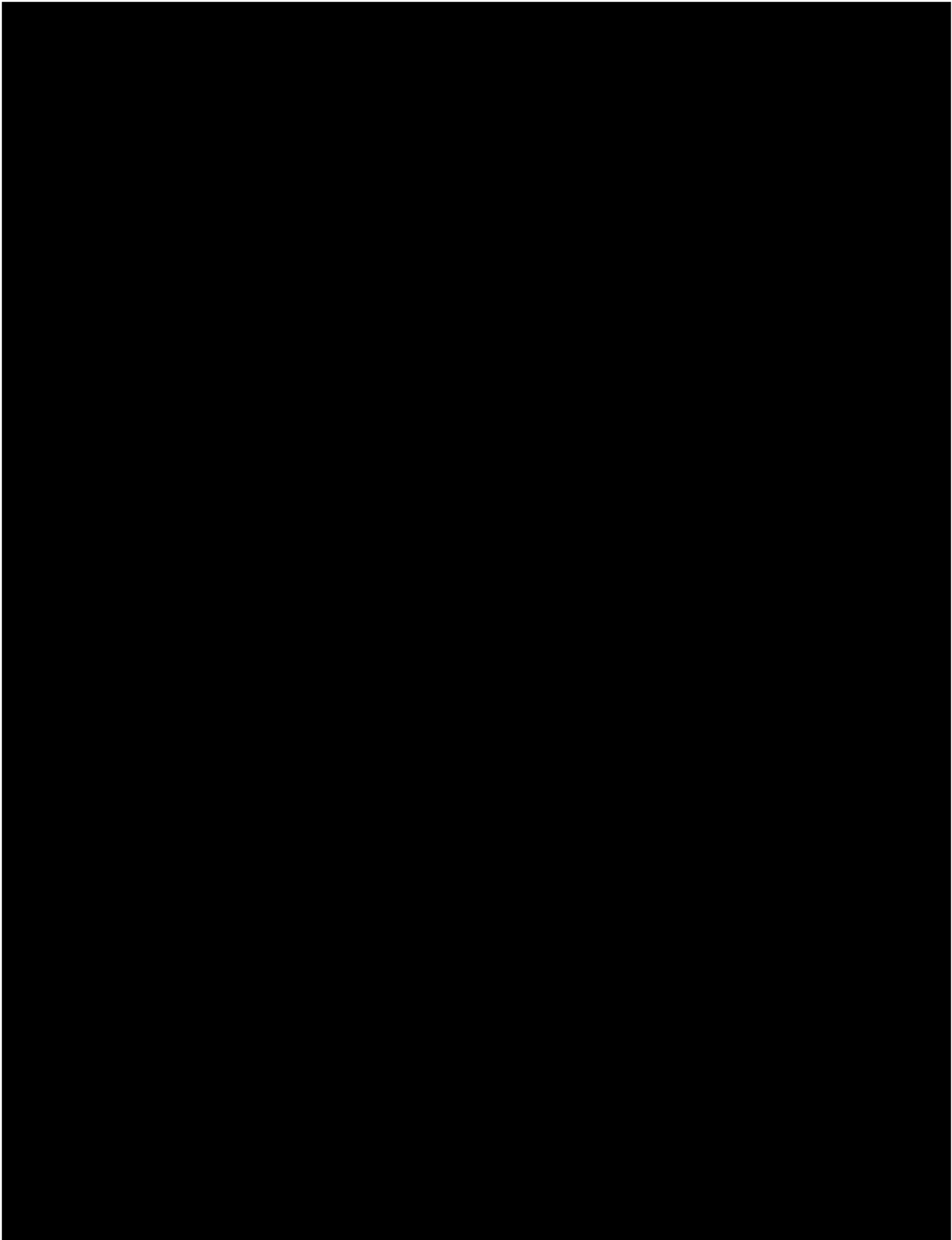


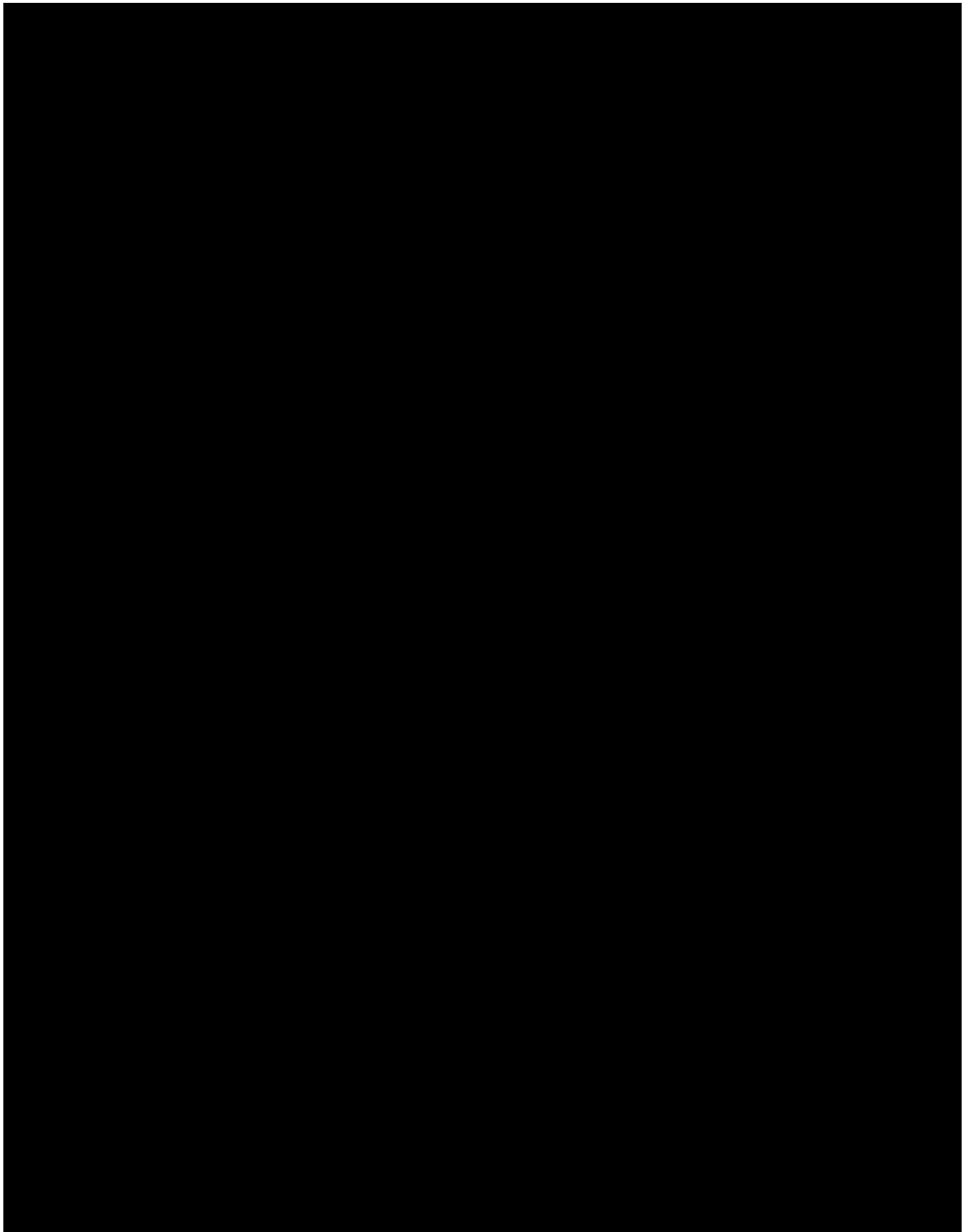


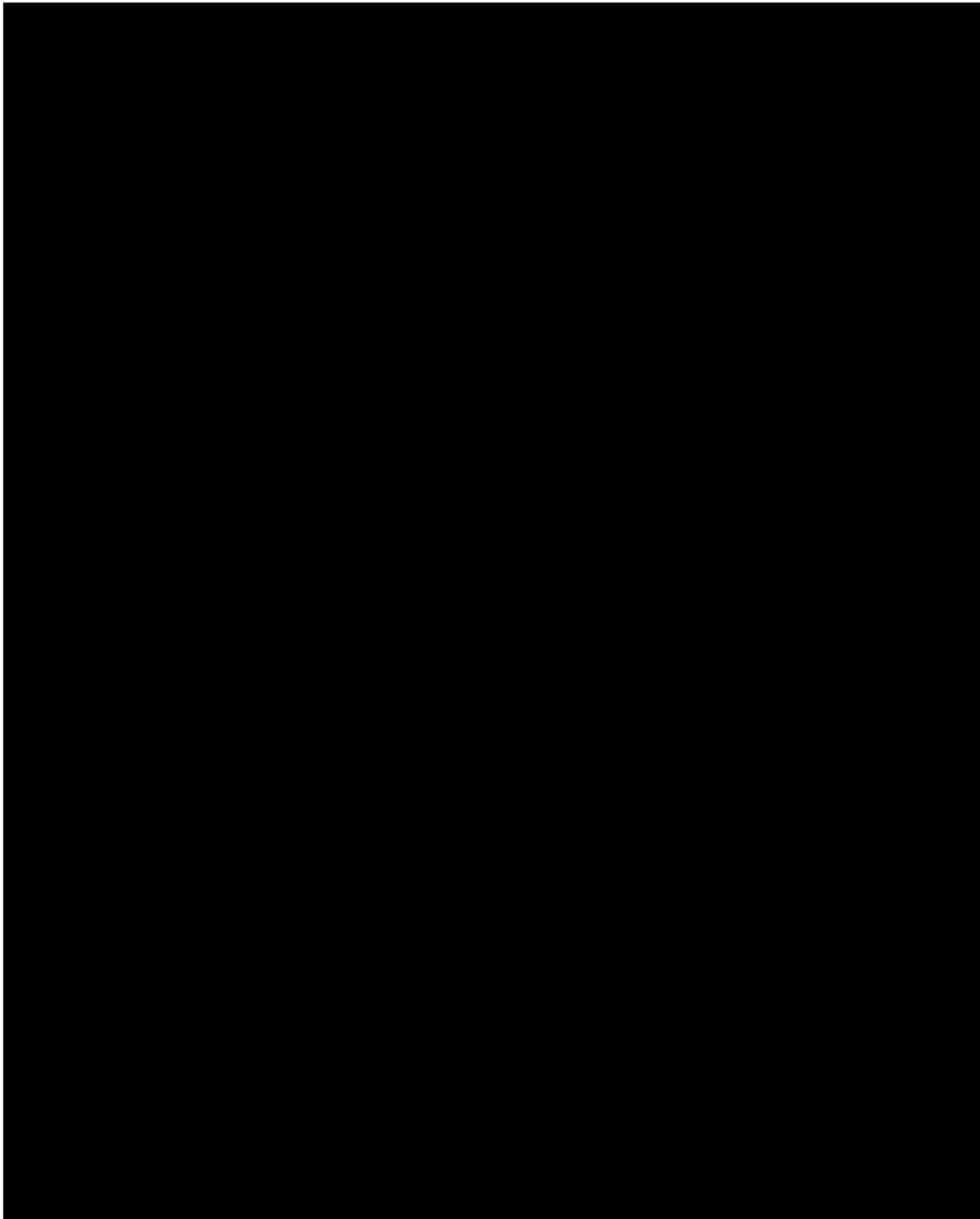


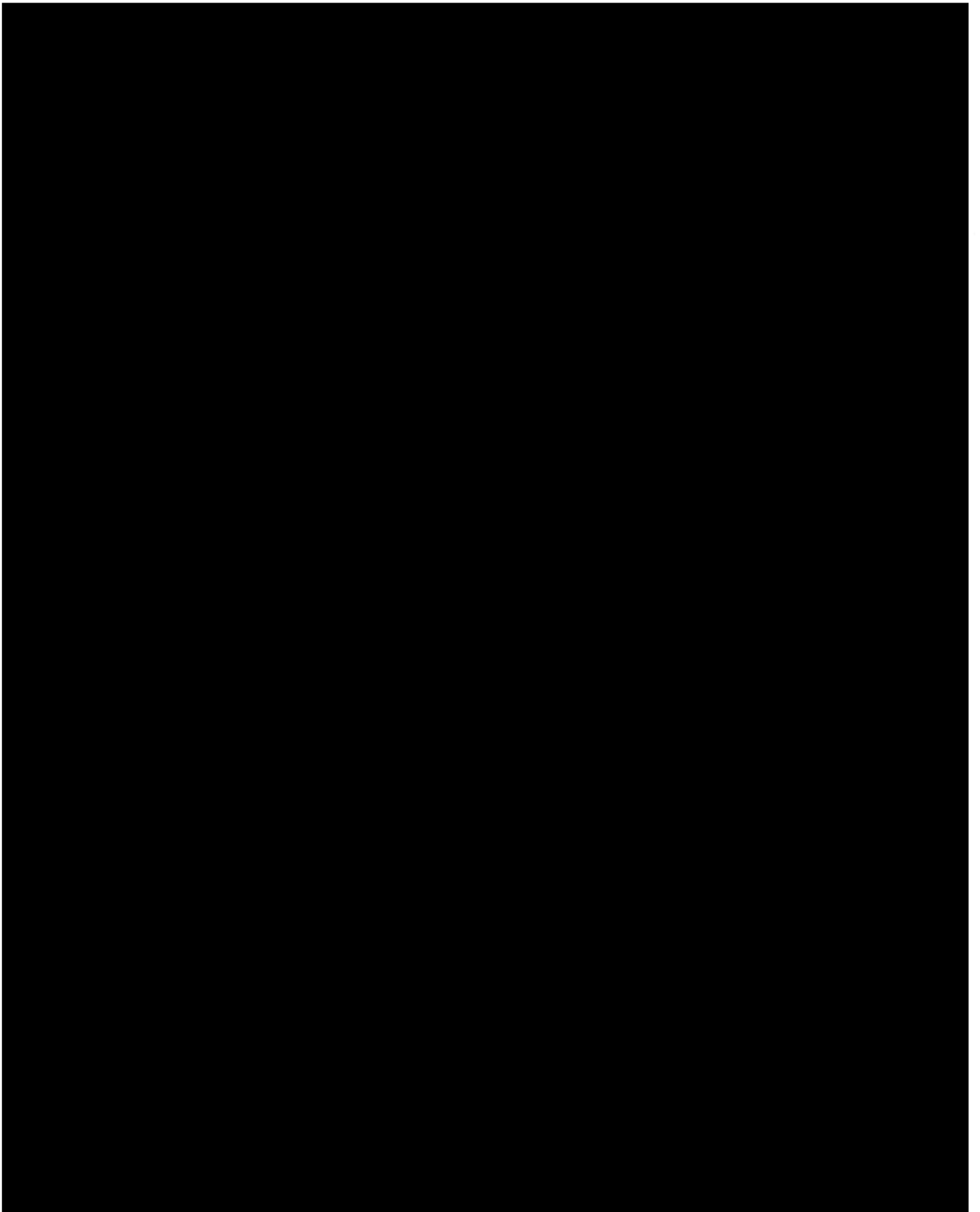


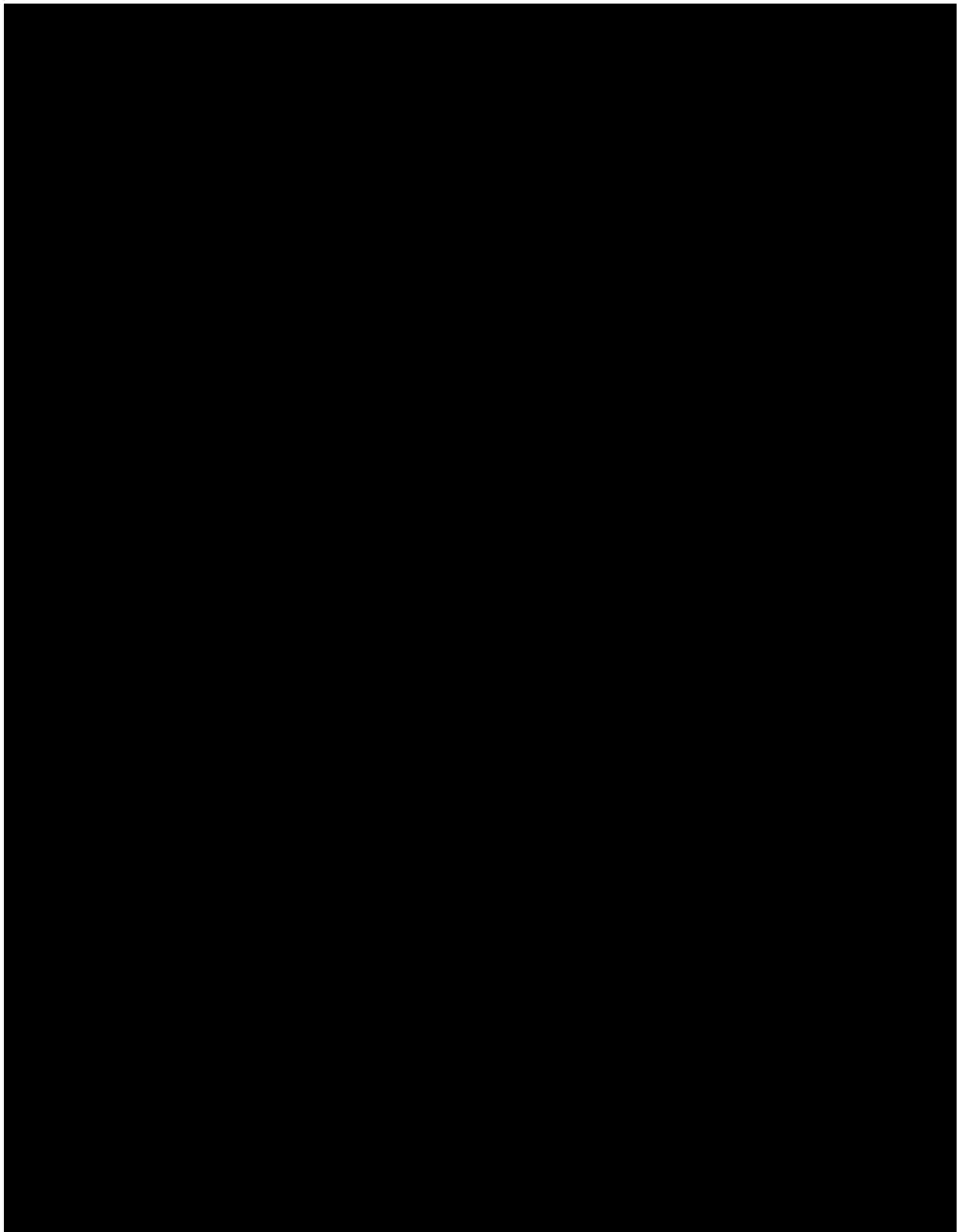


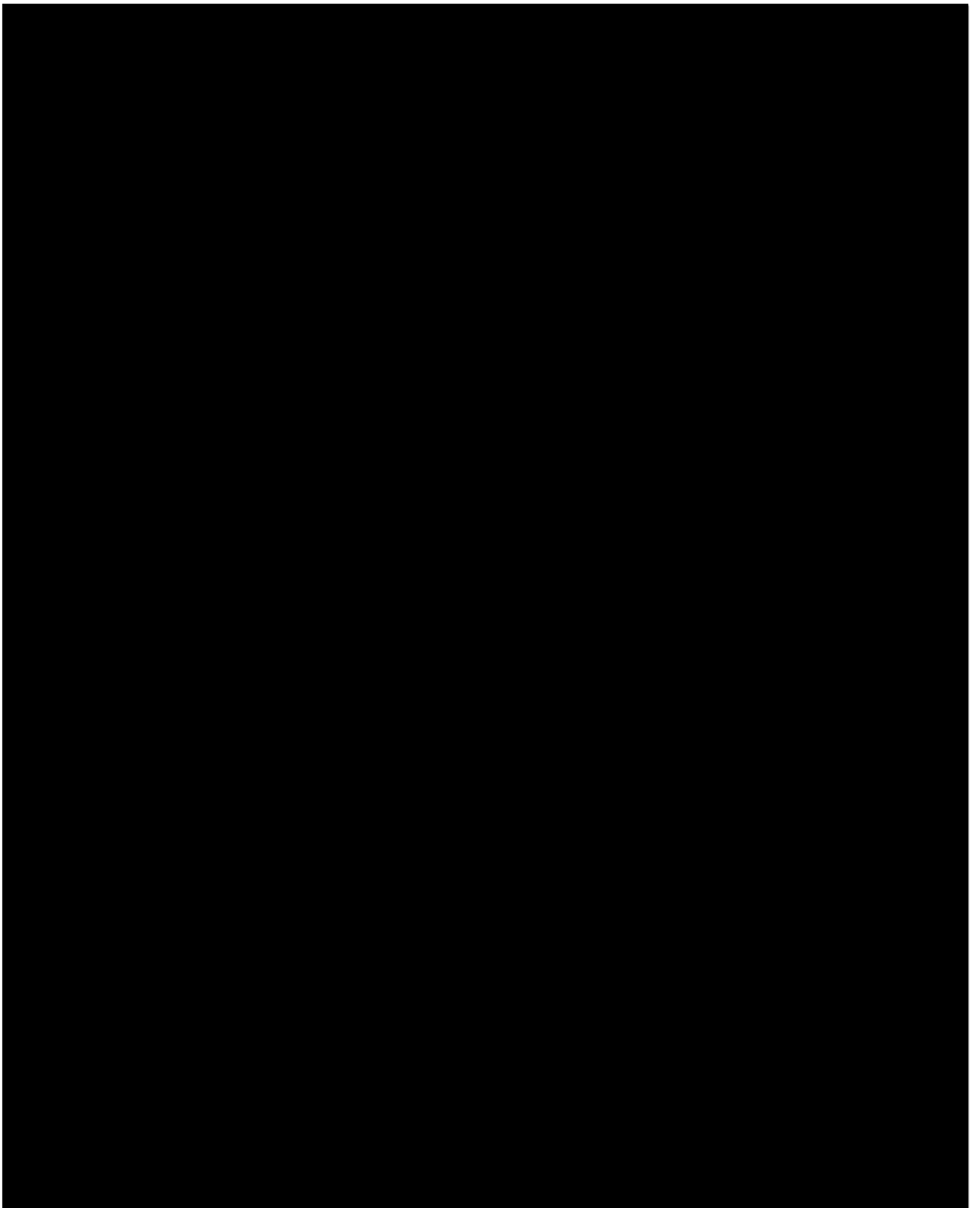


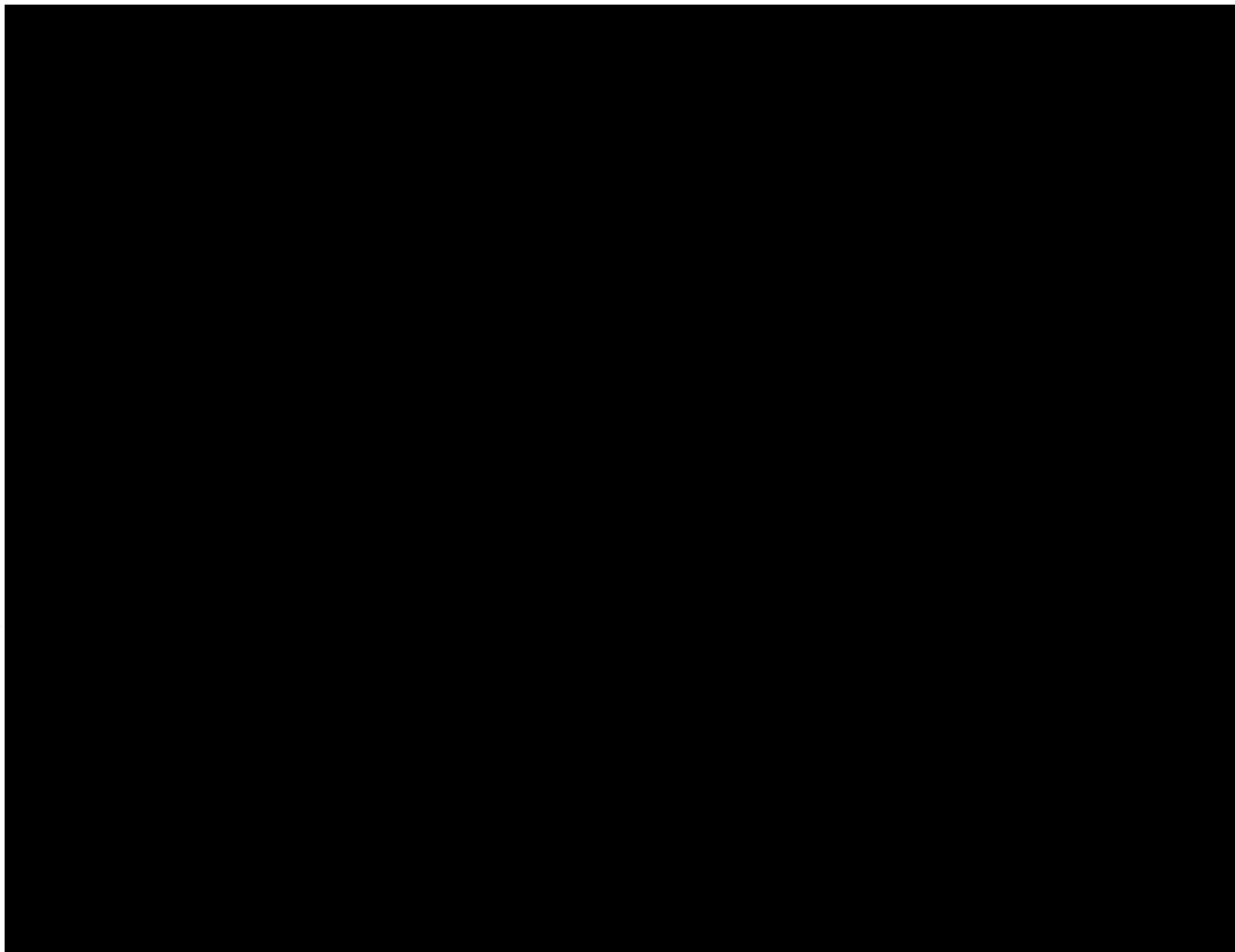


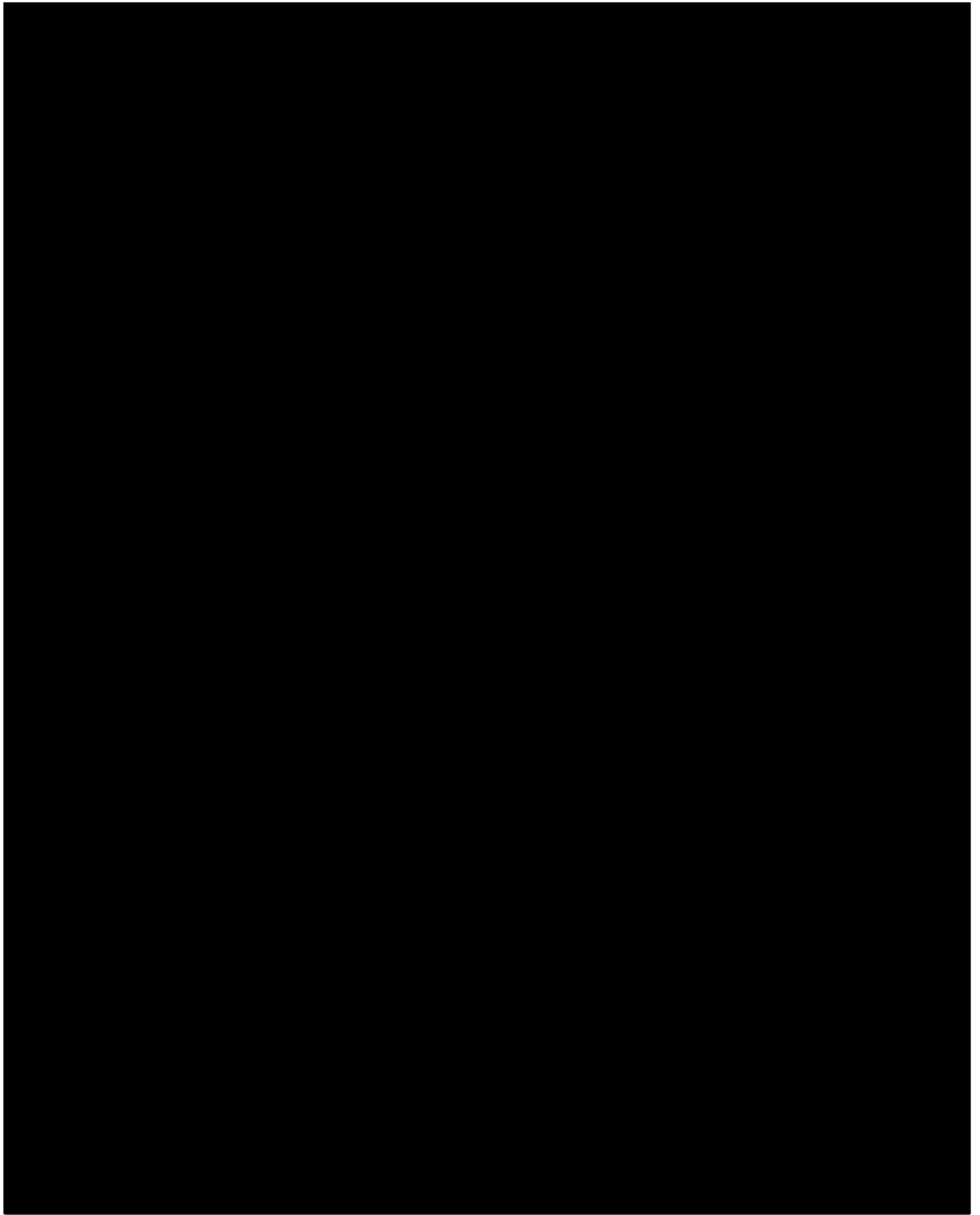


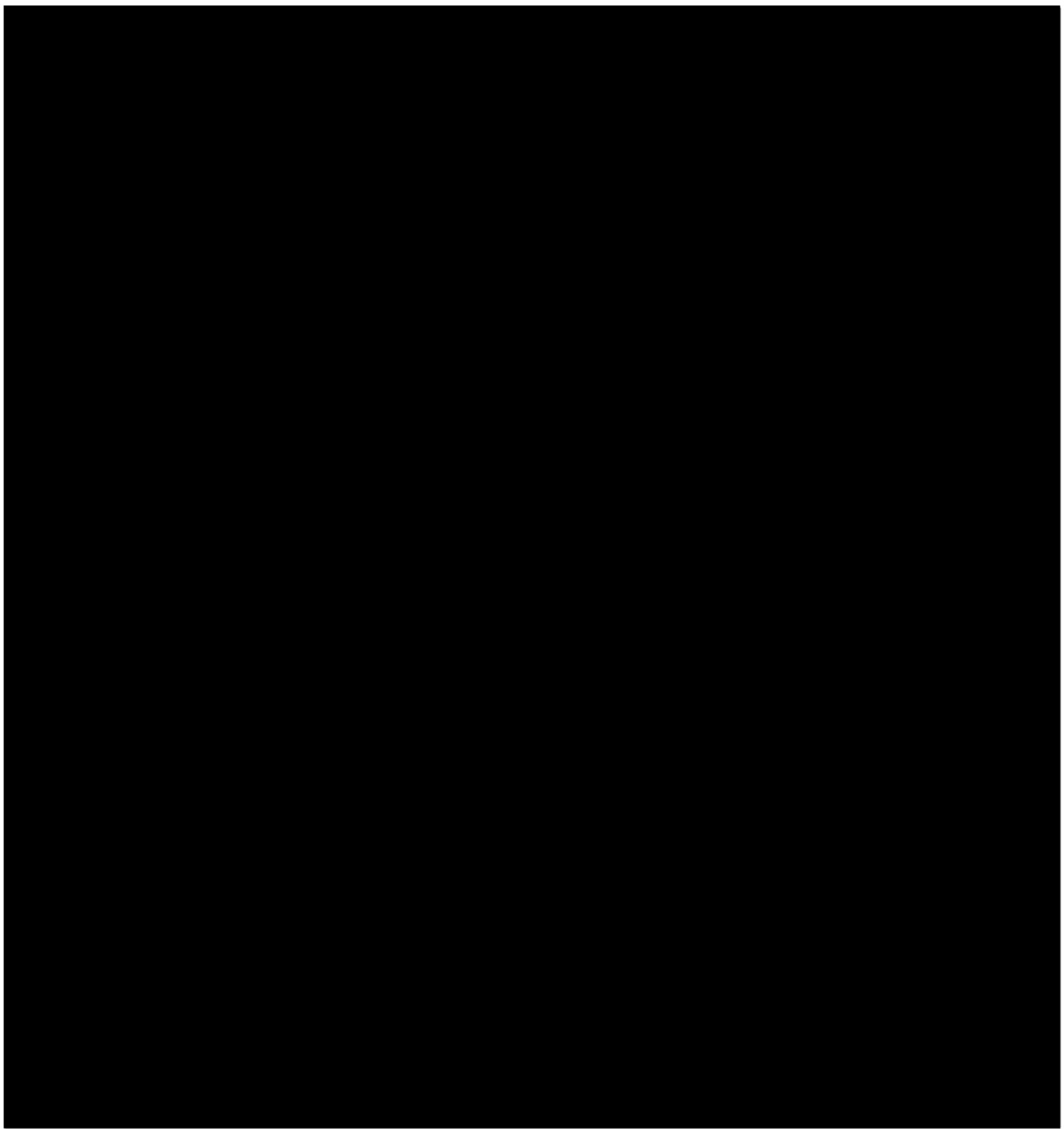


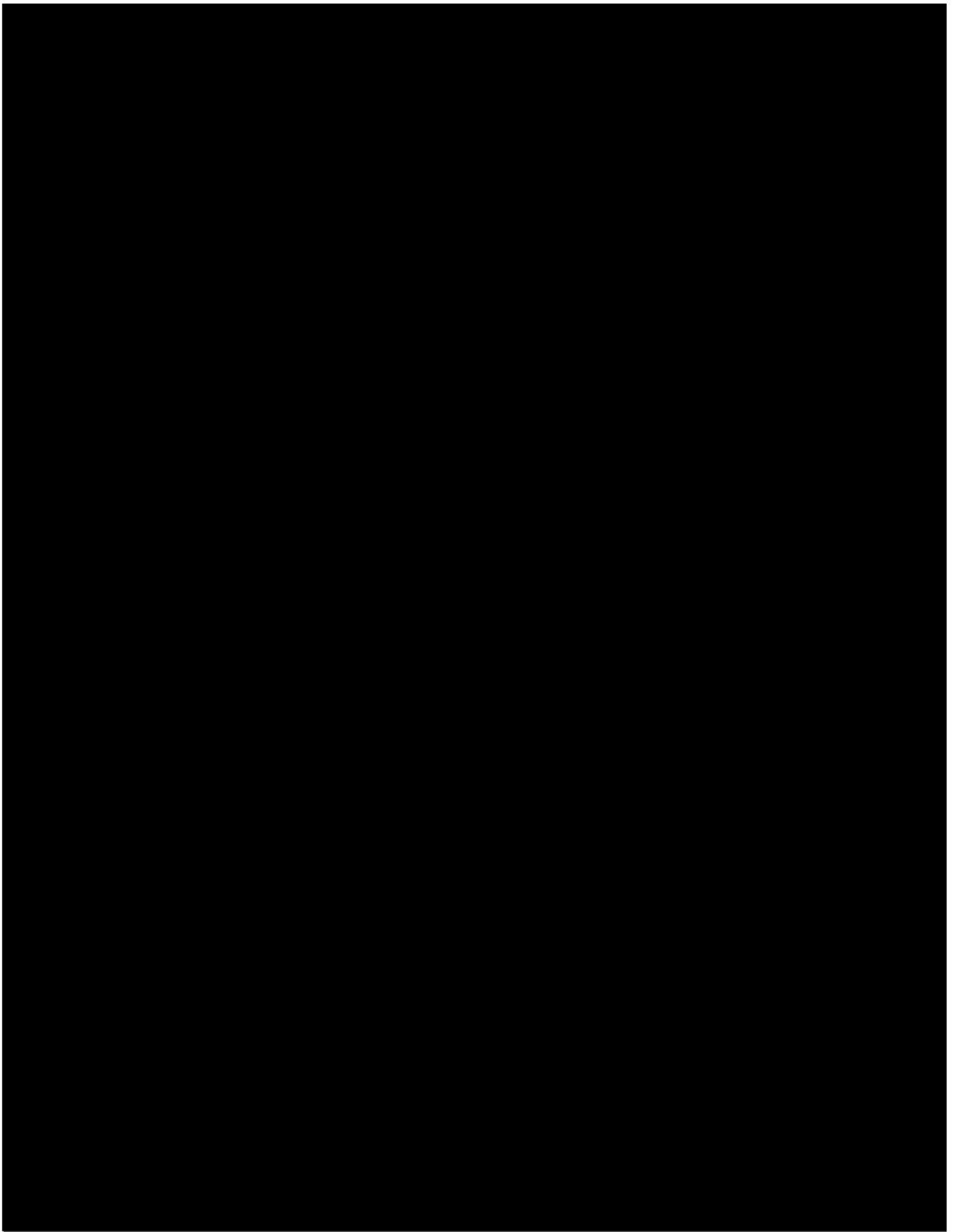


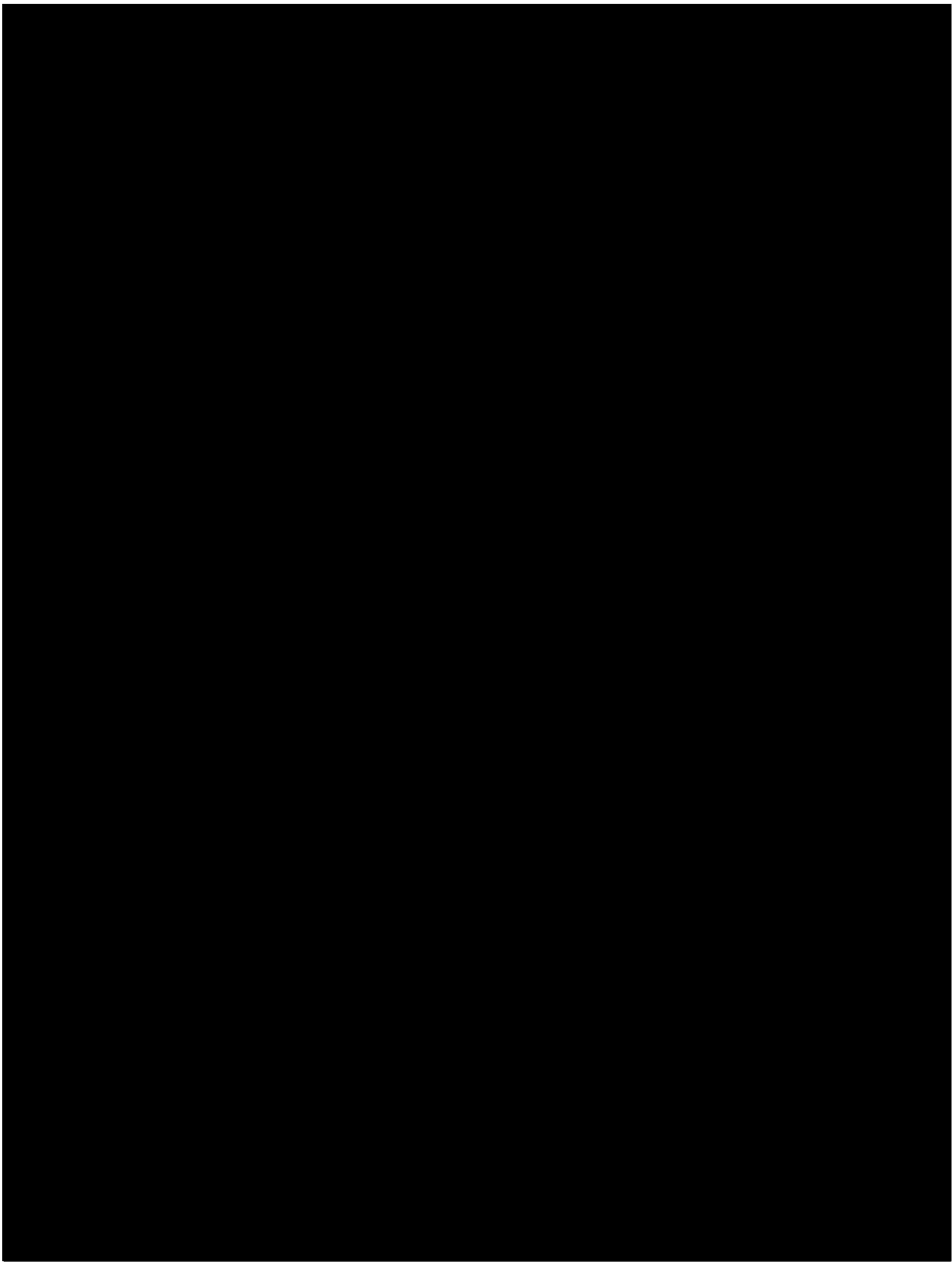


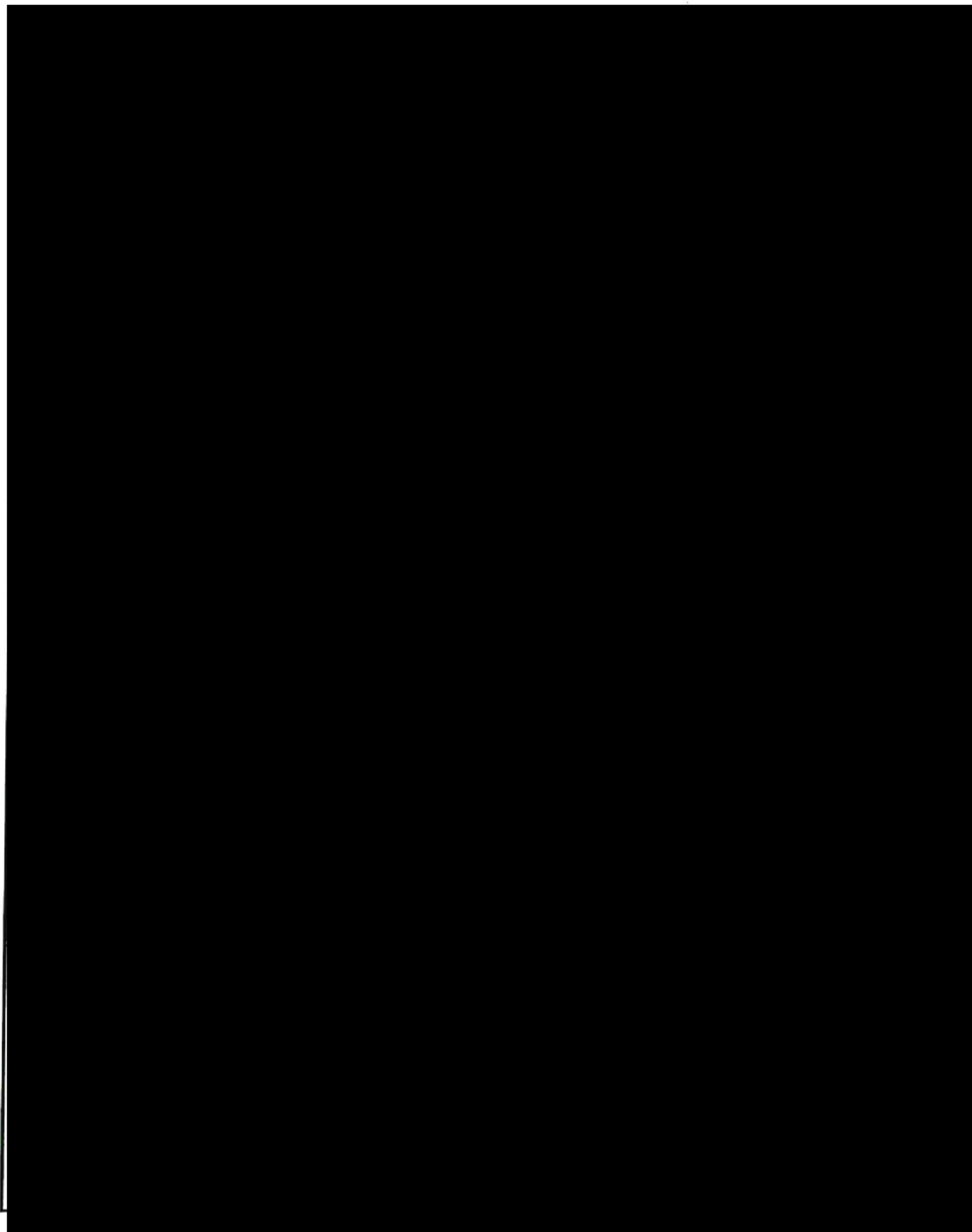


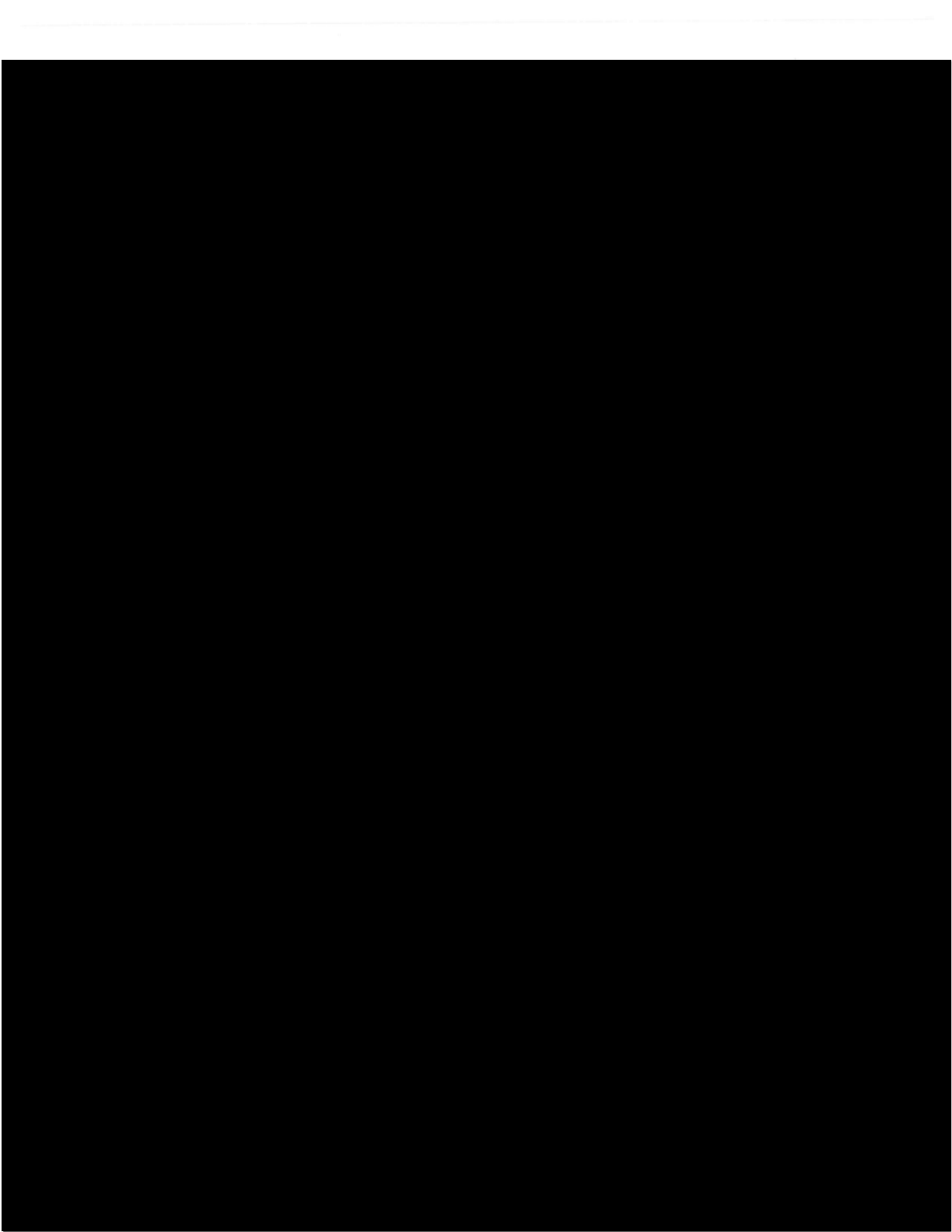


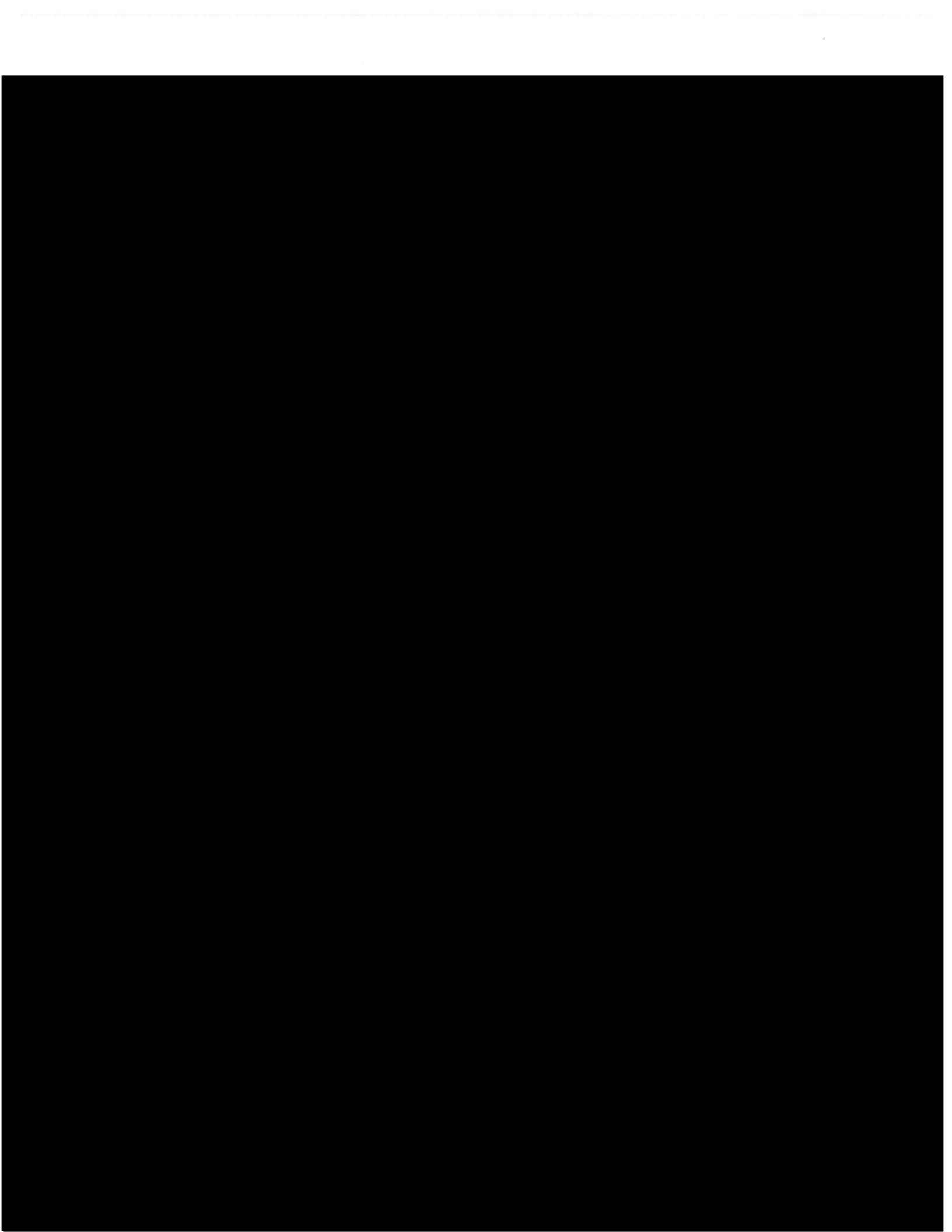


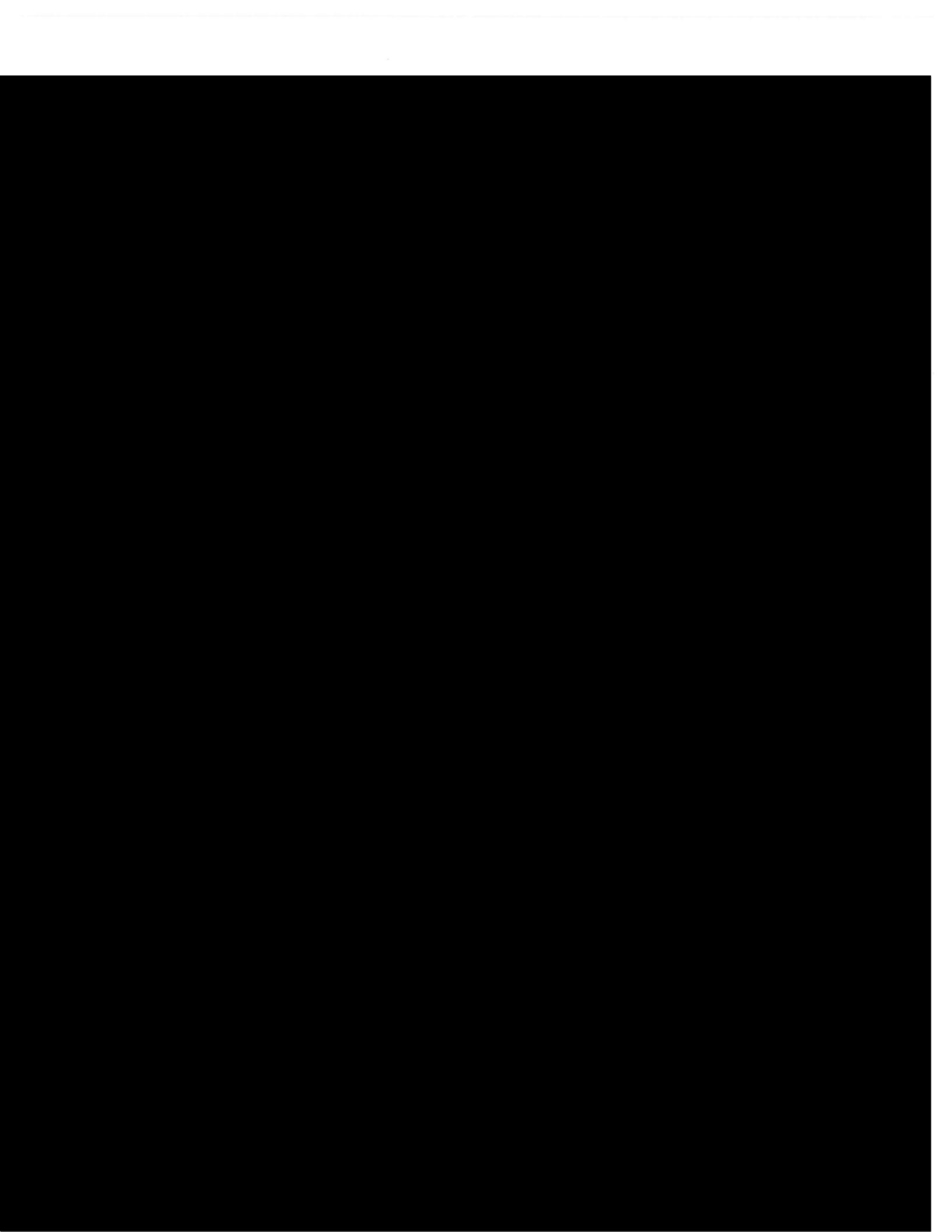


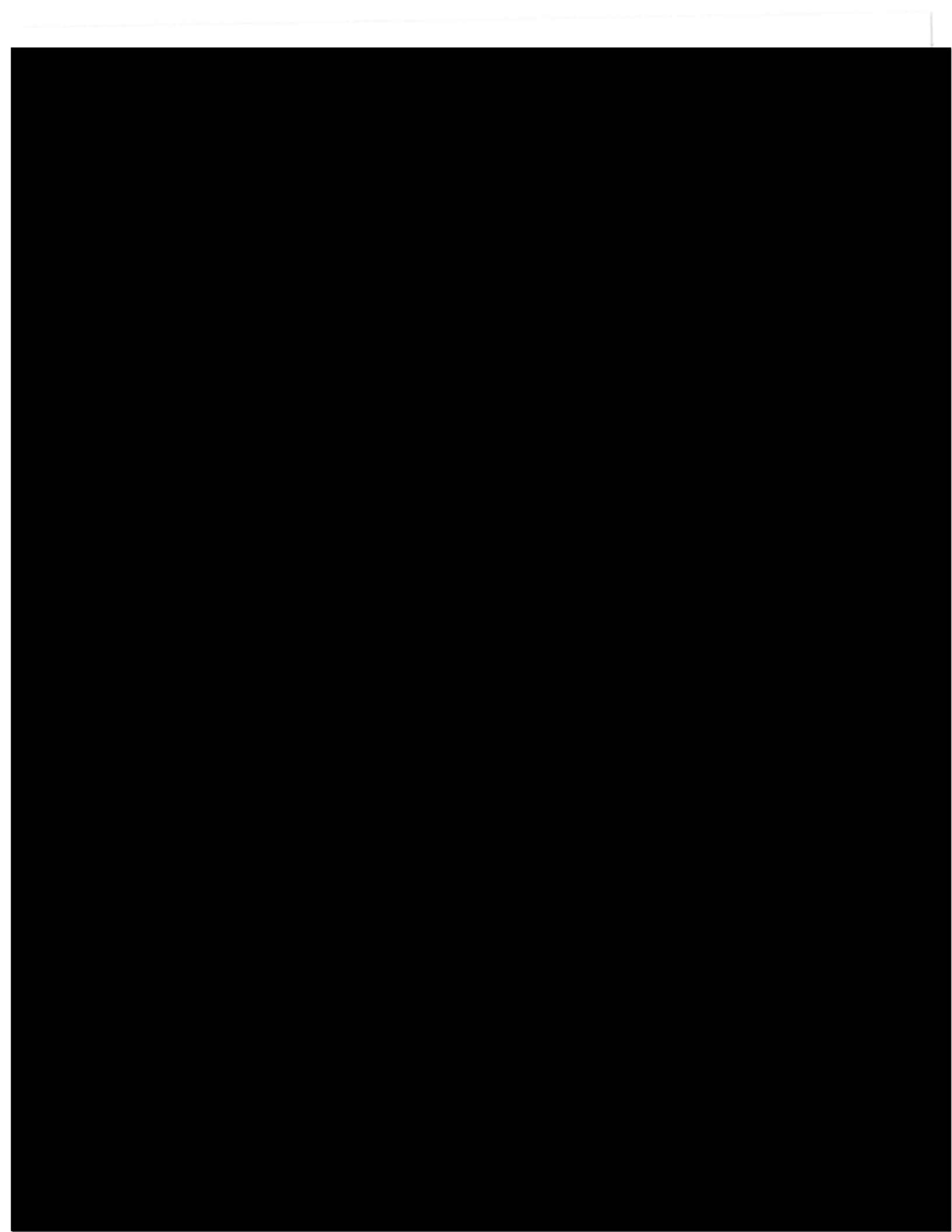


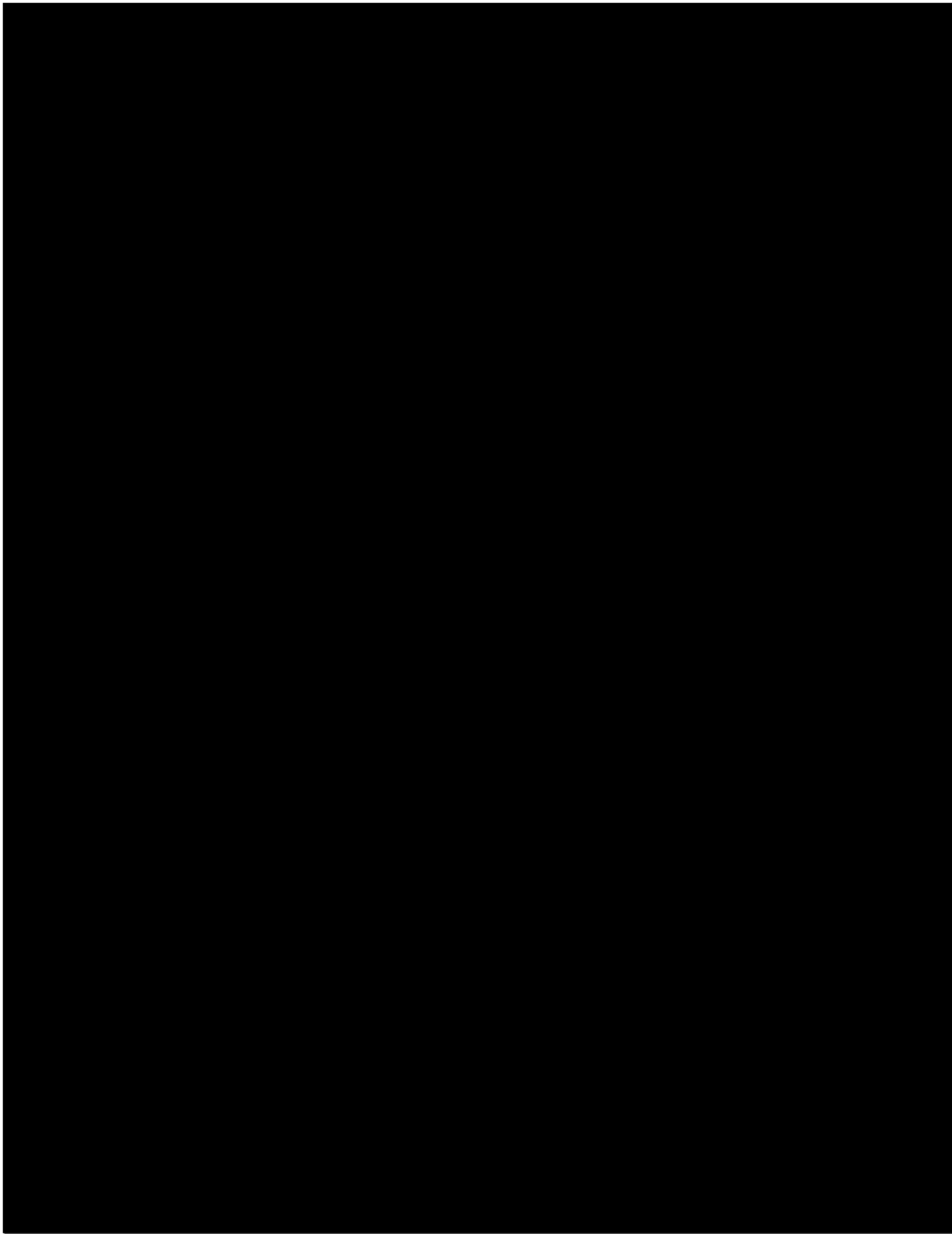


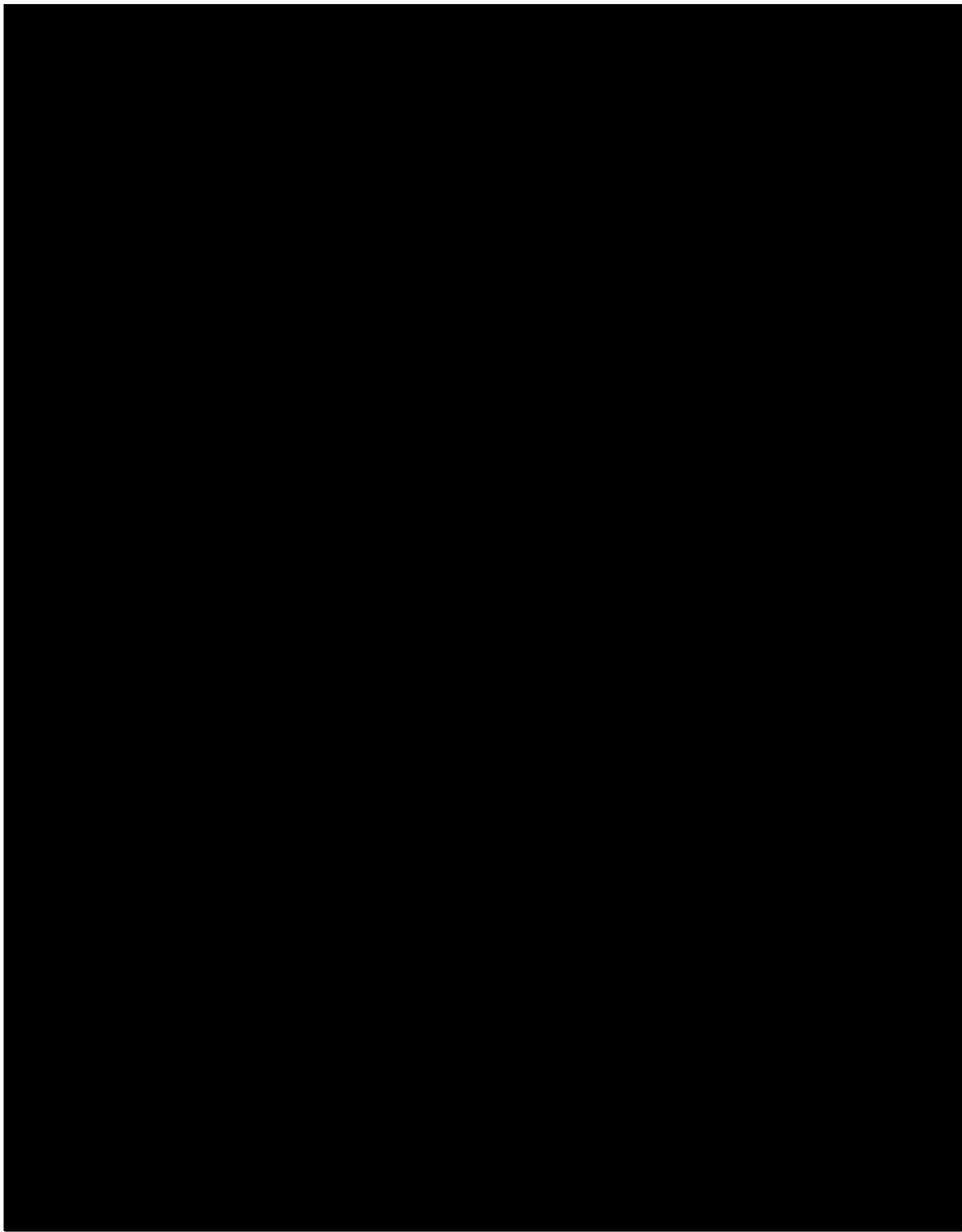


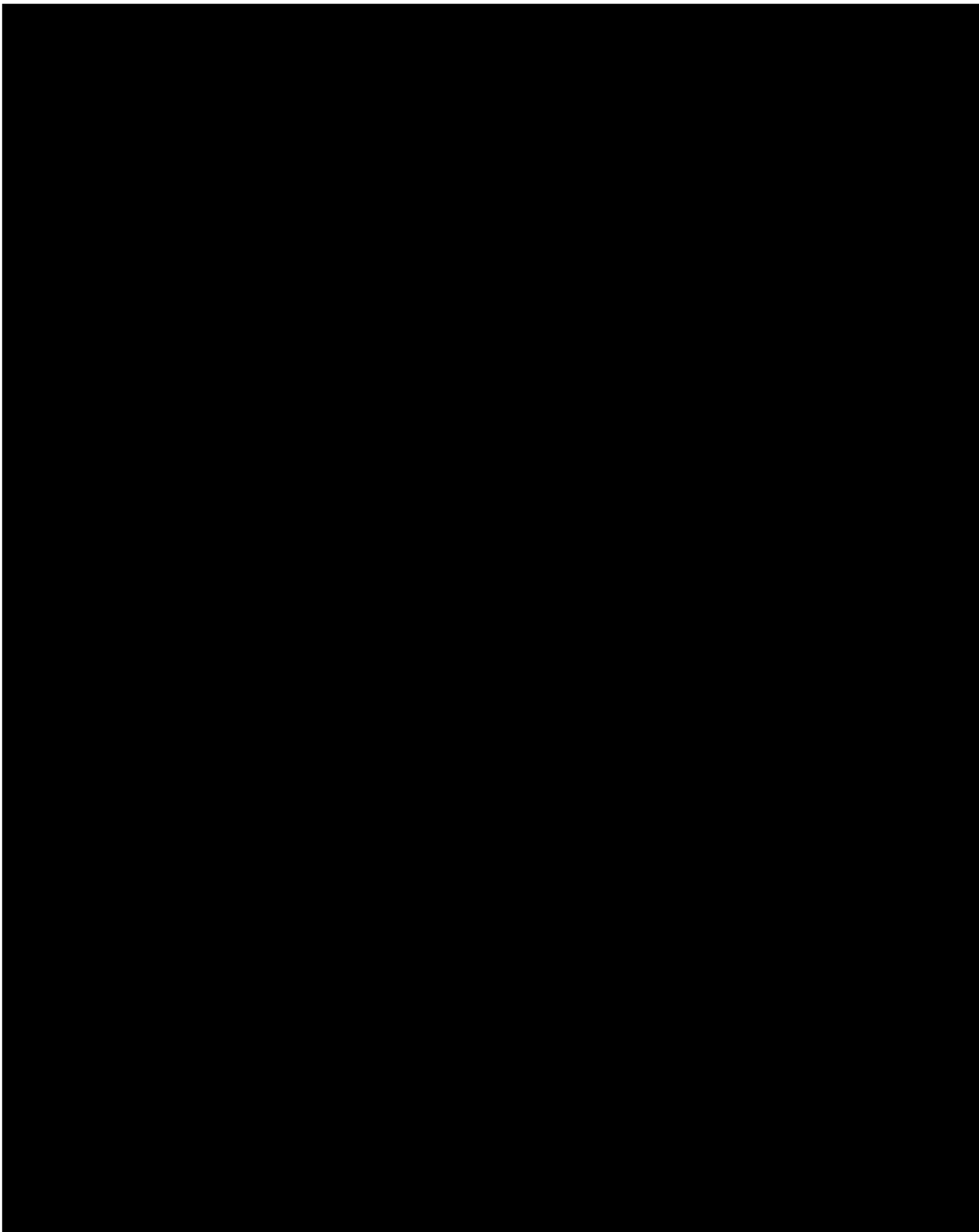


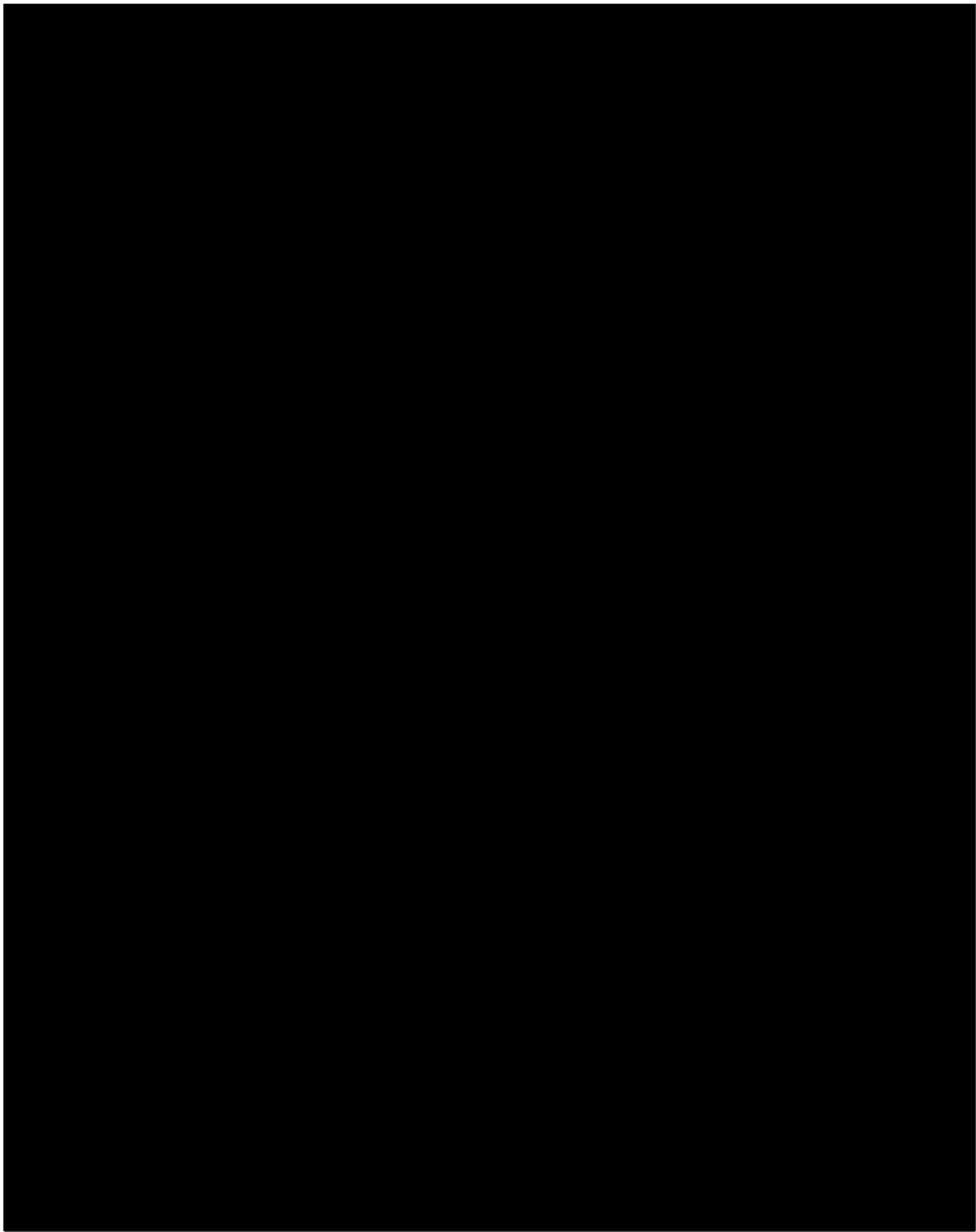


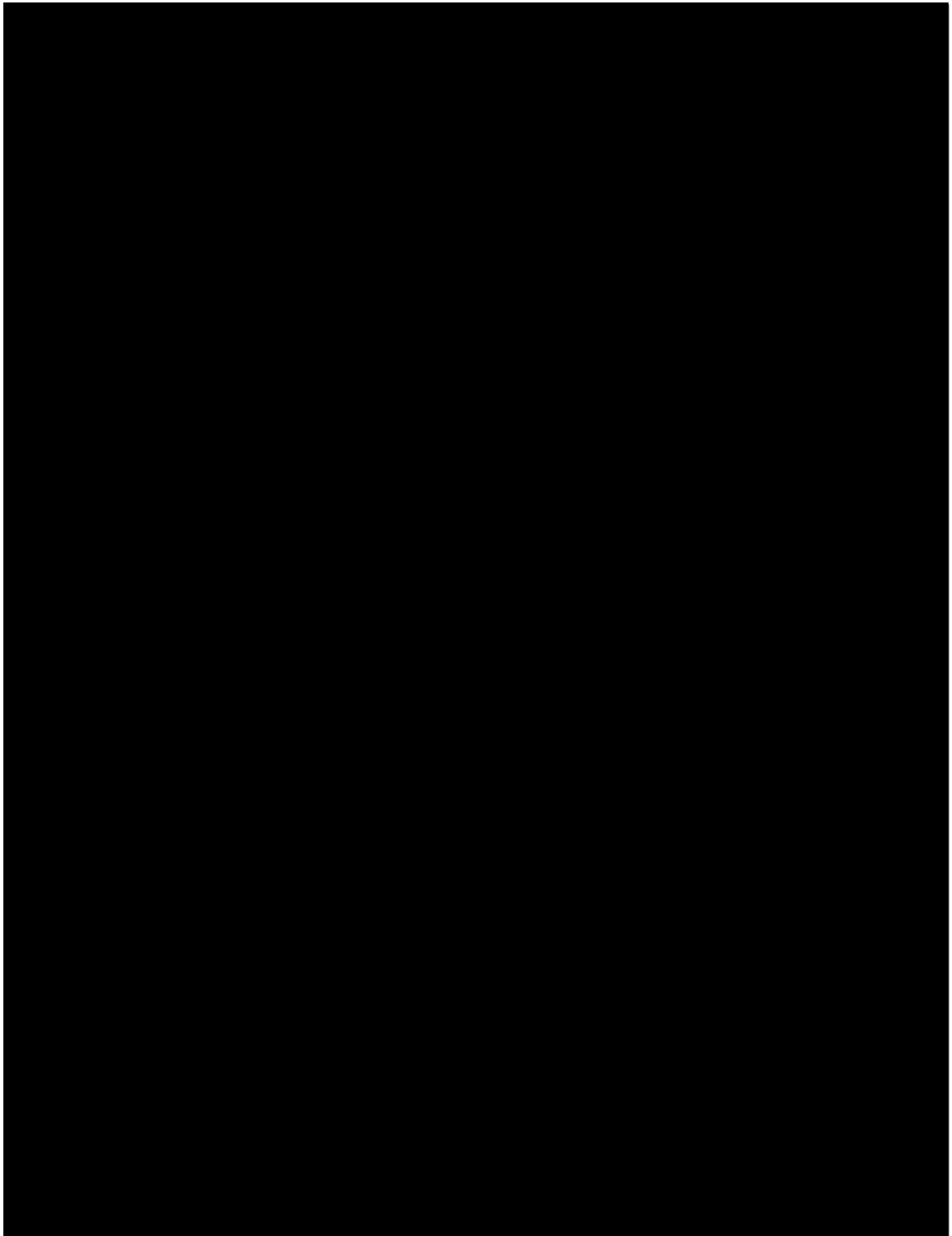


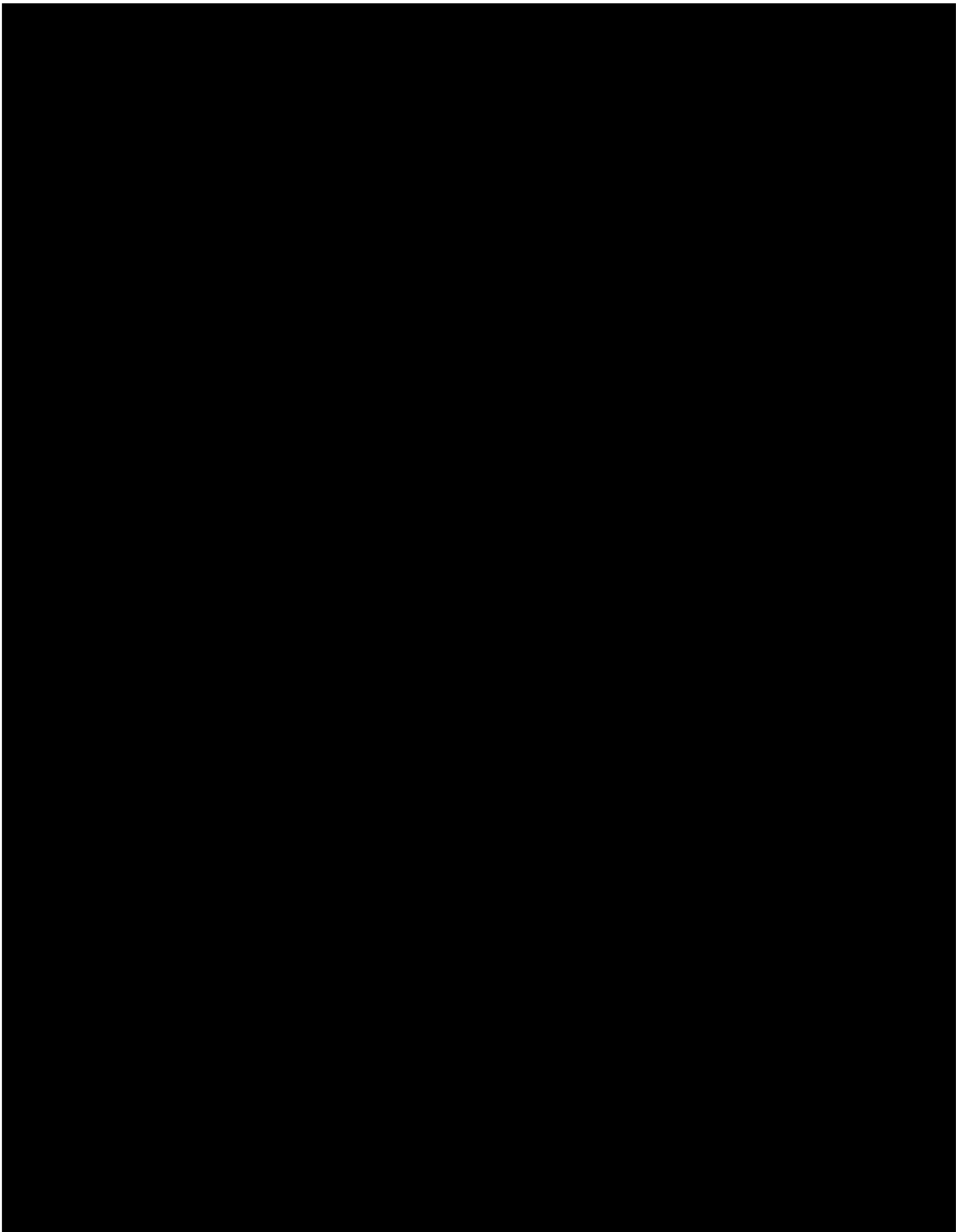


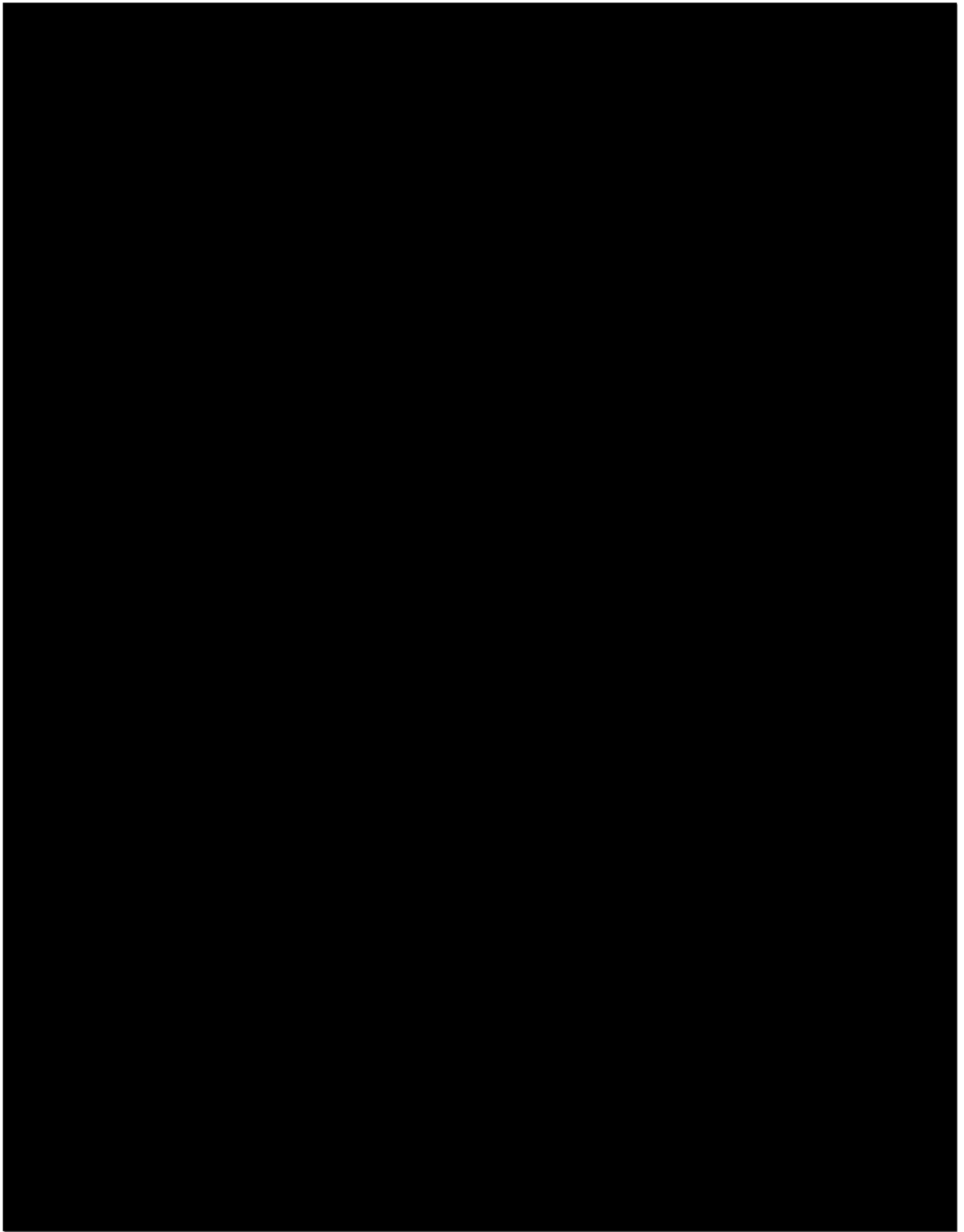


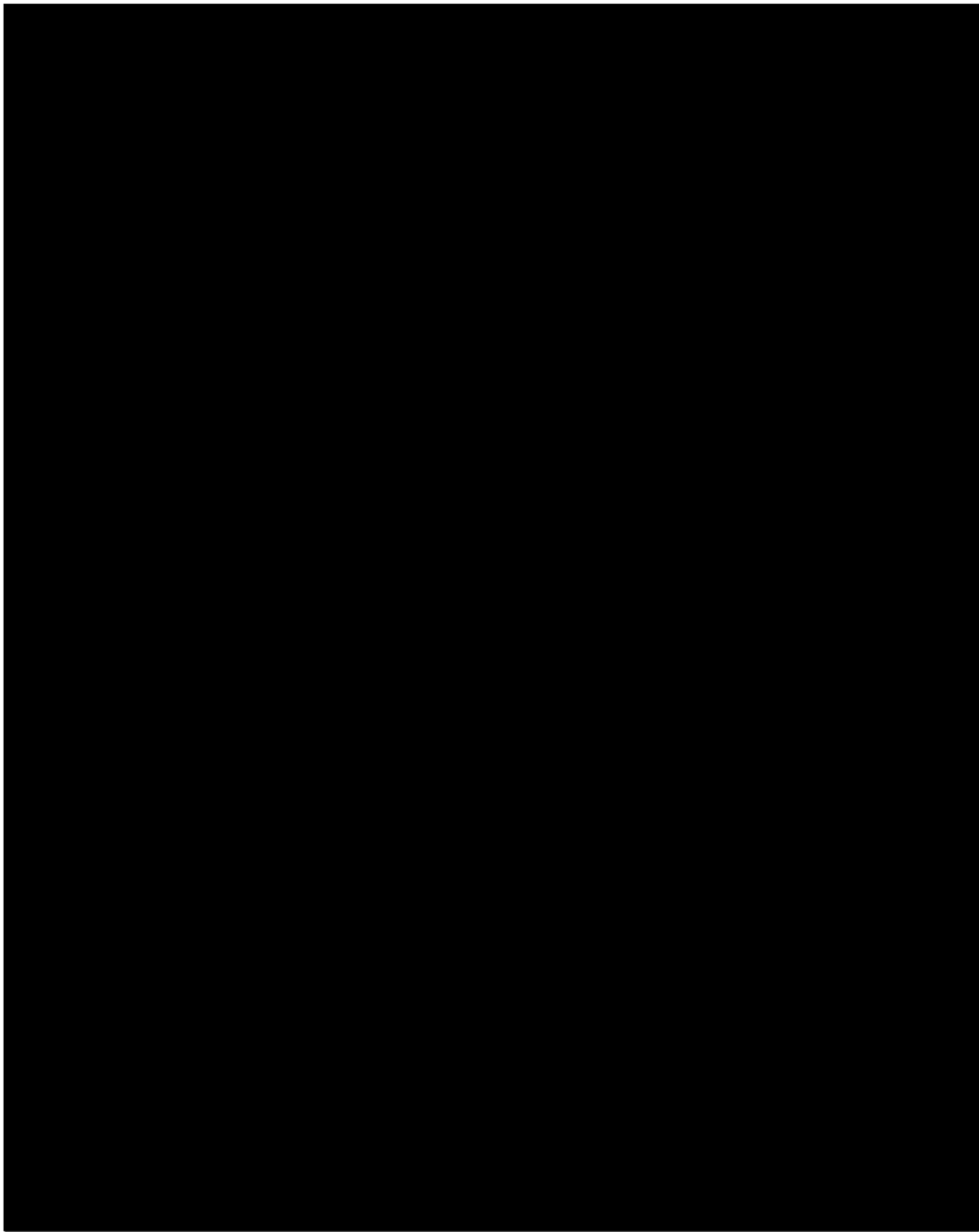


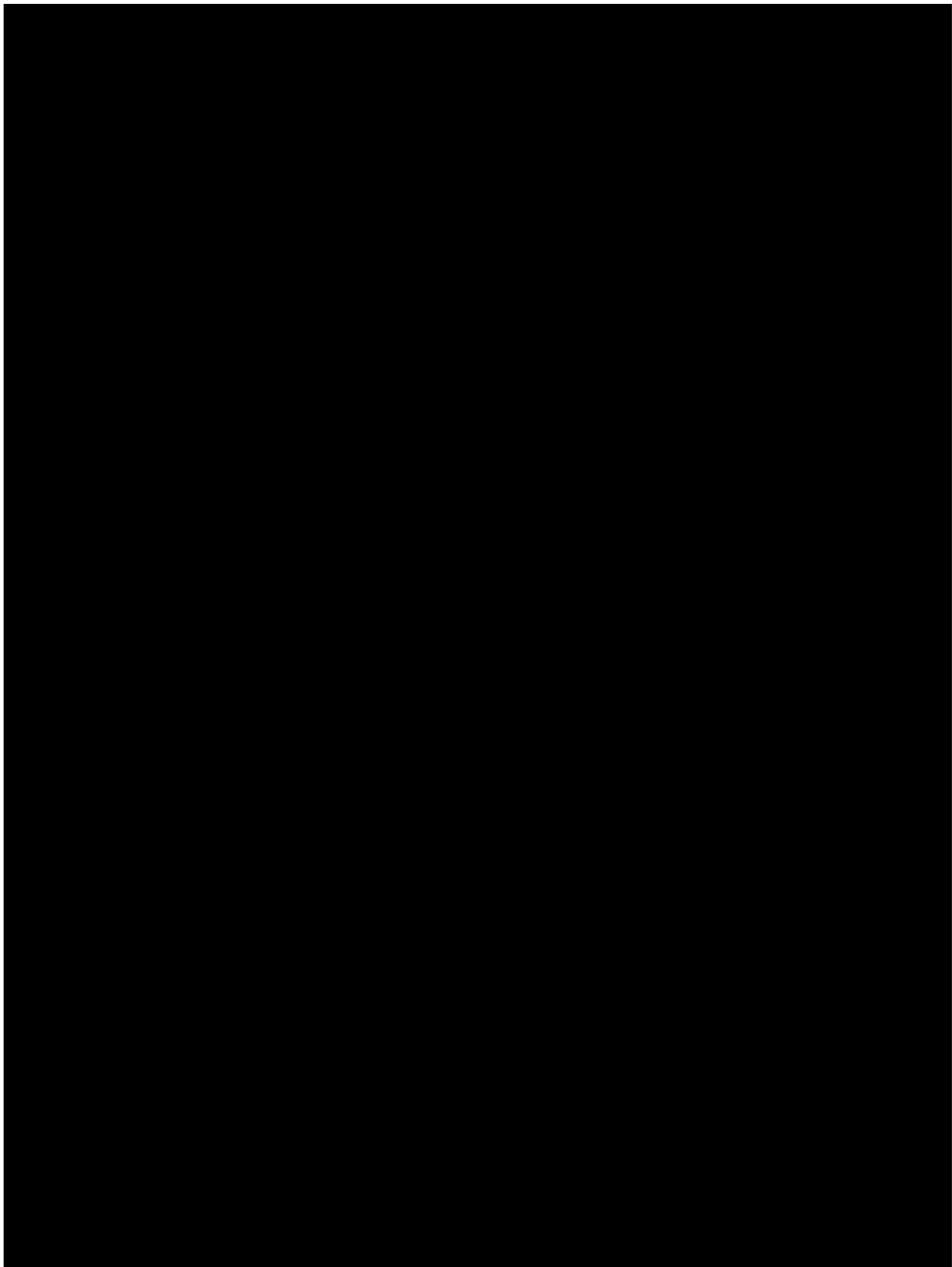


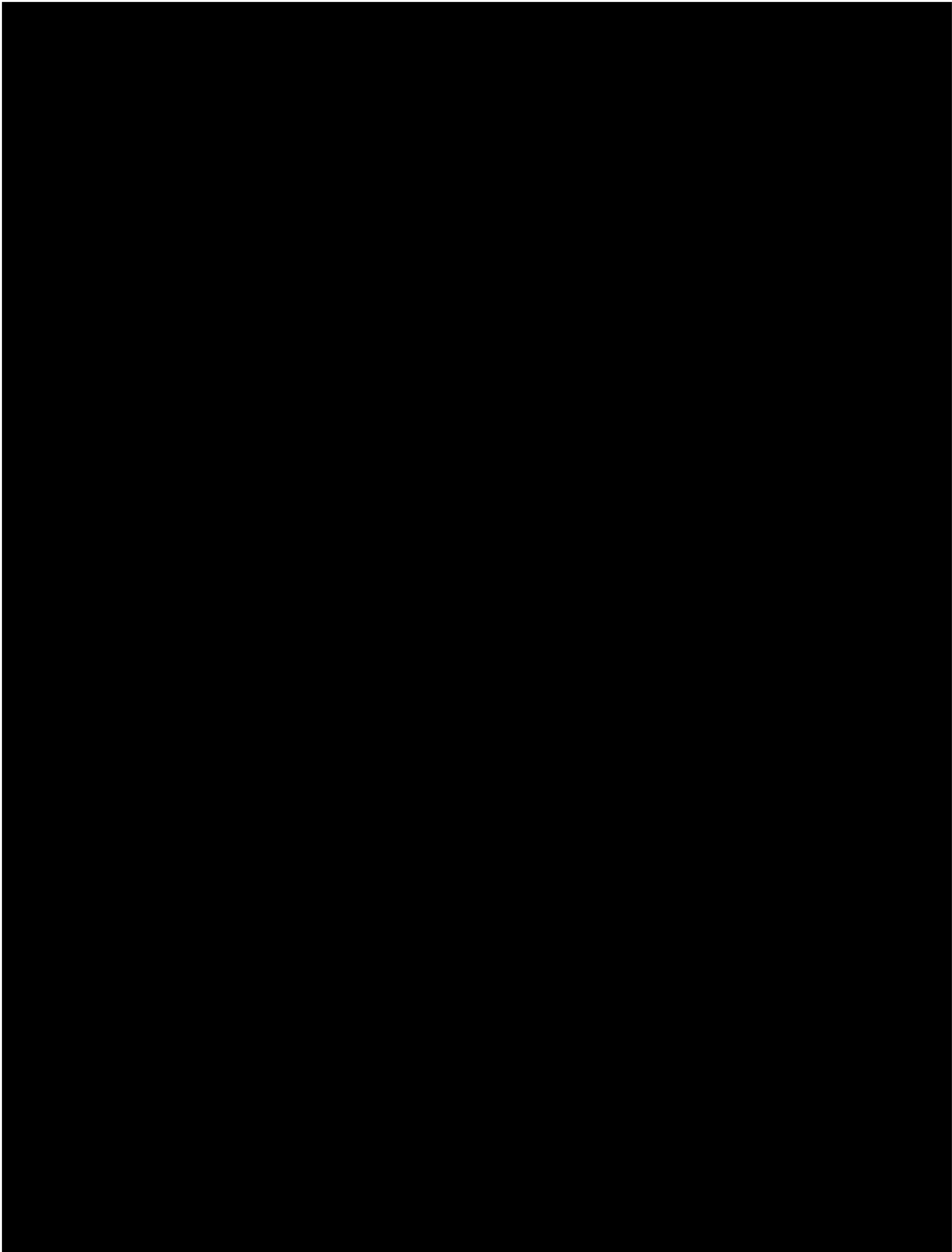


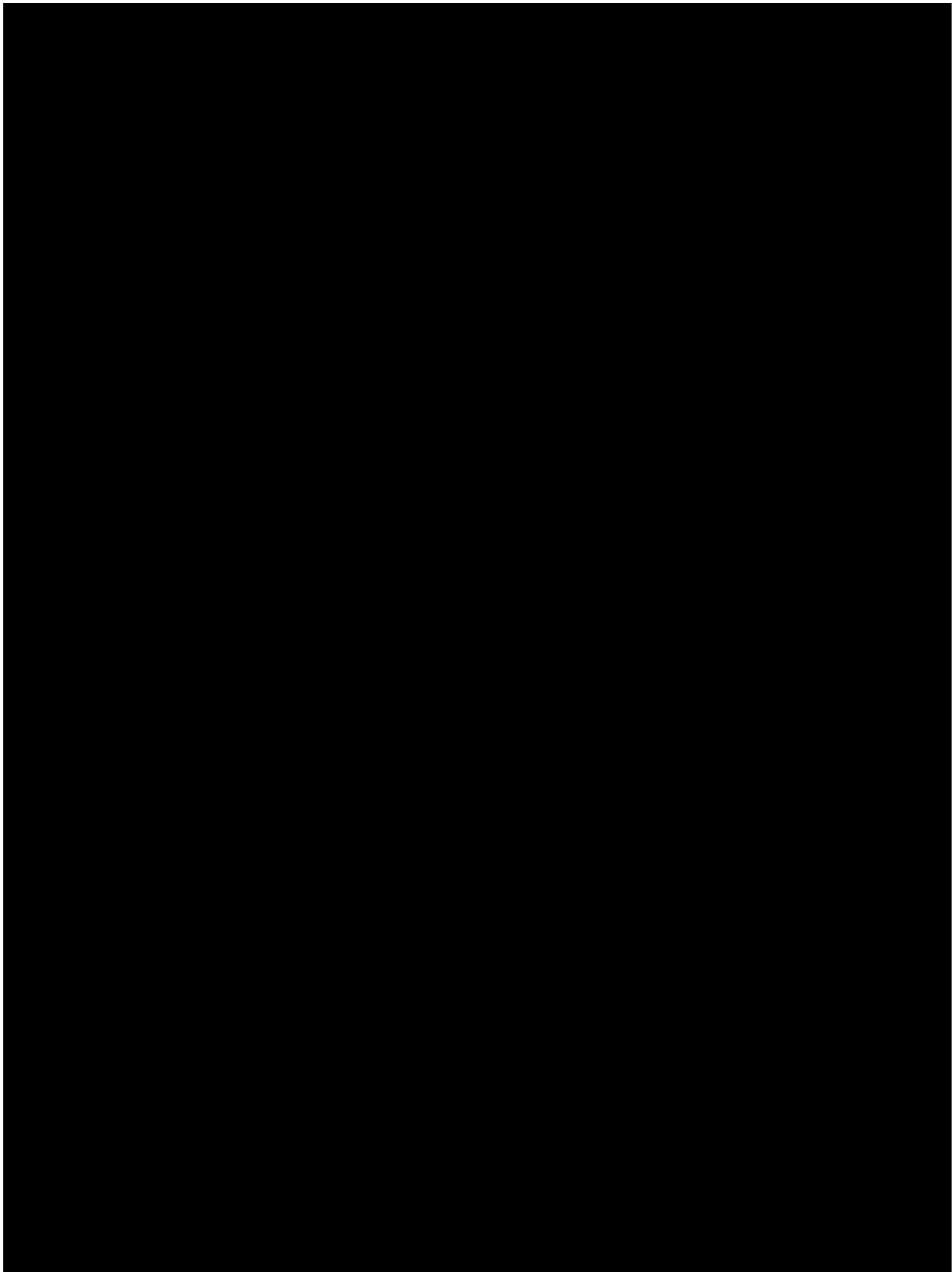


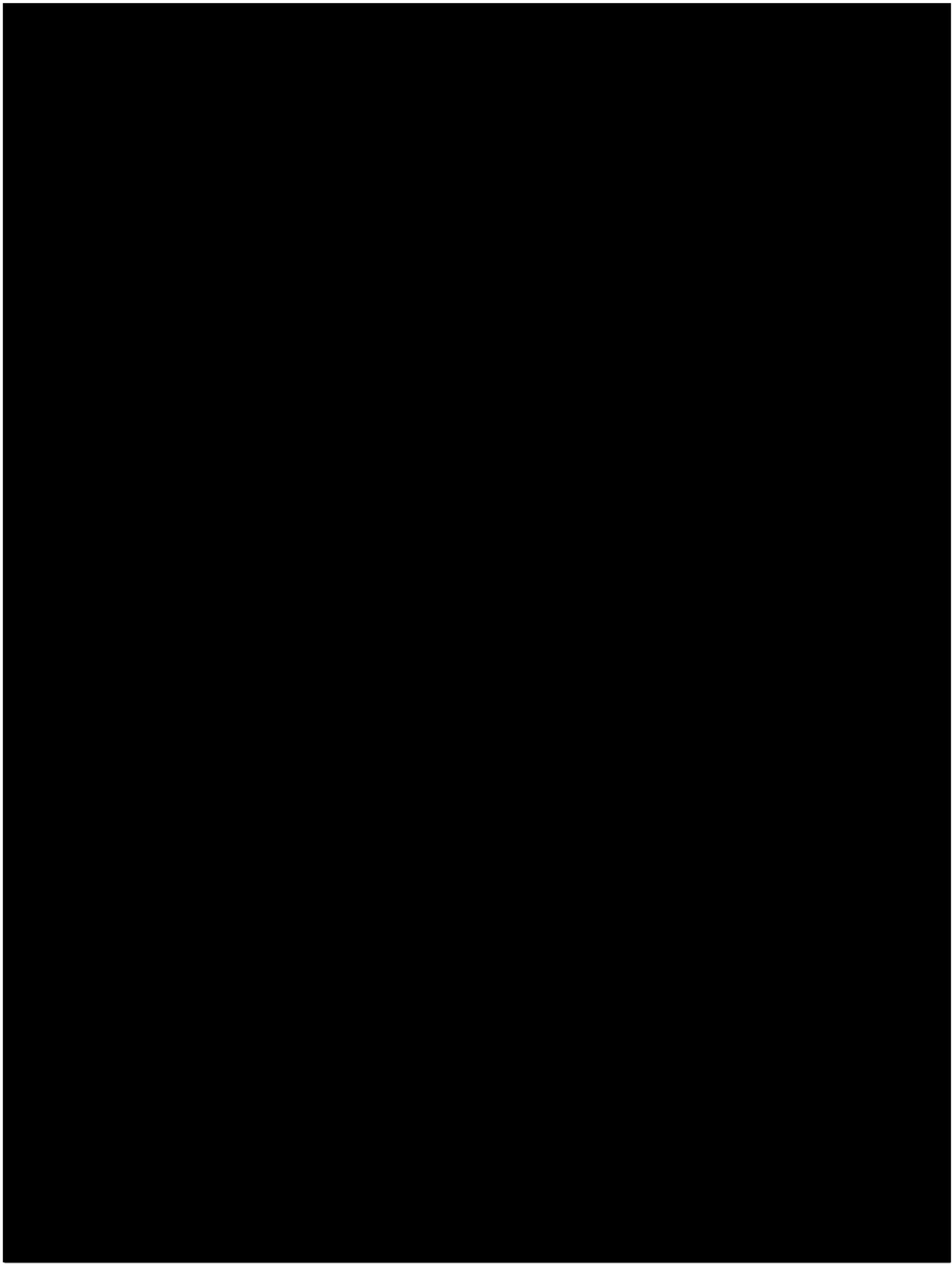


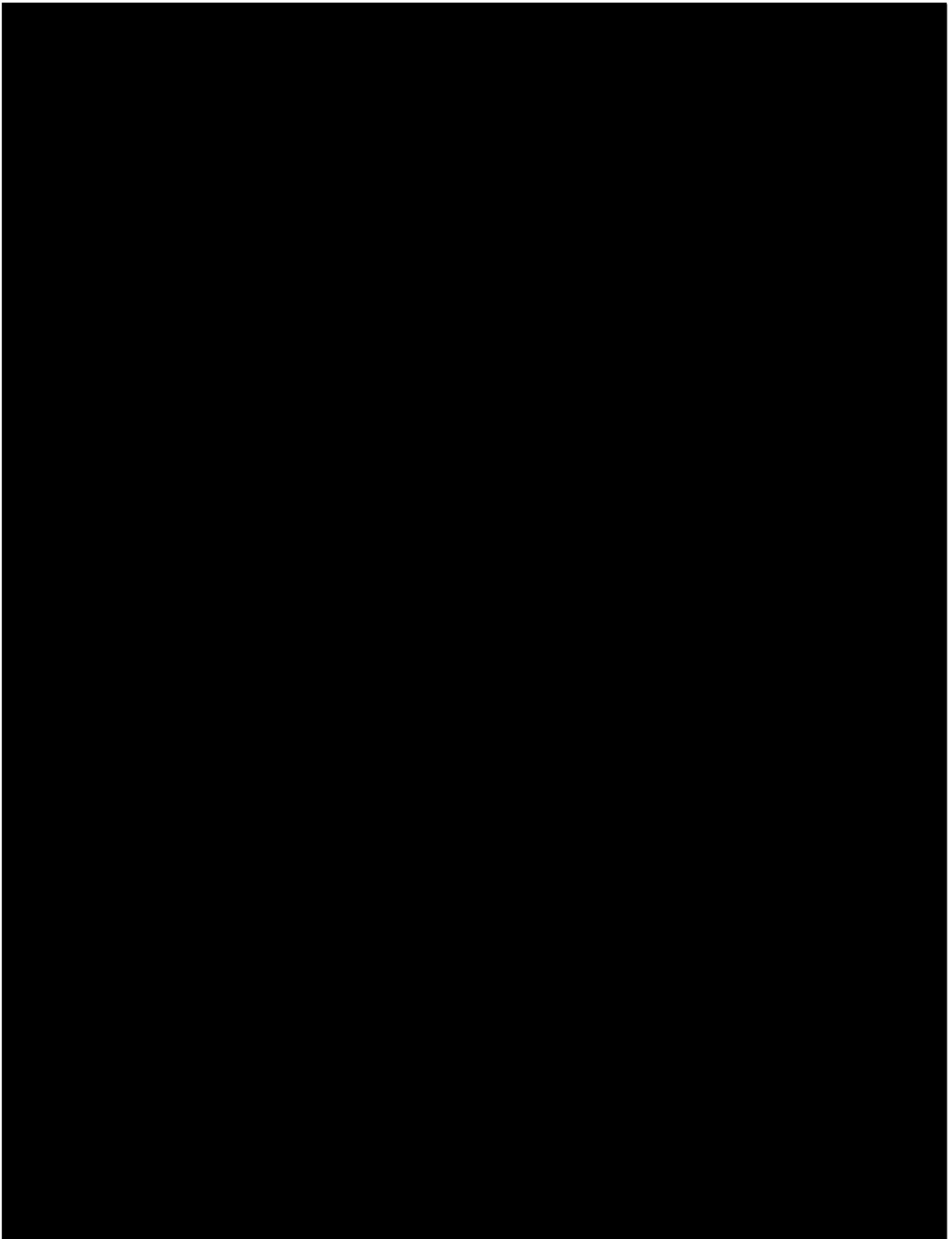


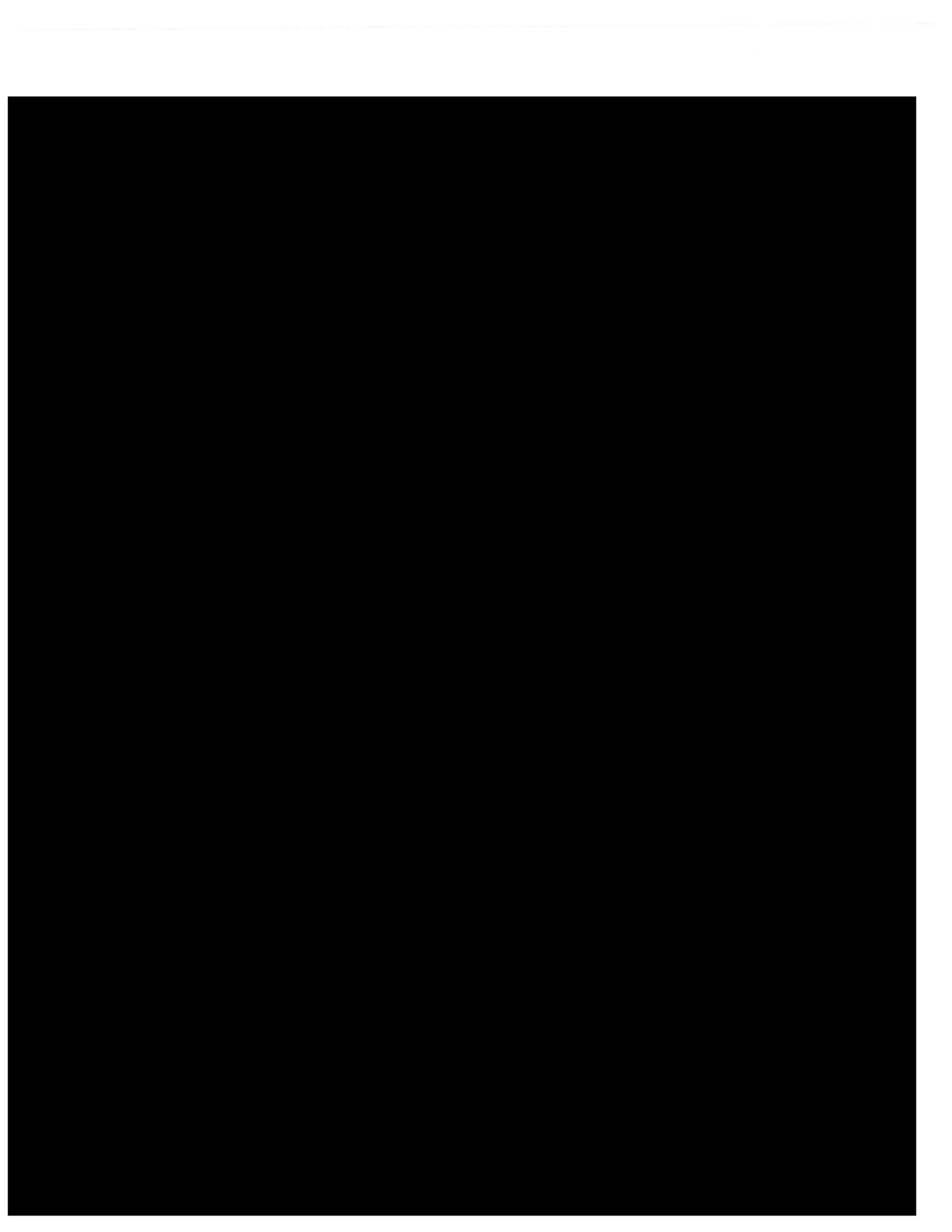


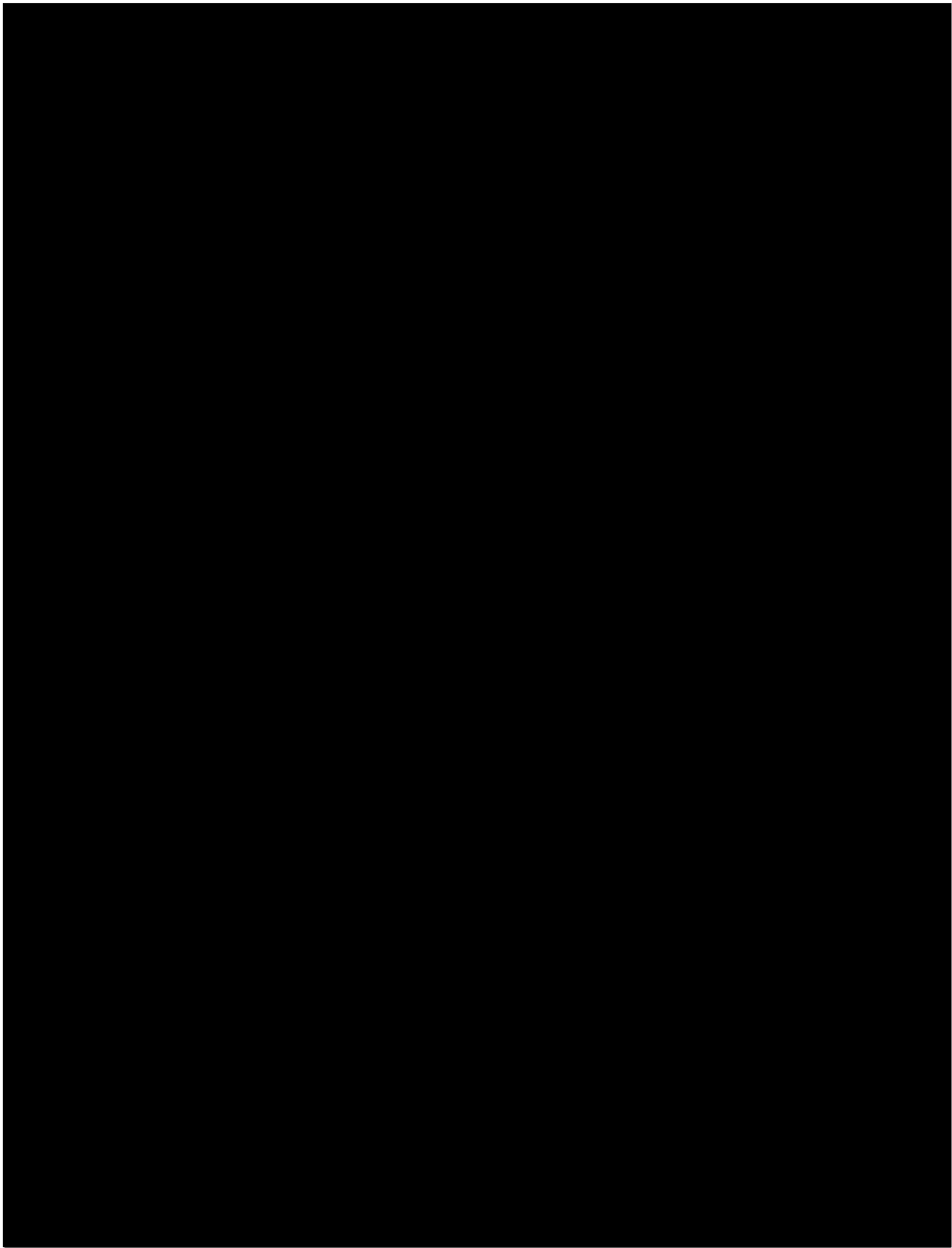


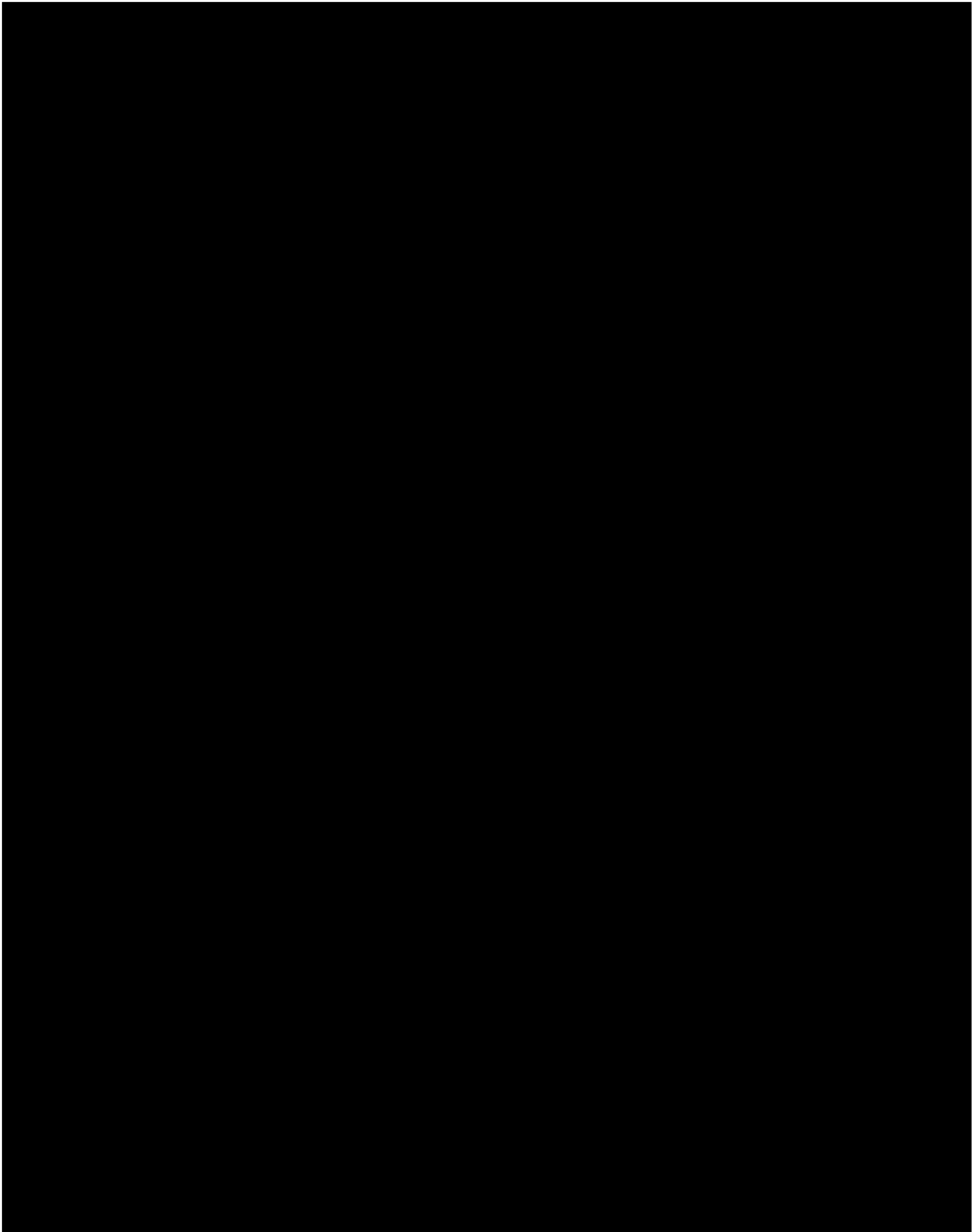


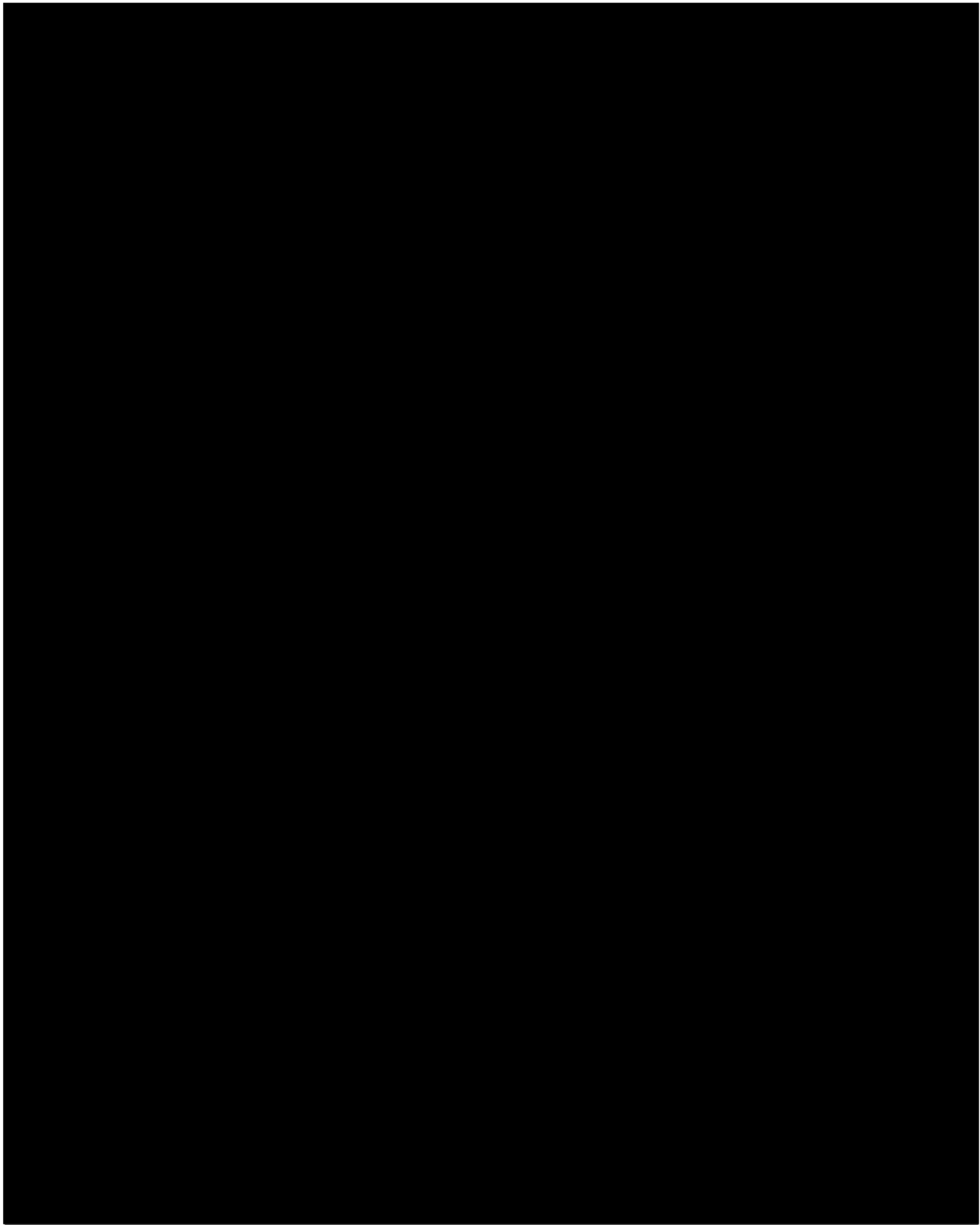


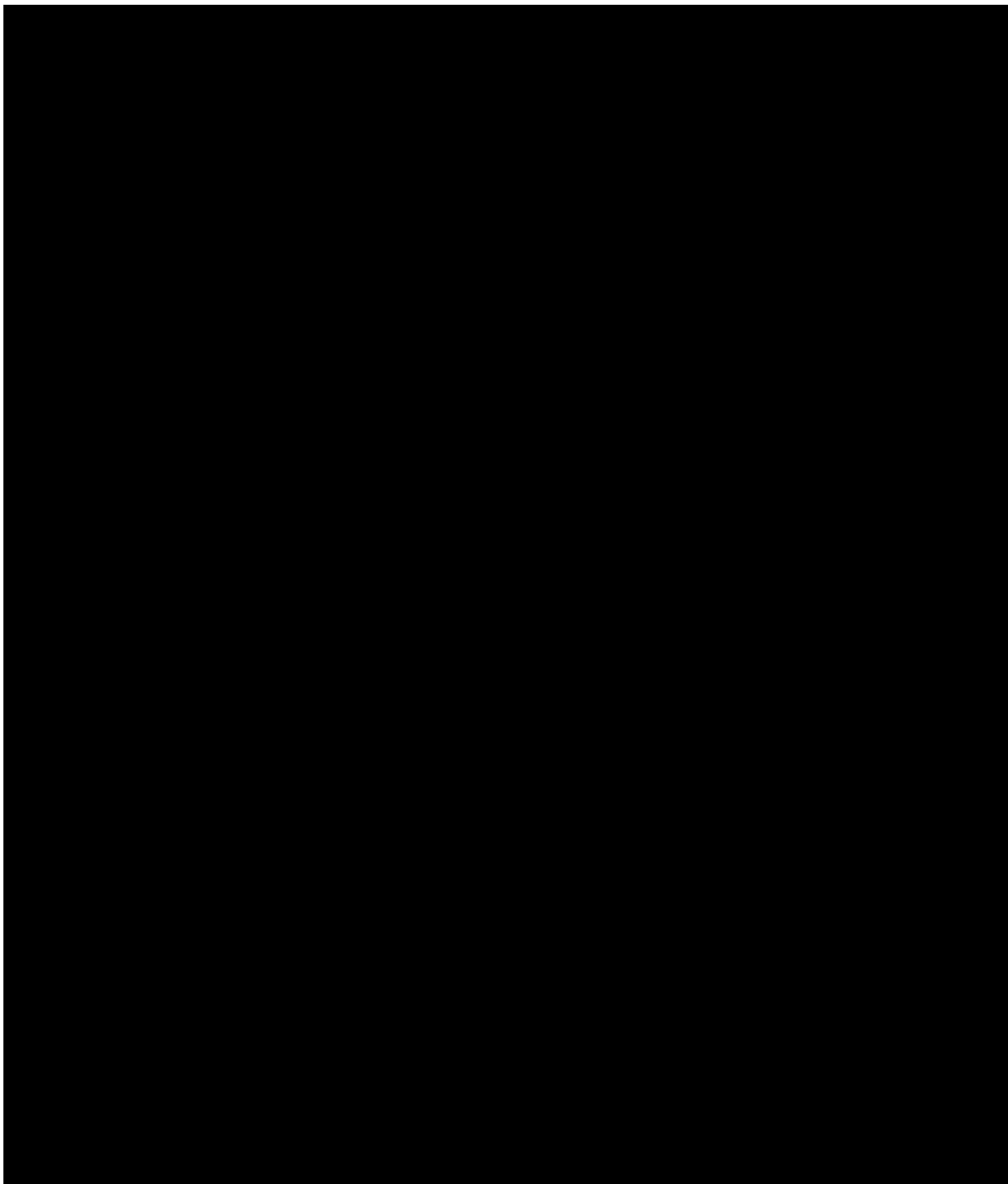


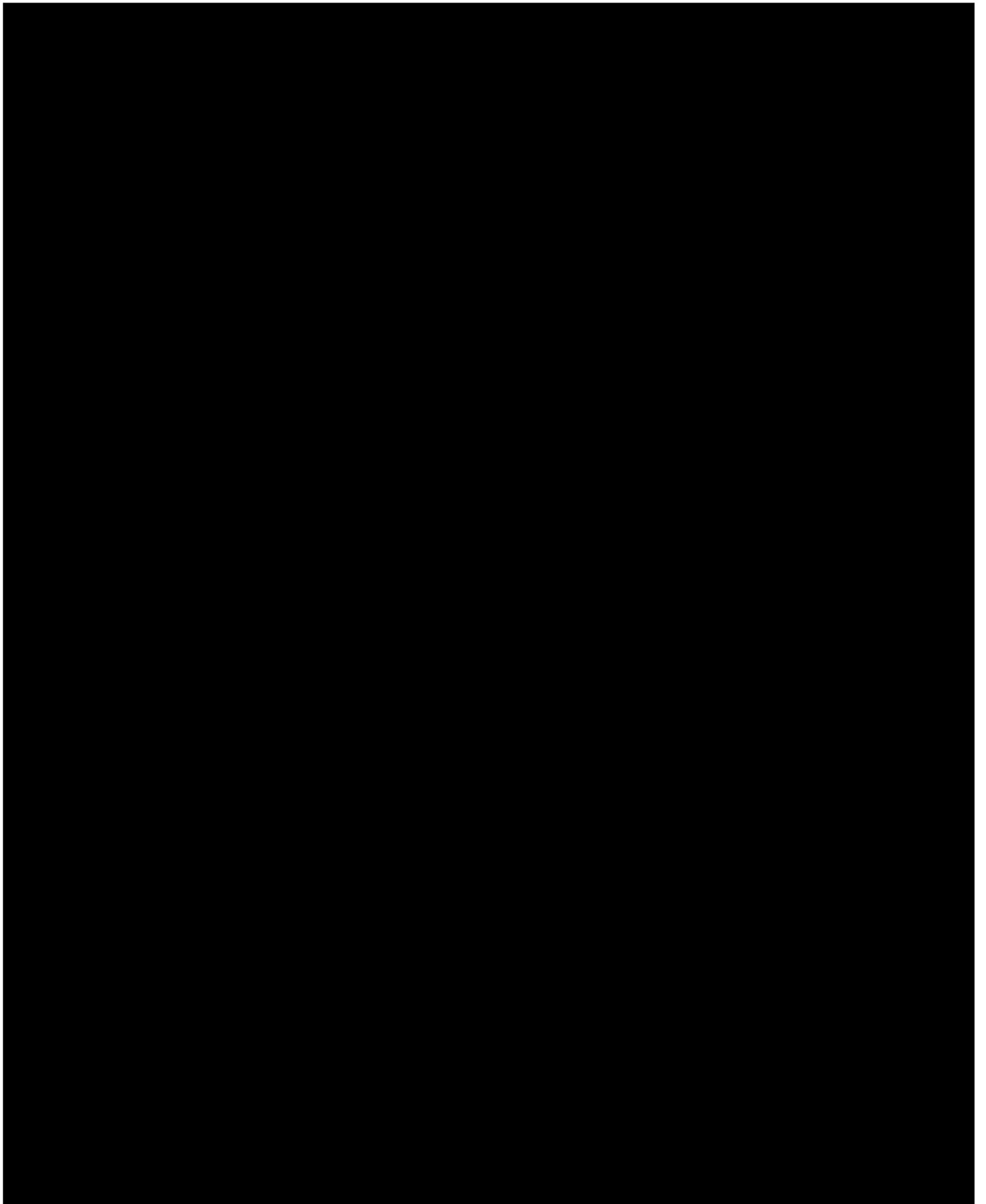


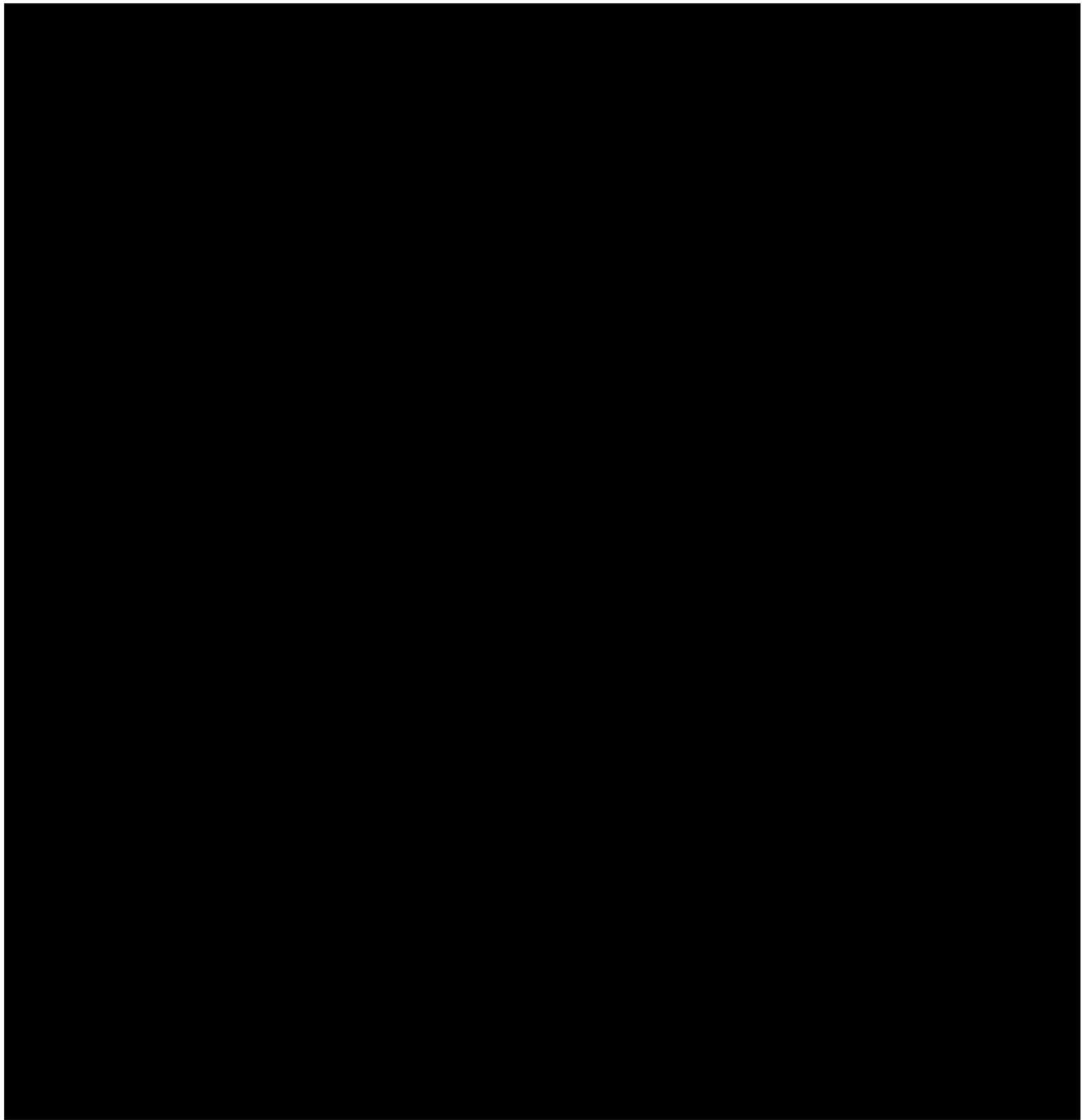


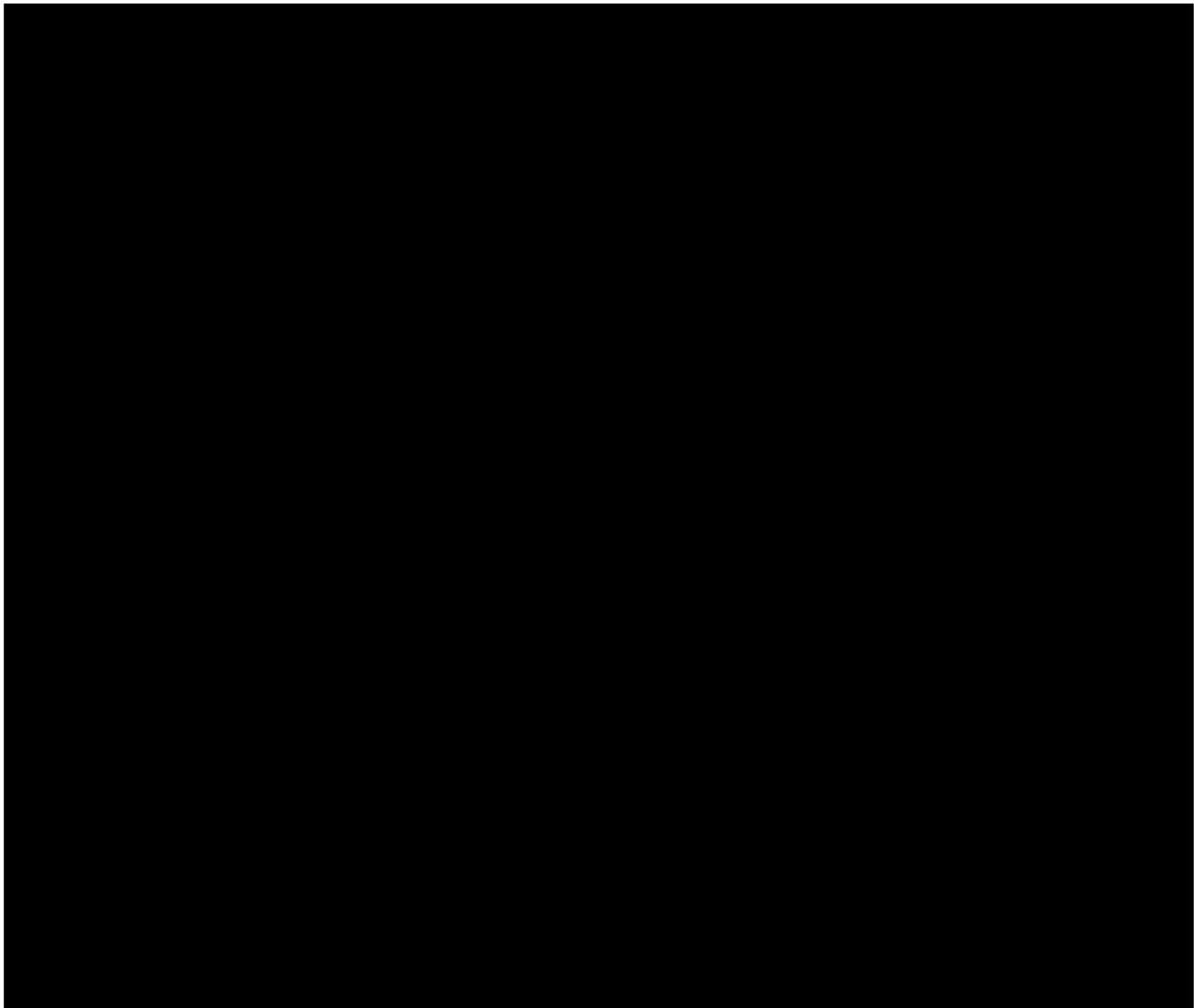


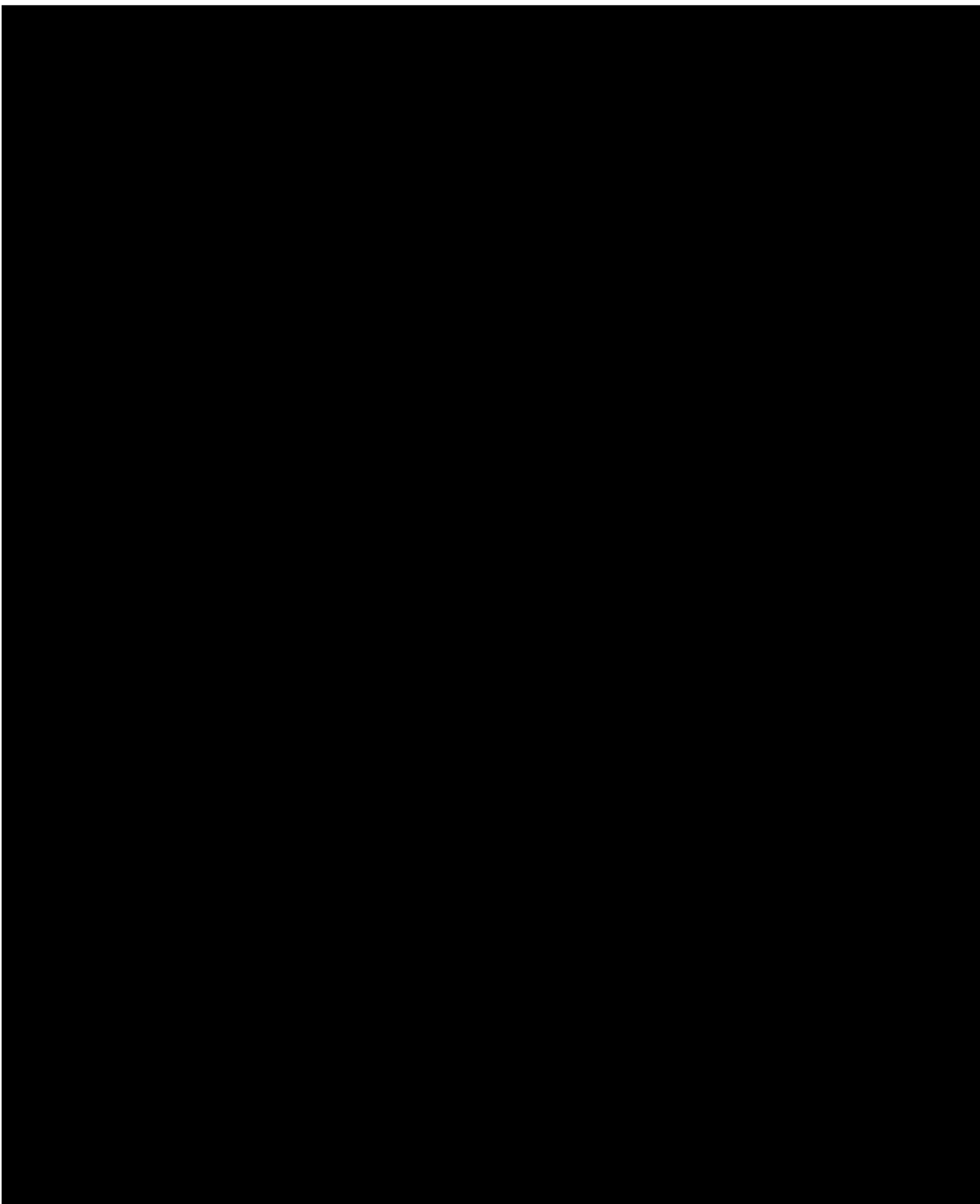


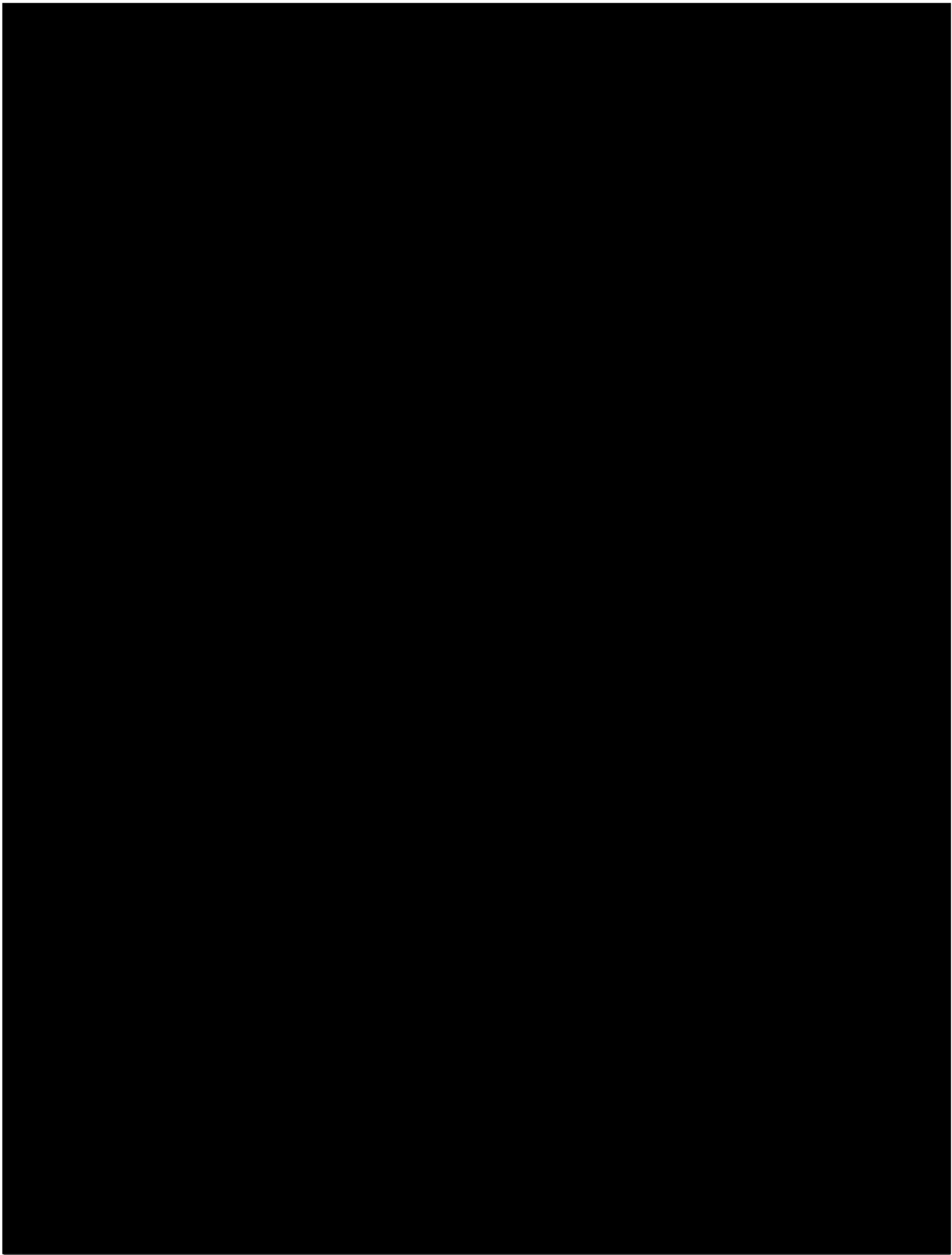


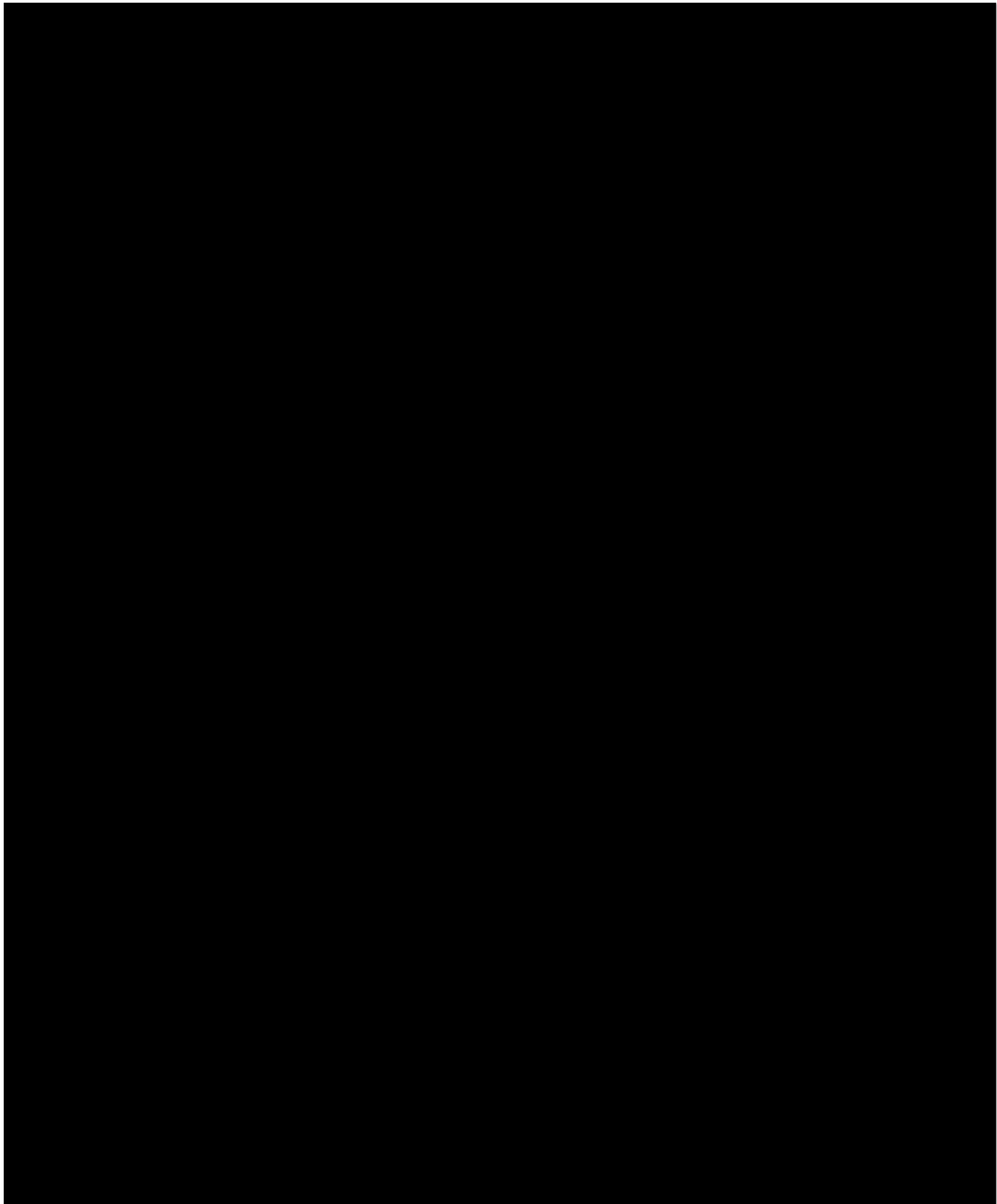


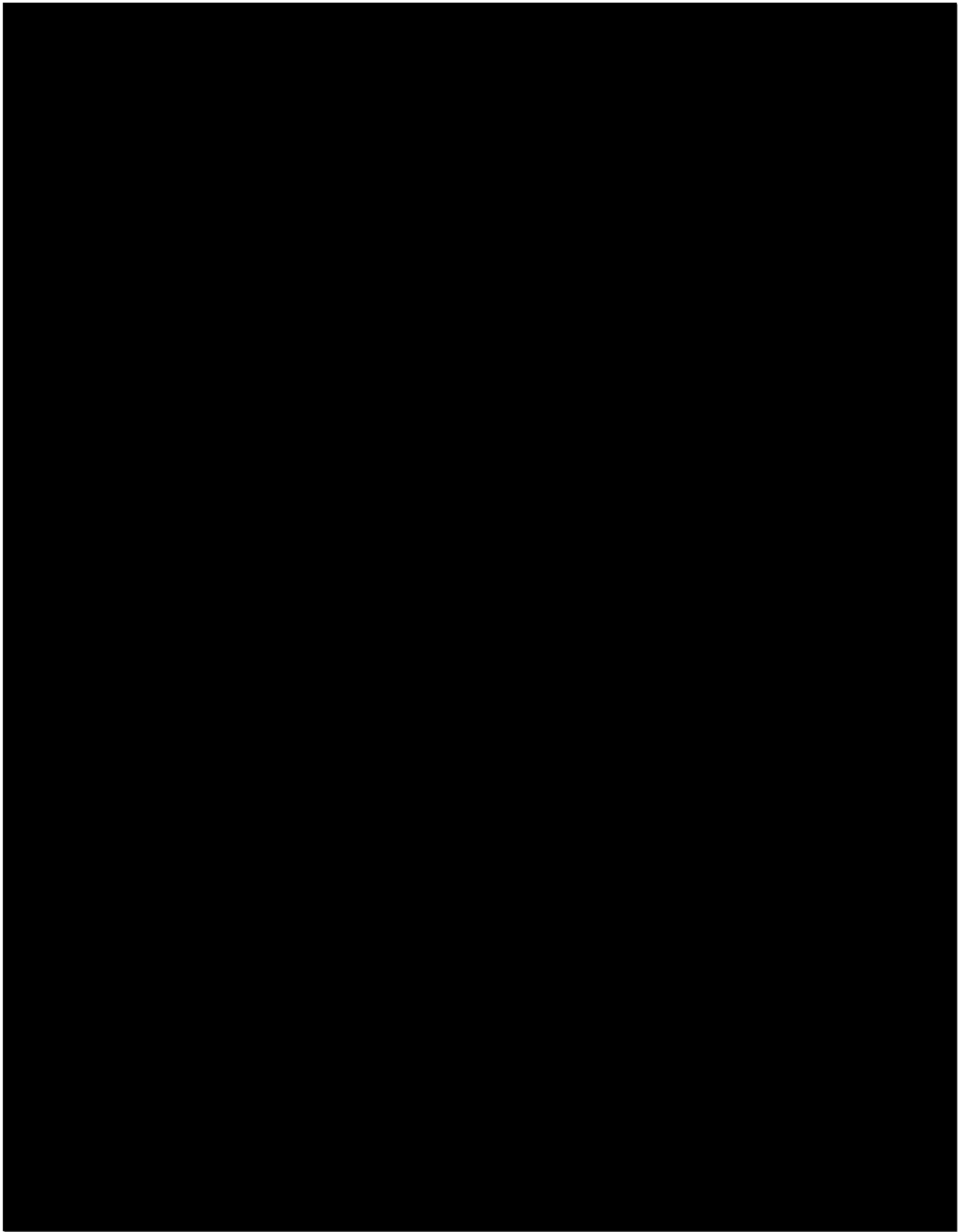


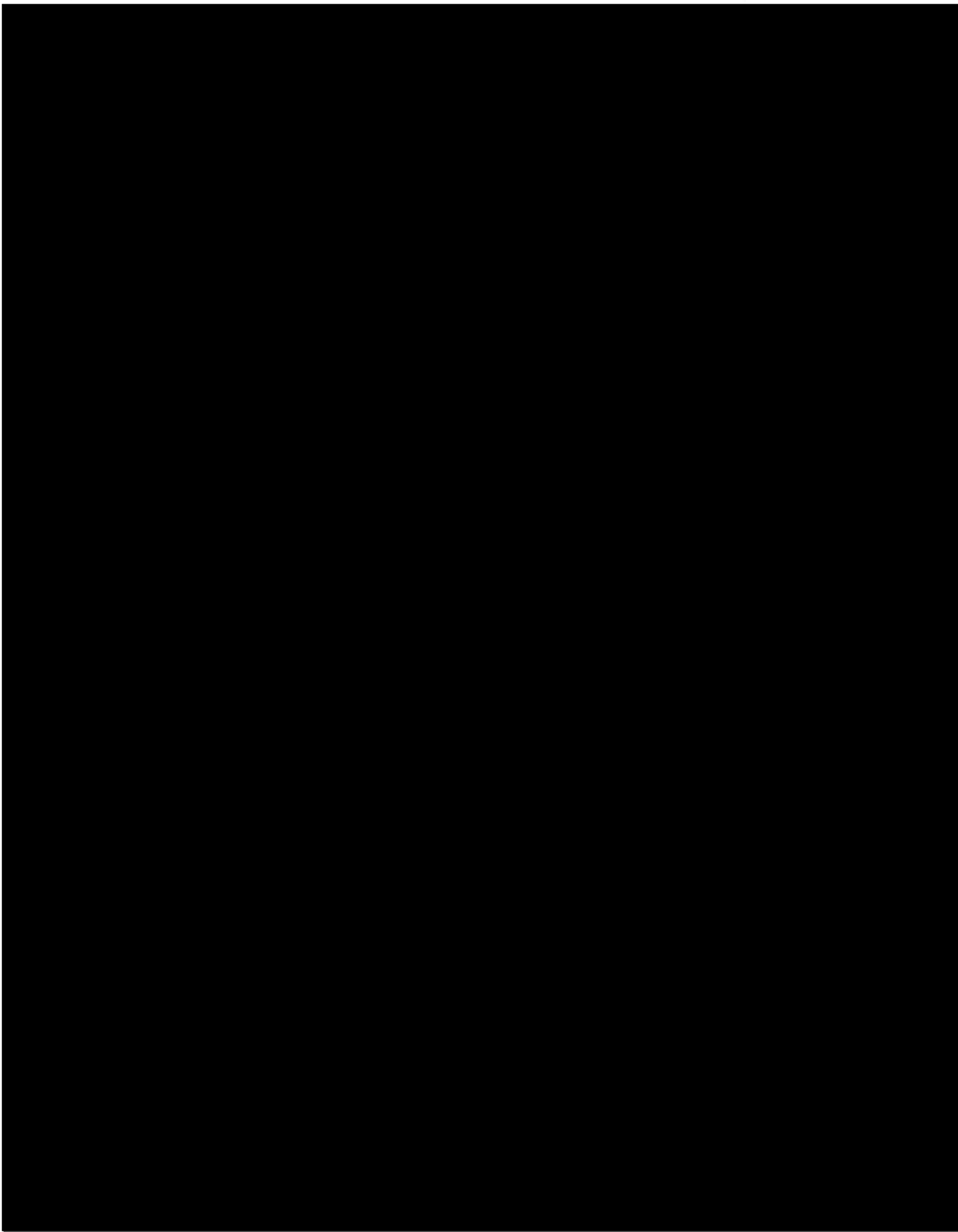


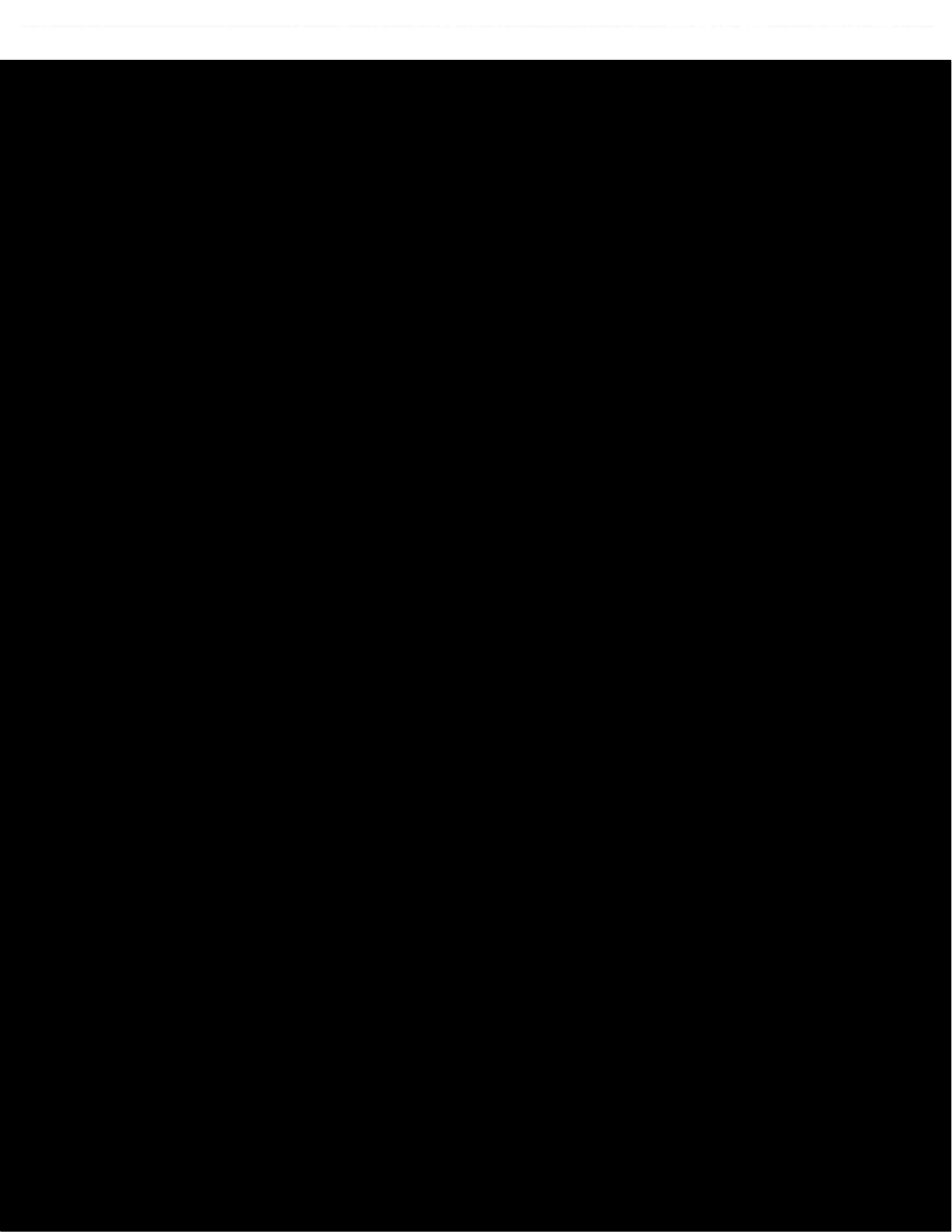


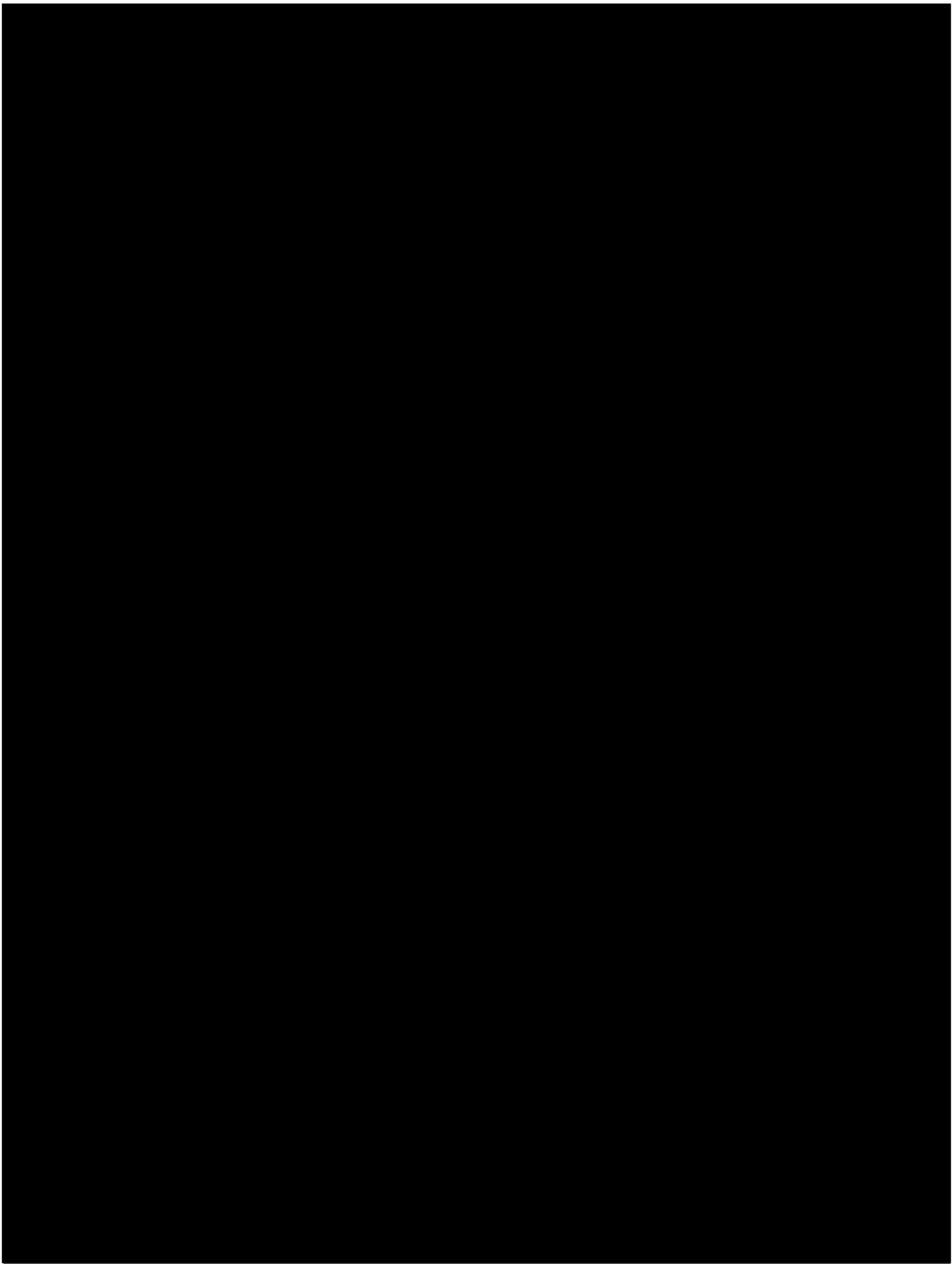


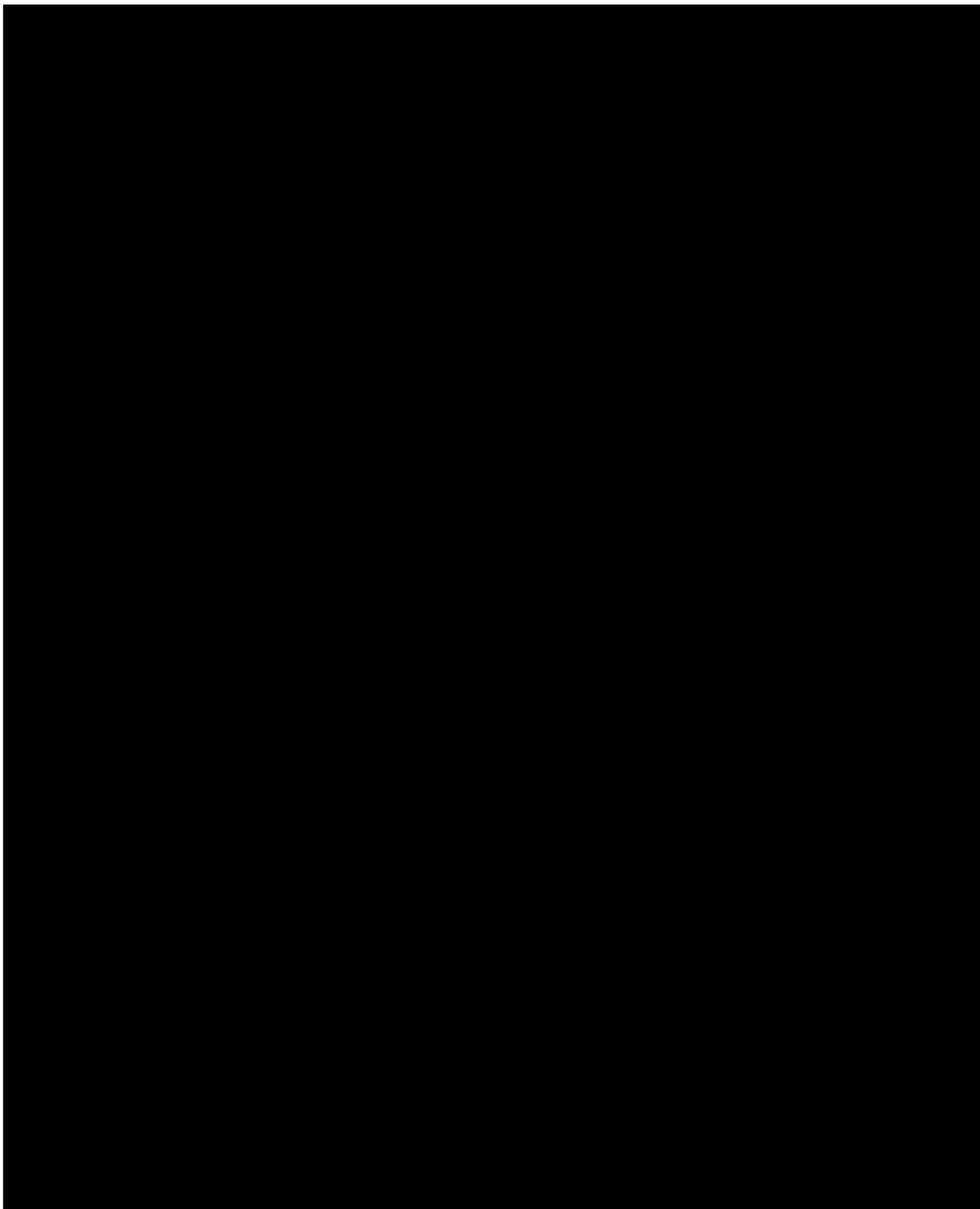


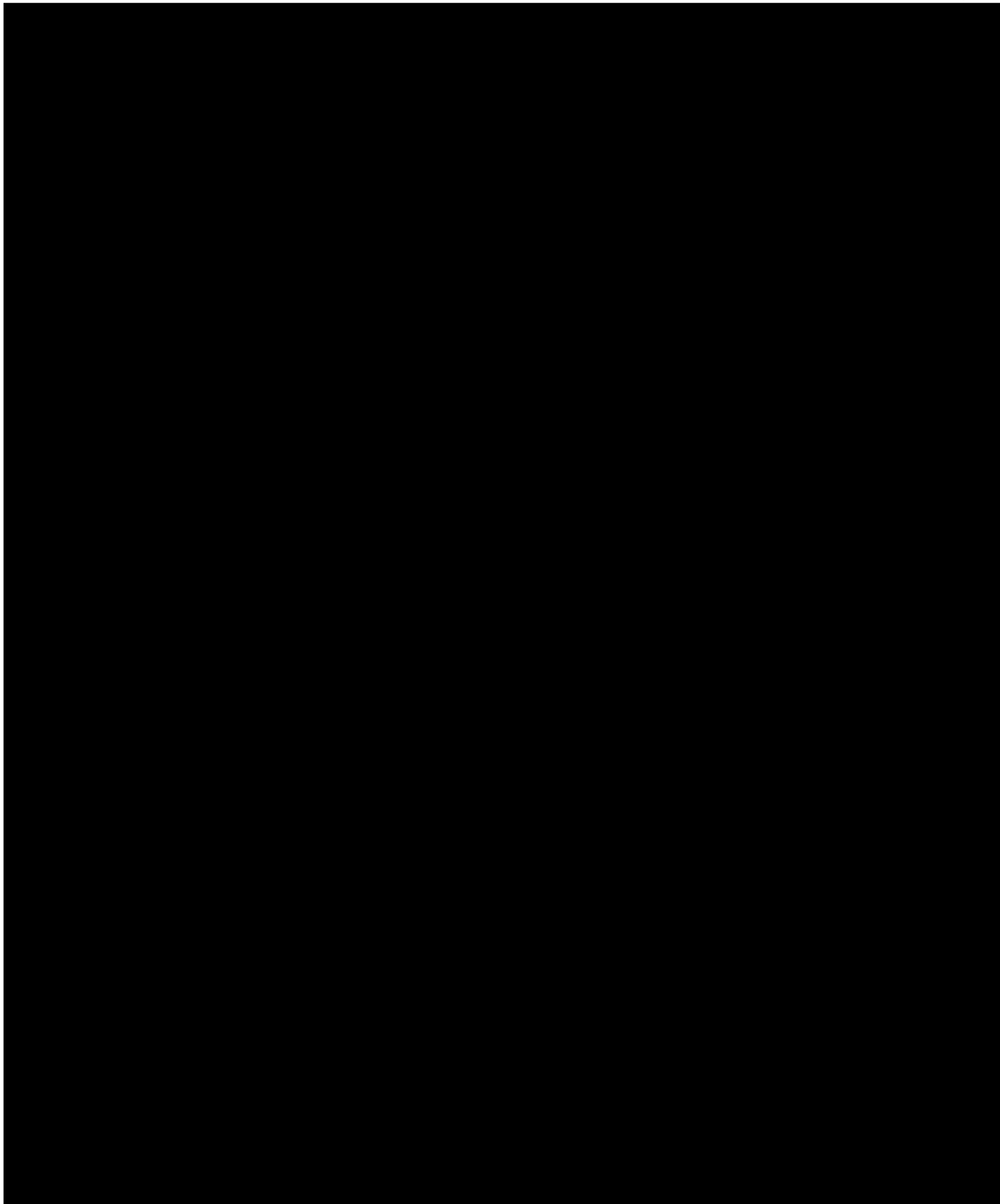


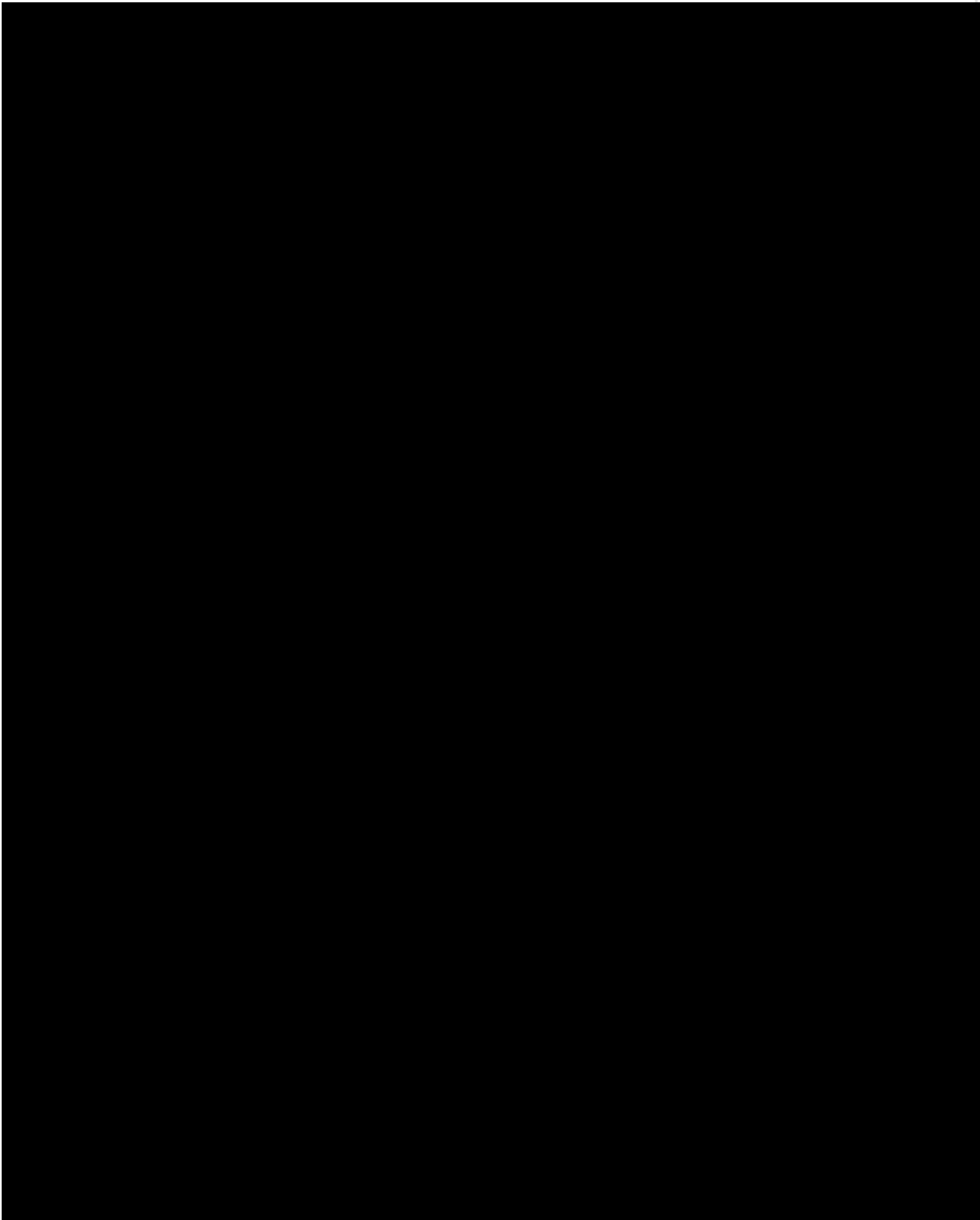


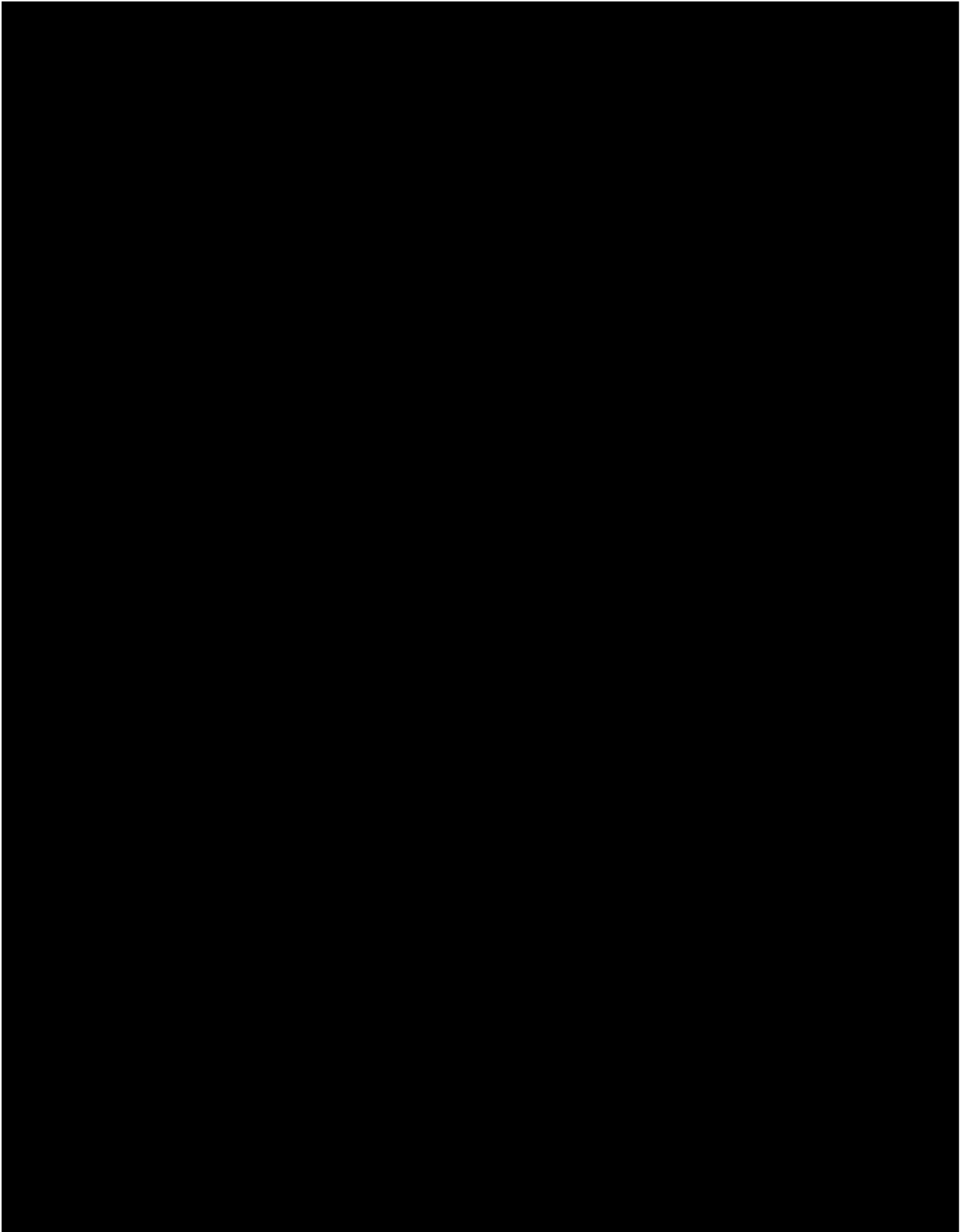


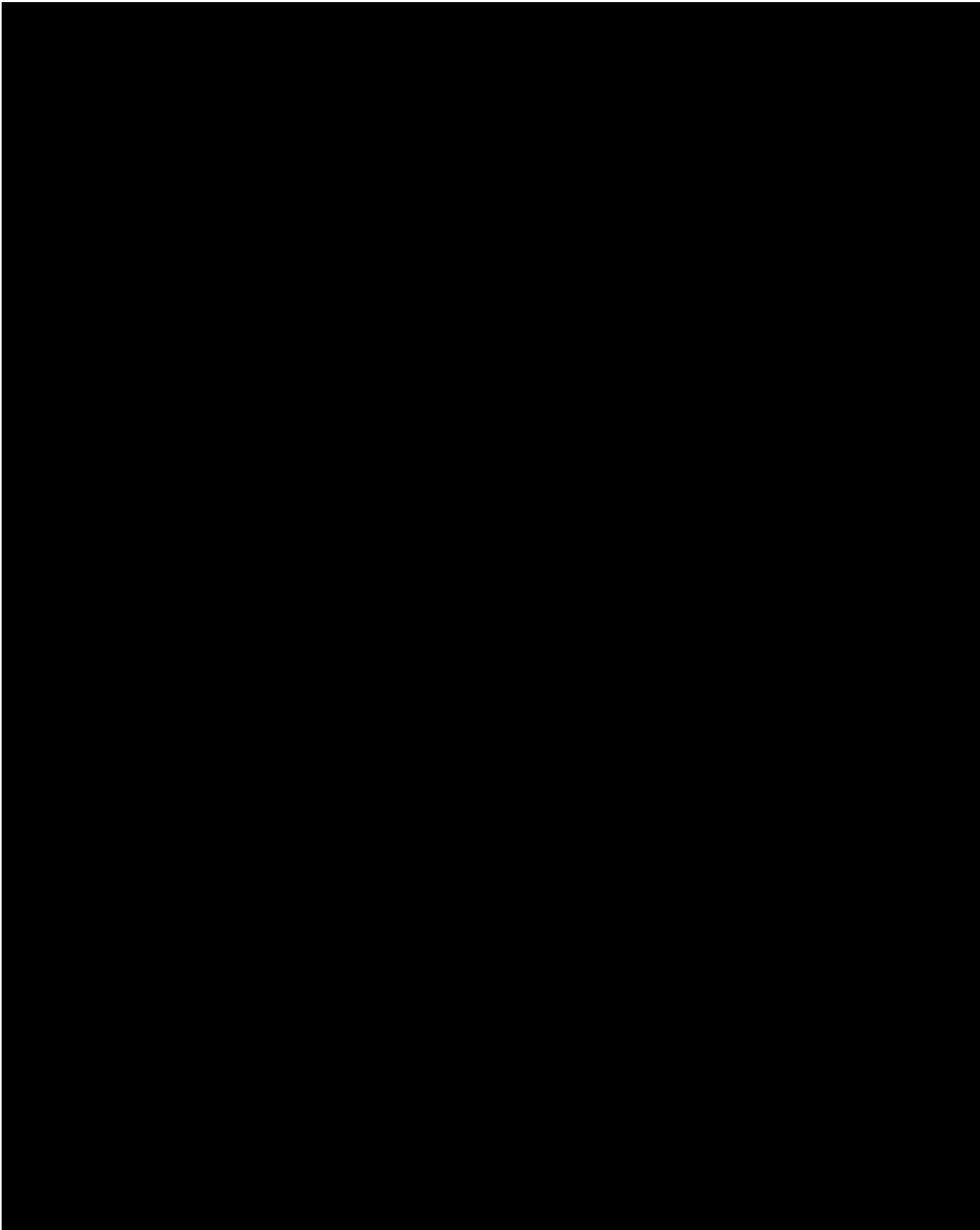


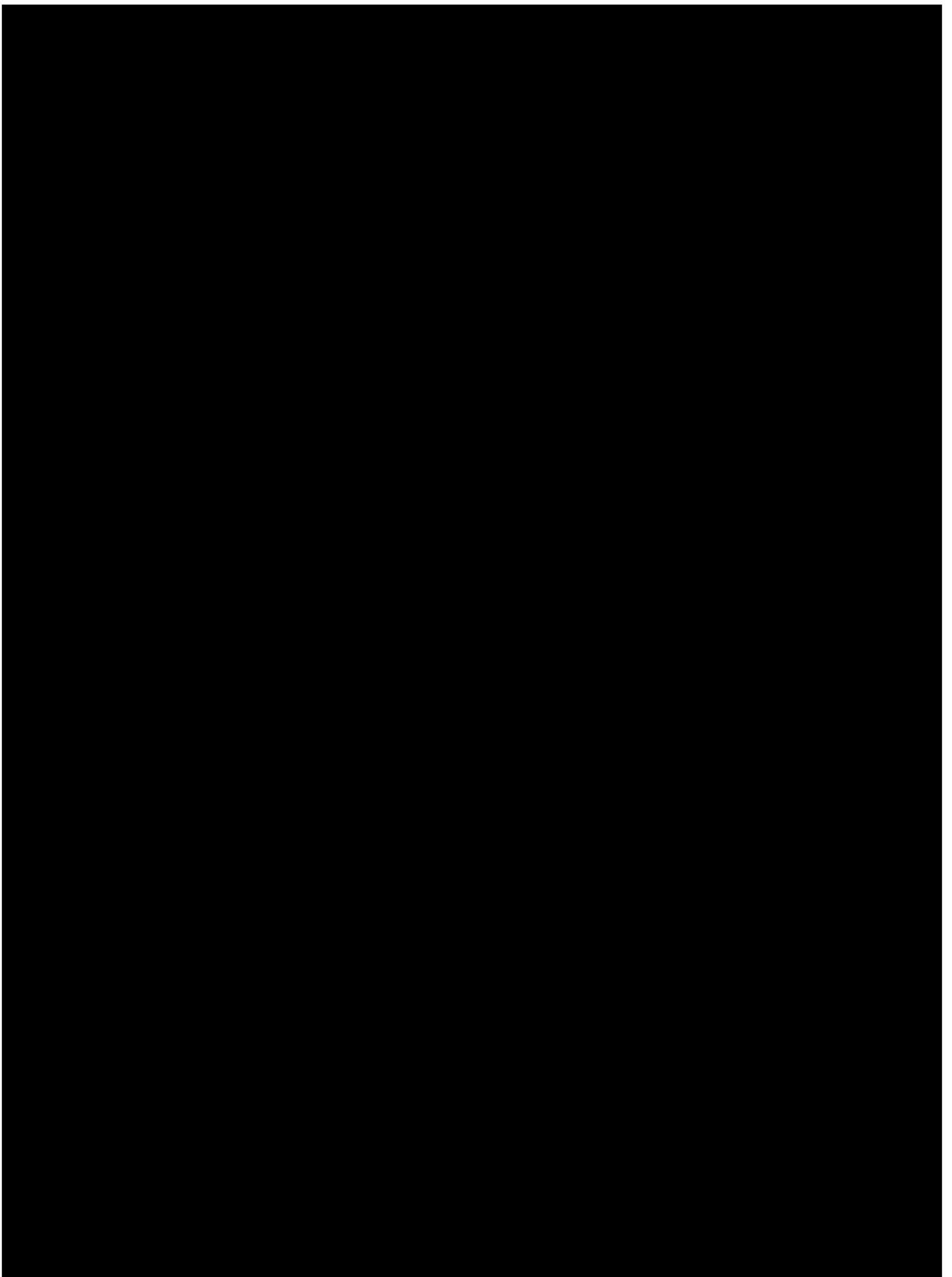


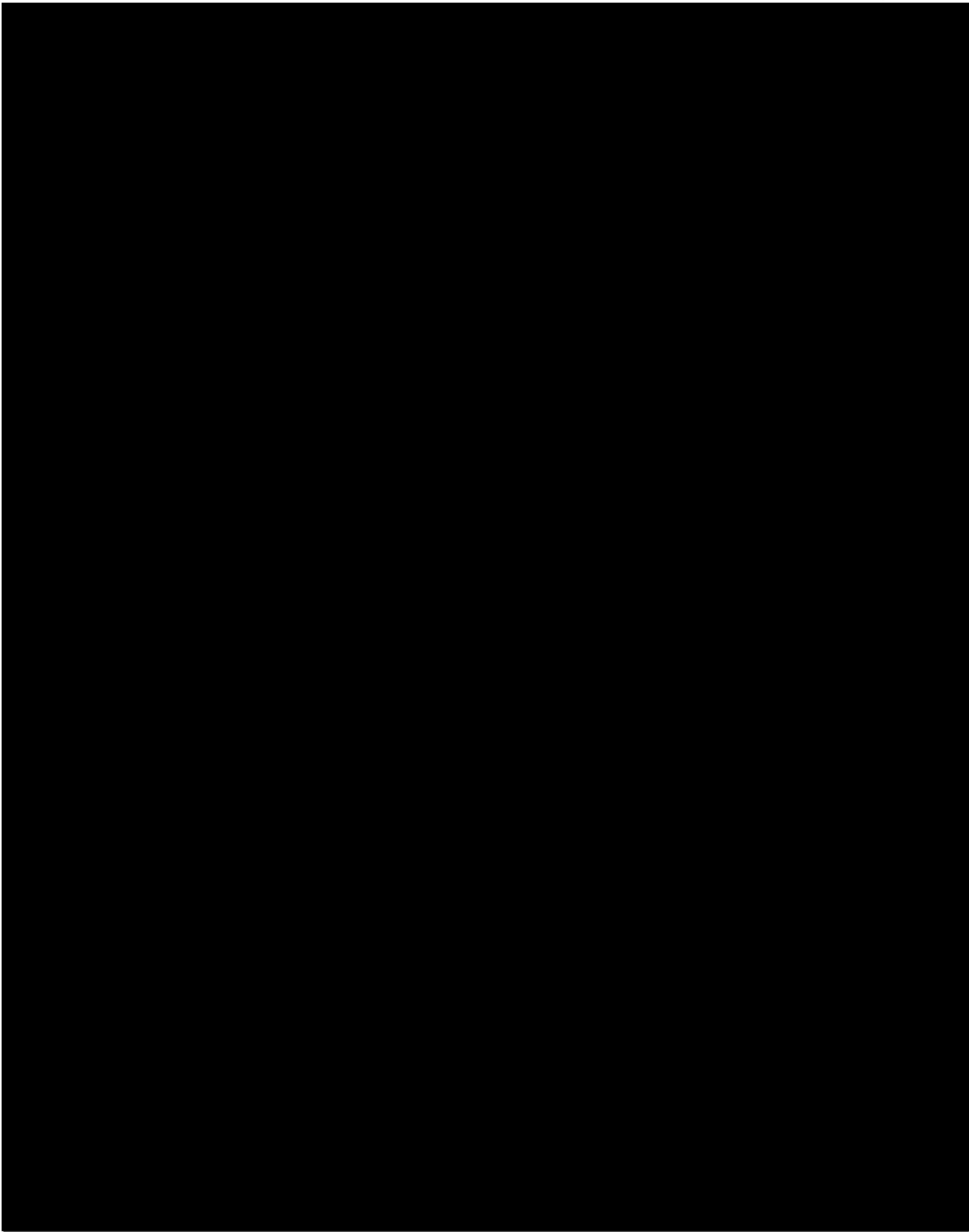


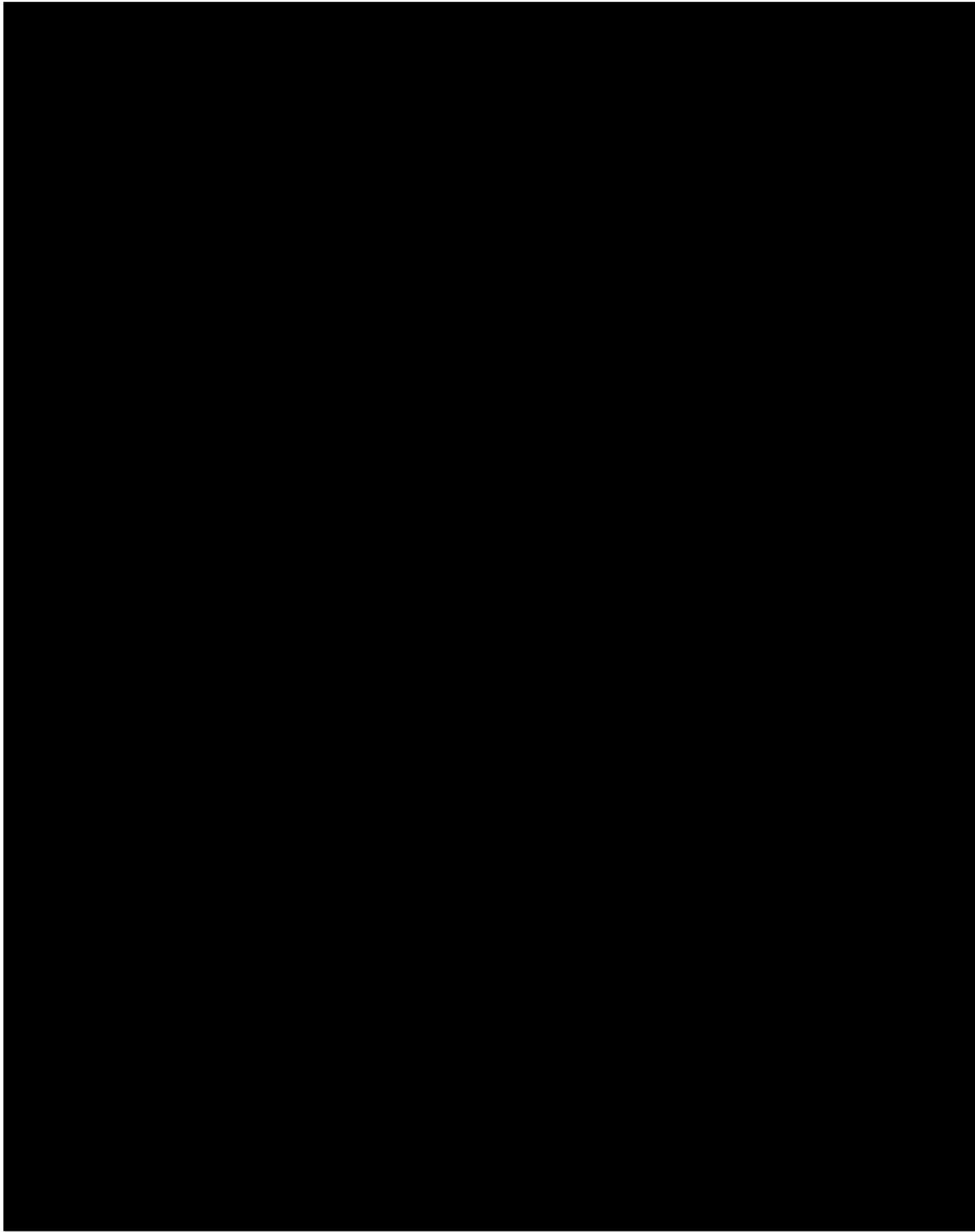


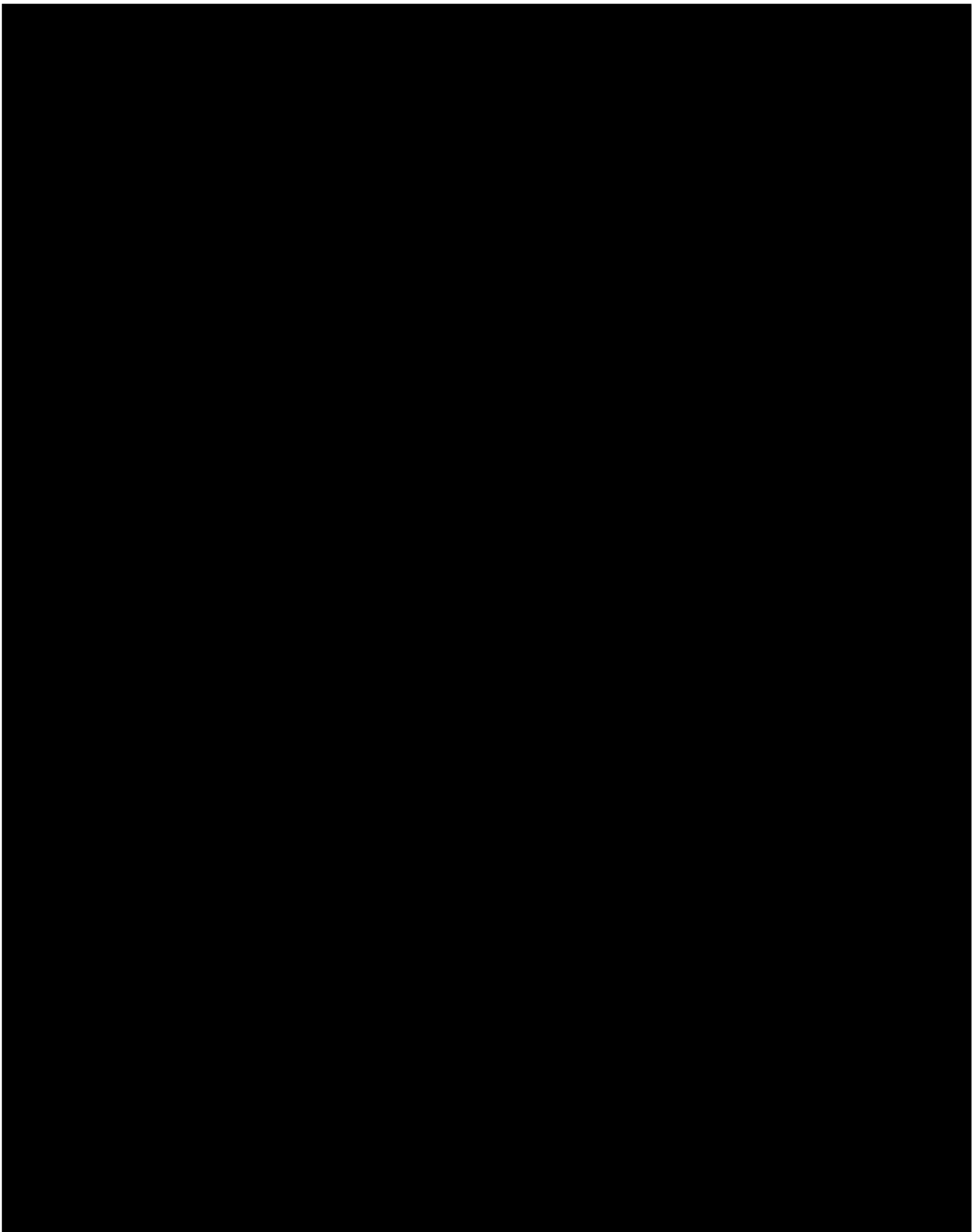


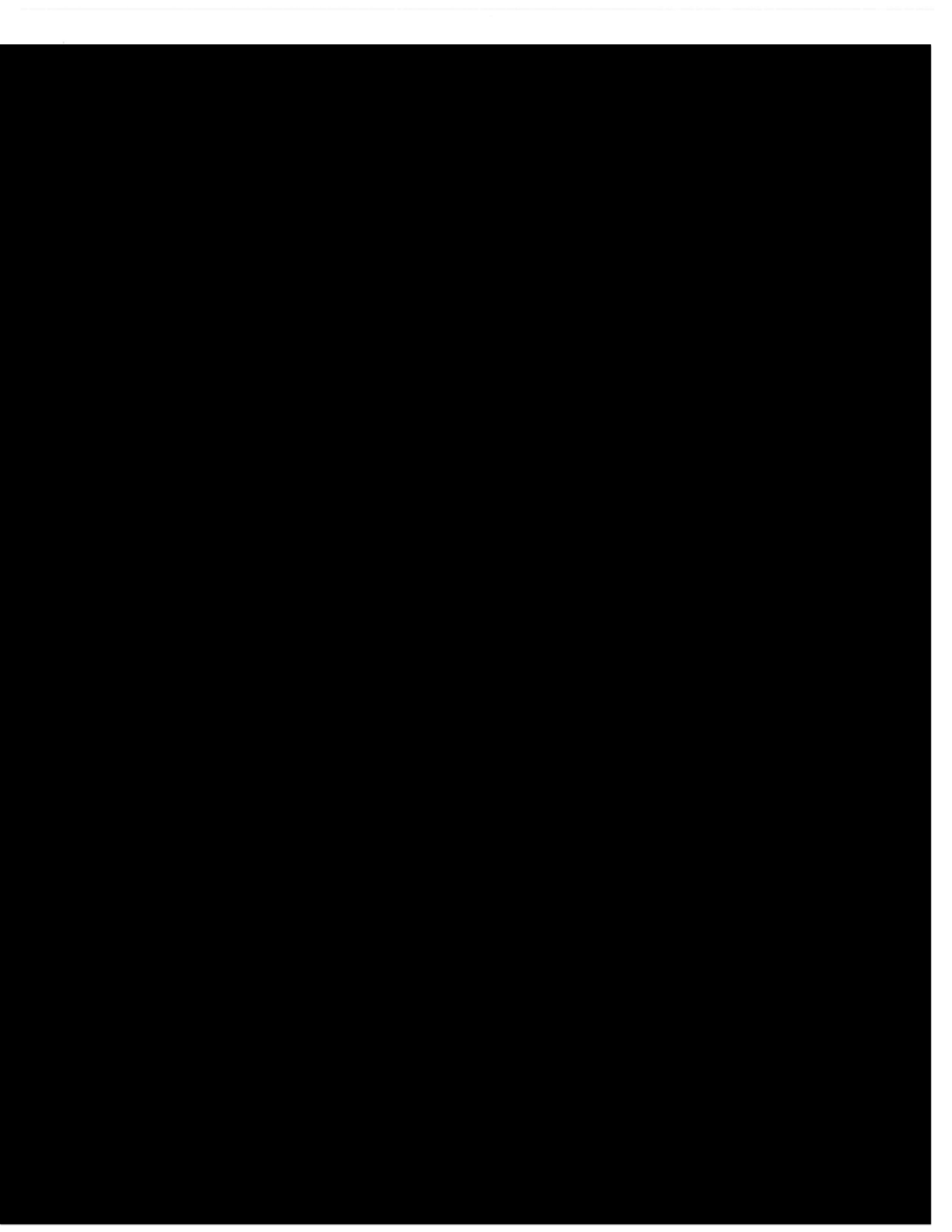


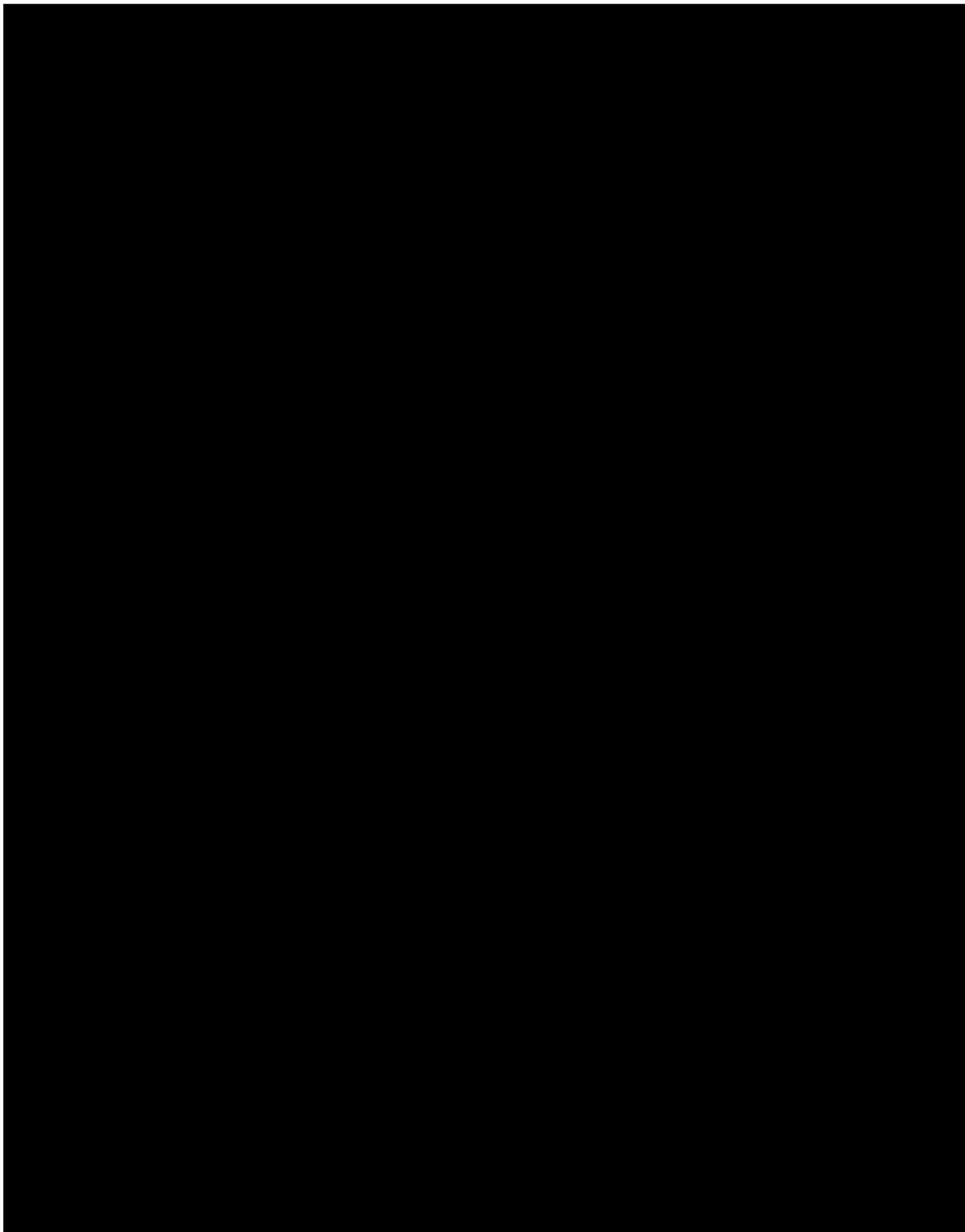




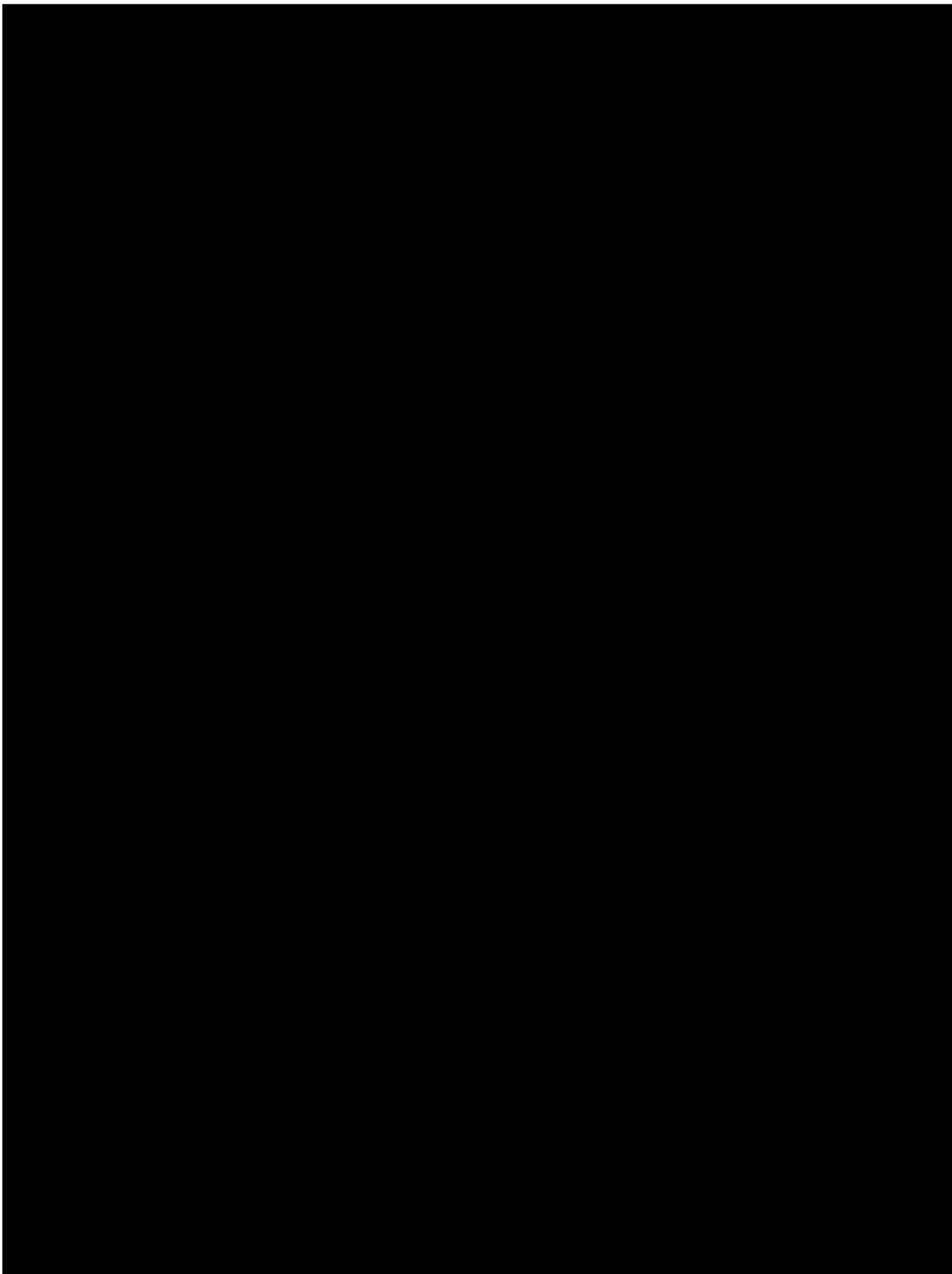












Schedule G

ENVIRONMENTAL ASSESSMENT FORM

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Playhouse of Great Neck- 102-112 Middle Neck Road			
Project Location (describe, and attach a location map): 102-112 Middle Neck Road, Great Neck, NY 11024			
Brief Description of Proposed Action: Proposed 4 Story Residential Apartment Building with 20 Dwelling Units.			
Name of Applicant or Sponsor: Mitchell D. Newman, A.I.A.		Telephone: (631) 673-3111 E-Mail: bnewman@ndarchitects.com	
Address: 210 West Rogues Path			
City/PO: Cold Spring Hills		State: NY	Zip Code: 11743
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: 239-f with Nassau County DPW			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____			.27 acres
b. Total acreage to be physically disturbed? _____			.27 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____			.27 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Will the proposed action create storm water discharge, either from point or non-point sources?
If Yes,

a. Will storm water discharges flow to adjacent properties?

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
If Yes, briefly describe:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
If Yes, explain the purpose and size of the impoundment:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Mitchell D. Newman, A.I.A. Date: 11/15/22

Signature: *Mitchell D. Newman* Title: Architect



Schedule H

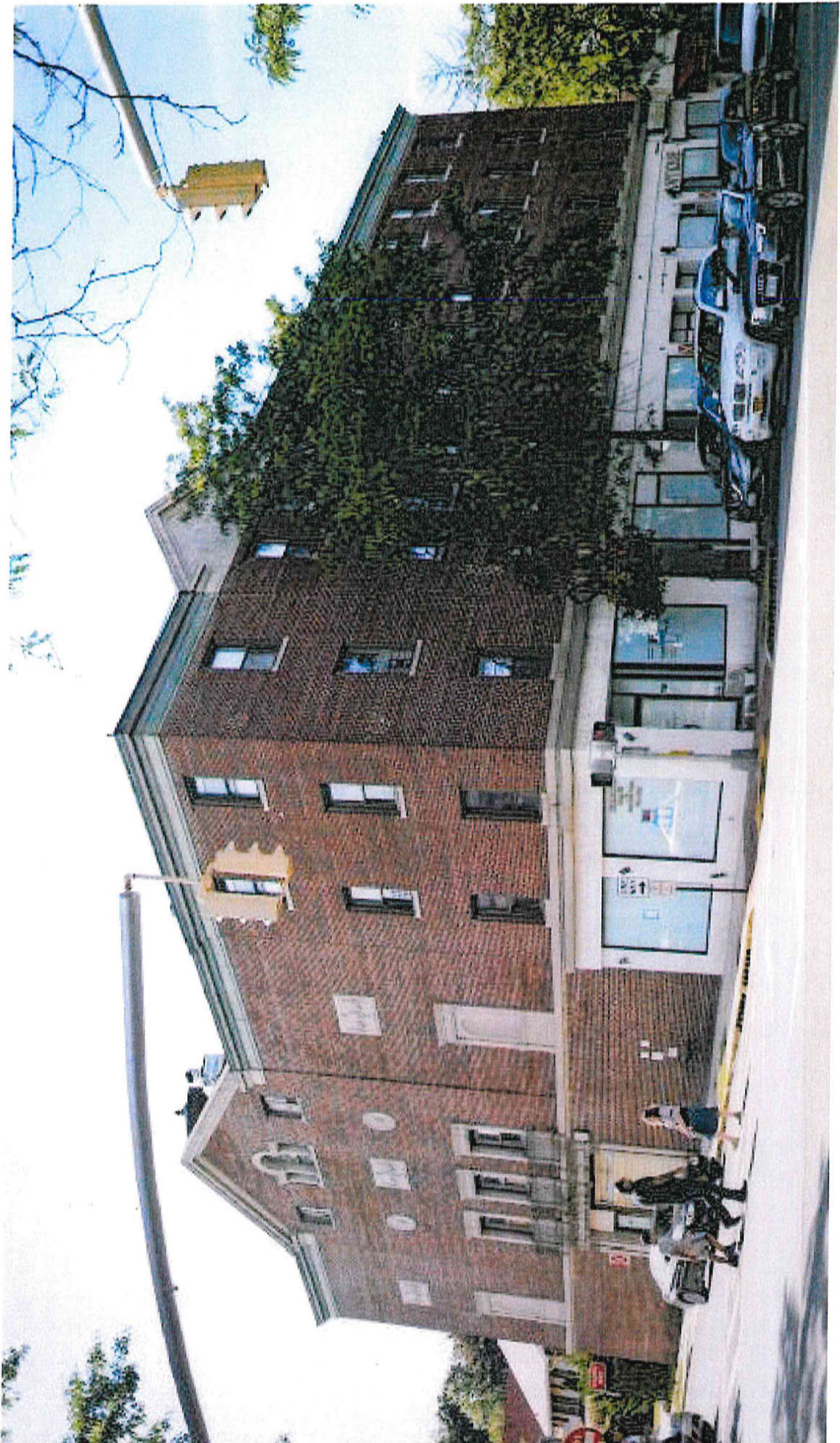
FORM NYS-45

Attach most recent quarterly filing of Form NYS-45 and 45-ATT, as well as the most recent fourth quarter filing. Please remove the employee social security numbers and note which employees are part-time.

Schedule I

OTHER ATTACHMENTS





December 10, 2007

**BOARD OF TRUSTEES
VILLAGE OF GREAT NECK ESTATES**

Application of First Playhouse of Great Neck Corp for an incentive zoning permit, and change of zone to Business D Incentive, pursuant to Local Law 2-2003, for enhanced development with respect to premises known on the Nassau County Land and Tax Map as Section 2, Block 38, Lot 116, and located at 102-112 Middle Neck Road, Great Neck Estates, New York.

**Approval of Incentive
Zoning Application**

The proposed project involves an incentive zoning permit application for enhanced development of premises 102-112 Middle Neck Road, Great Neck Estates, New York. Village Code § 230-13 permits such relief in the event the Board of Trustees determines to reclassify the subject property as Business D Incentive District.

The Board of Trustees ("Board") has reviewed an enlarged and expanded Environmental Assessment Form submitted by the applicant, which has been reviewed by the Village's consultants. The Board has concluded that the proposed development would not have a significant adverse environmental impact, if the mitigation proposed by the applicant, and the mitigation required by the conditions of approval included herein, are imposed and provided.

The Board has held several public hearings with respect to this application, and considered the application at several public meetings of the Board.

The Board of Trustees heretofore has issued a "negative declaration" pursuant to the State Environmental Quality Review Act.

The Board also has submitted this application to the Nassau County Planning Commission for its review and recommendation, and the Nassau County Planning Commission has recommended that the Board act on this matter as one for local determination in the discretion of the Board.

In making the current determination, the Board has taken into consideration all of the information received by the Board in the application process, including the application and any revisions, the SEQRA documents, the comments and correspondence received by the Board throughout the review process through and including October 10, 2007, and the personal knowledge of the Board members gained through their many years of residence in the community.

Local Law 2-2003, which enacted Village Code § 230-13 pursuant to the Village's general zoning authority, and authorized pursuant to New York Village Law §7-703, authorized an application to be made to the Village Board of Trustees for certain enhanced development of property within parameters set out in that Code provision. That law made no substantive change with respect to the zoning of any property in the

Village, and its effect was limited to an authorization of, and the establishment of procedures for, an application to the Board of Trustees for classification of property as Business D Incentive, and approval of an incentive zoning permit which would permit enhanced development of property.

Pursuant to Local Law 2-2003, the Board of Trustees may classify property, and issue an incentive zoning permit, in its sole discretion, upon a determination that such action is authorized and warranted under the standards set forth in that section.

The various types of incentives which the Board of Trustees may grant as part of an incentive zoning approval are enumerated in the aforesaid Village Code provision, and the instant application requests one or more of those incentives.

The Village Code further requires that an incentive zoning application include a plan for provision of community amenities, and the Board of Trustees is the sole judge whether such plan is "acceptable, feasible, adequate, or in a form acceptable to the Board". In the case of the instant application, the applicant has elected to present a plan which involves the payment of a cash amount to the Village, to be placed in a trust fund to be used only for community amenities as may be determined from time to time by the Board of Trustees.

Village Law §7-703, which authorizes the Village to create an incentive zoning system, also contains various requirements for such system. Pursuant to Village Law §7-703, the Board of Trustees must make certain findings as part of adoption of such an incentive zoning law, and the Board of Trustees here did so at the time of adoption of the Village Code provisions authorizing such incentive zoning, and also does so herein.

The Board of Trustees hereby concludes that it would be reasonable and appropriate to classify the subject property as Business D Incentive, and to authorize enhanced development of the subject property, taking into account the current uses, and the characteristics of the said property and the area in which it is located. As part of its consideration of this application, the Board of Trustees has recognized and taken into account the various factors relevant to development and use of the subject property as presently permitted by the Village zoning regulations, and finds that enhanced development of that property is permissible and appropriate, provided that such development is accompanied by community amenities, pursuant to Village Law §7-703, as determined by the Board of Trustees as permitted by New York State law.

The Board further finds that the zoning district in which the subject property is currently located contains adequate resources, environmental quality and public facilities (including transportation, water supply, waste disposal and fire protection) to permit the authorization of incentive uses, and development as specified in the Village Code, and as requested in the subject application. Under the existing circumstances, and with appropriate conditions as set forth in this approval, such property development is compatible with the development otherwise permitted in this zoning district, and is in conformity with the Board's conclusions as to the appropriate plan for use and development of property in the Village.

Within reasonable constraints to preserve the existing character of the Village, and consistent with other uses of property permitted in the Village, the Board further finds that it would be beneficial to authorize the proposed residential development, with density and other characteristics different than those presently permitted. The Board further finds that the subject property is available and appropriate for such enhanced development. The Board also finds and concludes that the authorization of incentive uses and enhanced development pursuant to this law will not have any impact on the potential development of affordable housing in the Village, that the plan proposed by the applicant, subject to the conditions imposed herein, is feasible and acceptable, and shall not result in any additional or excessive expense to the Village.

It would serve the health, welfare and public safety to provide incentives, as authorized by Village Law §7-703 and the Village Code, in the Business D District, and as requested in this application. The health, welfare and public safety will be furthered by this proposed development, which is in accord with the Village's comprehensive regulatory scheme for the use and development of properties in the Business D District, particularly in light of the community amenities required pursuant to State and Village enabling legislation in connection with any authorization for this development.

The Board further finds and concludes that it would be appropriate for the applicant to pay a designated sum to the Village in lieu of providing any specific community amenity as part of the project, such sum to be used by the Village for the provision of future community amenities as may be approved by the Village Board of Trustees.

Decision

For the aforesaid reasons, the instant application is approved to the extent, and upon the conditions, hereinafter stated:

1. All development of the property shall be done strictly in conformity with the plans reviewed and approved by the Board, which plans shall be clearly marked, identified and filed by the Village Code Official (Building Inspector) prior to issuance of any building permit;
2. The subject property is reclassified from Business D District to Business D Incentive District;
3. The number of dwelling units on the property shall not exceed twenty (20), of which six (6) shall be existing two bedroom units, seven (7) shall be new two bedroom units, two (2) shall be new duplex two bedroom units and five (5) shall be new one bedroom units, all as shown on the plans submitted as part of this application, as last revised and filed with the Village prior to this decision;
4. 3,040 square feet (26.05%) of the site shall be devoted to retail space to be located on the first floor of the building;
5. A minimum of thirty (30) off-street parking spaces shall be provided on site as shown on the aforesaid plans;
6. The height of the building shall not exceed 55.5 feet;

7. The buildings on the site shall not exceed 96.23% lot coverage;
8. Traffic mitigation measures will be as approved by the Village and coordinated with and accepted by the Nassau County Department of Public Works and the Nassau County Police Department and Village of Great Neck Estates Police Department;
9. The owner shall implement noise abatement modifications which integrate sound barriers for HVAC equipment, as may be approved by the Village Building Department;
10. Site plan modifications shall be made to windows, balconies and facades of buildings as may be required by the Village Building Department;
11. All development shall be done consistent with the mitigation measures identified in the reports by the Village's traffic consultants;
12. All construction shall be completed within a period of nine months from the first day of construction;
13. Dumpsters shall be located, filled and removed as directed by the Village Building Department. Refuse shall be stored within the building in refrigerated areas once the construction is completed and a certificate of occupancy or completion is issued;
14. No construction shall commence until such time as required sidewalk and scaffolding permits have been issued. All sidewalks shall be restored to pre-construction conditions, and shall be repaved with brick paving, all subject to approval of the Village Building Department, before any certificates of occupancy or completion will be issued for the project;
15. Hours of construction shall be limited to Monday through Friday of each week, between the hours of 8:30 am and 4:30 pm, and Saturday between the hours of 9:00 am and 5:00 pm. No construction activities shall take place during other times without the prior permission of the Board of Trustees;
16. The owner and developer shall coordinate with the Village of Great Neck Estates and the Village of Great Neck Plaza regarding the flow of traffic generated by actual construction, and with the Village of Great Neck Estates, Village of Great Neck Plaza and the County of Nassau with respect to traffic flowing from Maple Avenue heading south on Middle Neck Road. Formal written approval of traffic patterns shall be obtained from Nassau County Department of Public Works prior to issuance of any building permit. The owner and developer shall provide prior written approval from Great Neck Estates and Nassau County with respect to any change in traffic patterns that will occur during the construction phase of the project. During construction, including at all delivery times, the owner and applicant will provide an on-site flag person/coordinator to assist the movement of vehicles into, from, and around the site. The Village will observe activities during construction and the Village may direct changes in routines if necessary;
17. The owner and developer shall implement noise abatement measures during construction as may be directed by the Village Building Department;
18. HVAC units shall be sited as directed by the Village Building Department;
19. Upon installation of the mechanical equipment at the property, the Village shall have the right to undertake noise monitoring. If the noise monitoring indicates that the noise is excessive, then either (a) additional noise mitigation will be required in a

manner satisfactory to the Village, or (b) the equipment shall be moved or removed as directed by the Village;

20. In the event post-construction noise levels are higher after HVAC units are installed then, in the sole discretion of the Village, additional baffling or noise abatement measures will be installed or the units will be relocated;

21. The owner of the property shall consent and agree, on its own behalf and on behalf of its successors and assigns, to waive and relinquish any right to seek or obtain any variance of the zoning regulations or conditions applicable to such property with respect to the Business D Incentive Development, whether such variances are sought or authorized prior to, or subsequent to, the issuance of the incentive use permit

22. The owner or developer shall pay to the Village the sum of \$350,000.00, as and for a payment in lieu of community amenities provided by the owner, such amount to be used by the Village only to provide community amenities as may be approved by the Village Board of Trustees. At least \$100,000.00 of such amount shall be paid in a non-refundable payment within ninety (90) days after the adoption of this resolution, and the full remaining balance of such amount shall be paid prior to issuance of any building permit for the project;

23. Required building permits shall be obtained within one year from the date of adoption of this approval resolution, unless such period of time is extended by the Board of Trustees in writing;

24. This approval shall not become effective unless within sixty (60) days of the date hereof the applicant shall record with the Nassau County Clerk a declaration of covenants and restrictions, executed by such persons, and in such form, as approved by the Village Attorney prior to recording, which declaration shall incorporate the conditions set forth herein, in order to memorialize the said conditions for the information of future owners of the subject property and for the protection of the interests of the Village and its residents, and to assure that such conditions will run with the land and be binding upon any and all future owners of the property or any part thereof. The Village Attorney may elect that one or more of such conditions need not be included in the said declaration, but the omission of any condition from such declaration shall not obviate or change the obligation of the owner, developer or any other person to comply with such condition. No building permit shall be issued for any part of this project until the Village Attorney certifies that the declaration required by this condition has been duly recorded.

Adopted by the Board of Trustees of the Village of Great Neck Estates on December 10, 2007.

Votes in favor: Mayor Fox
Deputy Mayor Waner
Trustee Hirschmann
Trustee Krugman

Absent: Trustee Zingher

First Playhouse

2012 January 9

Whereas, First Playhouse of Great Neck Corp. has applied to the Board of Trustees for amendment of the incentive zoning approval first granted on December 10, 2007, and subsequently amended in various respects, and

Whereas, subsequent to the submission of that application, First Playhouse has revised the proposed amendments such that the application now is limited to retaining the previously approved number of proposed units, modification of floor plans to provide more living space, addition of basement storage & recreation room, addition of retail storage space, a more attractive lobby and sitting area, and service, mail and delivery areas, placing air-conditioning and other mechanical units on the roof instead of in the building façade, reducing the number of windows from eleven to six facing the residential areas to the west, and reducing the number of on site parking spaces to 28, with 2 additional parking spaces for the retail tenants to be secured in the municipal parking lot, and

Whereas, the Board of Trustees has duly considered such request and, on January 9, 2012 held a public hearing with respect to the current revised application for amendment, and

Whereas, the Nassau County Planning Commission has recommended local determination of this application,

Now, therefore,

BE IT RESOLVED, that the application is granted, to amend the approved plans and substitute the amended plans submitted with the revised application in place and stead of those plans previously approved, and on the condition that the property owner shall annually purchase from the Village not less than two parking permits for parking retail tenant vehicles in the municipal parking lot in the place and stead of having such two parking spaces on site, and it is further

RESOLVED, that in all other respects the previous approvals and conditions of approval, as previously amended, shall remain in full force and effect, and it is further

RESOLVED, that this approval shall not become effective unless on or before April 1, 2012 the applicant shall record with the Nassau County Clerk an amendment to the existing declaration of covenants and restrictions, executed by such persons, and in such form, as approved by the Village Attorney prior to recording, which declaration shall incorporate the amendments and additional conditions set forth herein, in order to memorialize the said conditions for the information of future owners of the subject property and for the protection of the interests of the Village and its residents, and to assure that such conditions will run with the land and be binding upon any and all future owners of the property or any part thereof.

Board of Trustees
2020 January 13

First Playhouse of Great Neck Corp. - Amendment of Previous Incentive Zoning Permit.

Mayor Warner opened the continued public hearing. There was no appearance for the applicant. The minutes of the hearing were transcribed stenographically and are on file in the Village office. Village Attorney Levin stated that the Nassau County Planning Commission issued its non-binding recommendation that the Board act on this application as it deems appropriate, and urged the Village to assure compliance with the Long Island Workforce Housing Act. The Village Attorney noted that such a requirement had been included in the existing project approval. After hearing all interested persons, on motion by Mayor Warner, seconded by Trustee Oppenheim and adopted unanimously, the hearing was closed. Following Board discussion, on motion by Mayor Warner, seconded by Trustee Hershshorn, and adopted unanimously, the following resolution was adopted unanimously:

**RESOLUTION AMENDING PREVIOUS APPROVAL
OF AN INCENTIVE ZONING PERMIT GRANTED TO
FIRST PLAYHOUSE OF GREAT NECK CORP.**

WHEREAS, the Board of Trustees previously received, reviewed, and approved (subject to stated conditions) an application by First Playhouse of Great Neck Corp. for the granting of an Incentive Use Permit; and

WHEREAS, the time provided in such approval for First Playhouse of Great Neck Corp. to obtain building permits expired without such permits having been obtained; and

WHEREAS, First Playhouse of Great Neck Corp. has applied to extend that period of time, and to amend other conditions of the previous approval with respect to the exterior appearance and configuration of the proposed building (hereinafter the "proposed action"); and

WHEREAS, the Board of Trustees previously held a public hearing with respect to such application, approved an extension of time for First Playhouse of Great Neck Corp. to obtain the required permits, and continued to January 13, 2020 the public hearing with respect to remaining issues; and

WHEREAS, having heard all interested persons, the Board of Trustees has held and concluded that public hearing on January 13, 2020; and

WHEREAS, the Board of Trustees heretofore has issued its Negative Declaration resolution with respect to environmental impacts of the proposed action; and

WHEREAS, the Board of Trustees has received and considered the Local Determination recommendation of the Nassau County Planning Commission with respect to the proposed action;

NOW, THEREFORE, BE IT RESOLVED, that, the Board of Trustees hereby approves the instant application for amendment of the previously issued Incentive Zoning Permit, subject to the following terms and conditions:

1. *All construction shall be performed in accordance with the plans on file with the Village and presented at the public hearing, unless revised with the approval of the Board of Trustees. Notwithstanding the foregoing, the Building Official is authorized to approve minor and insubstantial amendments to such plans as field amendments where necessary due to unanticipated site or construction conditions;*
2. *The applicant shall take all reasonable and necessary measures as required by the Building Official for the protection of neighboring properties and persons present on such properties;*
3. *In all respects, and except as expressly amended by this resolution, the terms and conditions of the previous incentive zoning approval, as previously amended, shall remain in full force and effect.*

Board of Trustees
2023 February 13

Public Hearing – First Playhouse Amended Incentive Permit

Mayor Warner stated that a notice had been published and posted calling for a public hearing on January 19, 2023 to consider the application of First Playhouse of Great Neck Corp. for an amendment to the existing Incentive Zoning permit and plans and that hearing was continued to this meeting. Mayor Warner inquired if there was anyone present who wished to be heard with regard to this application.

Verbatim minutes attached

The following resolution was offered by Trustee Hershenhorn, seconded by Trustee Ganzfried, and adopted unanimously,

**RESOLUTION FURTHER AMENDING PREVIOUS APPROVAL
OF AN INCENTIVE ZONING PERMIT GRANTED TO
FIRST PLAYHOUSE OF GREAT NECK CORP.**

WHEREAS, the Board of Trustees previously received, reviewed, and approved (subject to stated conditions) an application by First Playhouse of Great Neck Corp. for the granting of an Incentive Use Permit; and

WHEREAS, such approval included approval of specific plans for the proposed construction, as well as other pertinent conditions; and

WHEREAS, First Playhouse of Great Neck Corp. previously has applied for various amendments and extensions of time in relation to the proposed project, which applications have been granted, with conditions, to the extent stated in previously resolution of the Board of Trustees; and

WHEREAS, First Playhouse of Great Neck Corp., has applied for further amendments to the incentive zoning permit approval and the approved plans (the proposed action), as last revised; and

WHEREAS, the Board of Trustees duly held a public hearing with respect to the proposed action, at which hearing all interested persons were heard; and

WHEREAS, having heard all interested persons, the Board of Trustees concluded that public hearing on February 13, 2022; and

WHEREAS, the Board of Trustees heretofore has issued its Negative Declaration resolution with respect to environmental impacts of the proposed development, and the proposed action makes no material change in the substantive elements of the development which require any further or additional environmental impact review pursuant to the State Environmental Quality Review Act; and

WHEREAS, the proposed action involves proposed changes in the project, including, without limitation, the following: (a) reduction in building height, (b) revisions to the proposed bedroom mix and an increase in total bedrooms, and (c) no change in the number of proposed units; and

NOW, THEREFORE, BE IT RESOLVED, that, the Board of Trustees hereby approves the proposed action consisting of amendment of the previously issued Incentive Zoning Permit, and proposed construction plans, subject to the following terms and conditions:

1. The times within which the applicant is required to obtain building permits, and to complete construction of the proposed development, including obtaining all required certificates of occupancy/completion, shall remain as previously determined by the Board;
2. Prior to issuance of any certificate of occupancy for any unit at the subject premise, the owner shall record in the office of the Nassau County Clerk, execute and deliver to the Village, in form satisfactory to the Village Attorney, a Services Agreement pursuant to which the owner agrees, on its own behalf and on behalf of its successors in interest as owner(s) of the subject property, that in the event any exemption from property taxes is granted by an Industrial Development Agency or similar agency with jurisdiction, the owner shall annually pay to the Village at the time any property taxes are or would be due to the Village, an amount which, in addition to any property taxes received by the Village pursuant to any PILOT agreement made as a condition of any such exemption, an amount equal to the difference between such PILOT payment to the Village and the Village property tax which would otherwise be applicable in the event there were no such exemption;
3. In other respects, and except as expressly amended by this resolution, the terms and conditions of the previous incentive zoning approval, as previously amended, shall remain in full force and effect.

BOARD OF TRUSTEES

VILLAGE OF GREAT NECK ESTATES

-----X
In the Matter of the Application

of

FIRST PLAYHOUSE
-----X

PRESENT: WILLIAM WARNER, MAYOR
JEFF FARKAS, DEPUTY MAYOR
LANNY OPPENHEIM, TRUSTEE
HOWARD HERSHENHORN, TRUSTEE
IRA D. GANZFRIED, TRUSTEE

KATHLEEN L. SANTELLI, VILLAGE ADMINISTRATOR

DATE: February 13, 2023

TIME: 8:00 p.m.

PLACE: VILLAGE HALL
4 Atwater Plaza
Great Neck, New York 11021

COUNSEL A. THOMAS LEVIN, ESQ.
REPRESENTING 990 Stewart Avenue
VILLAGE OF Garden City, New York 11530
GREAT NECK ESTATES

REPORTED BY: Christa Flash, RPR

RECEIVED
MAY 13 2023
GREAT NECK ESTATES

2023 MAR -3 AM 9:59

RECEIVED

Board of Trustees - 2/13/23 - First Playhouse

1 MAYOR WARNER: Welcome, everybody.

2 So the first order of business is a
3 continuation of the public hearing for First
4 Playhouse, Corp., for the amendment to their
5 incentive zoning permit.

6 So we did some research. The applicant had
7 talked about having us find our consultants to offer
8 a proposal to expedite the review process. We've got
9 proposals from them. So if we accept their proposal,
10 then we get it expedited and then we don't lose time.

11 The biggest concern of this Board is that
12 this project gets done on a timely basis. So we had
13 started when? The permit started July? August?
14 Remind me.

15 MR. SHIRIAN: August.

16 MAYOR WARNER: And it was 27 months; is that
17 correct?

18 MR. J. SHIRIAN: Off the top of my head I'm
19 not sure.

20 MS. DZIORNEY: I can go get the permit and
21 see.

22 MAYOR WARNER: Okay. So the concern is that
23 we --

24 TRUSTEE HERSHENHORN: Barbara, could you
25 just get it?

Board of Trustees - 2/13/23 - First Playhouse

1 MS. DZIORNEY: Sure.

2 MAYOR WARNER: If the Board were to accept
3 the amendment that the timing wouldn't change, that's
4 the biggest concern of this Board. Is that a
5 reasonable objective for you guys?

6 MR. SHIRIAN: Yes.

7 MAYOR WARNER: Yes. Is it a reasonable
8 objective enough to tell us that if you don't finish
9 it by that time, the building permit gets pulled?

10 TRUSTEE HERSHENHORN: It doesn't get pulled,
11 it will expire.

12 MAYOR WARNER: Expire. I'm sorry.

13 TRUSTEE HERSHENHORN: It automatically
14 expires.

15 MAYOR WARNER: Yes.

16 MR. SHIRIAN: If it expires?

17 MAYOR WARNER: Expires, that means the whole
18 building permit process has to start all over again.
19 Is that reasonable enough?

20 MR. SHIRIAN: Yes.

21 MAYOR WARNER: Yes. Okay.

22 Does anybody have any questions for either
23 Mr. Bloom, Mr. Shirian or the other Mr. Shirian?

24 MS. DZIORNEY: The permit is valid. The
25 permit was issued on August 12, 2022.

Board of Trustees - 2/13/23 - First Playhouse

1 MAYOR WARNER: Okay. Which is six months
2 ago yesterday.

3 MS. DZIORNEY: If you're working with 27
4 months, right, that would be --

5 MAYOR WARNER: Which would take us to
6 November, November 12th.

7 MS. DZIORNEY: November 12th of '24.

8 MAYOR WARNER: 2024.

9 MR. SHIRIAN: No problem.

10 MR. BLOOM: Before we say "no problem,"
11 you've got the proposal.

12 MS. DZIORNEY: Ten days.

13 MR. BLOOM: They'll have it in ten days?

14 MS. DZIORNEY: They said ten days.

15 MR. LEVIN: Why don't we wait for them to
16 finish their question before you answer.

17 MS. DZIORNEY: Sorry.

18 MR. BLOOM: It's going to take them ten days
19 to get this done?

20 DEP. MAYOR FARKAS: Assuming all the
21 documents are submitted and we have a complete set of
22 plans, they guarantee -- or they put in writing, I
23 don't know about guarantee --

24 MAYOR WARNER: Once they get it, they have
25 guaranteed a ten-day turnaround.

Board of Trustees - 2/13/23 - First Playhouse

1 TRUSTEE OPPENHEIM: Let's assume a few days
2 longer.

3 MR. BLOOM: Can I ask a question? I will
4 not ask a question of Barbara, but I'm asking the
5 question of Barbara. We did submit a full set of
6 plans, what we believe is a full set of plans. The
7 question is does the village believe that we have a
8 full set of plans?

9 TRUSTEE HERSHENHORN: That's a good
10 question.

11 MAYOR WARNER: Excellent question.
12 Barbara?

13 MS. DZIORNEY: They look like a full set of
14 plans to me. So what they're saying is the first
15 review will be completed within ten days of receipt
16 of the plans. I can send them over tomorrow. And if
17 they need to do a second review, that would be
18 completed within five days of receipt of the response
19 to the comments.

20 MR. BLOOM: The answer I hear from my
21 client, or my client's representative, the builder,
22 is that that is doable.

23 MAYOR WARNER: I heard that, too. Okay.

24 MR. LEVIN: Take all the comments first.

25 MAYOR WARNER: Okay. Well, does the Board

Board of Trustees - 2/13/23 - First Playhouse
1 have any questions? Does anybody on the Board have
2 any questions?

3 We have asked what we wanted to ask.
4 They've answered what they've answered. We've gotten
5 the information about the consultant, their
6 turnaround.

7 DEP. MAYOR FARKAS: I have a question.

8 MAYOR WARNER: Go ahead, Jeff.

9 DEP. MAYOR FARKAS: So, Albert, I have a
10 question. From the last meeting to this meeting,
11 were you held up at all with any work?

12 MR. SHIRIAN: Just on the very cold days, a
13 few --

14 DEP. MAYOR FARKAS: No. No. I mean the
15 process. With the process have you been held up?

16 MR. SHIRIAN: No.

17 DEP. MAYOR FARKAS: How much longer until
18 you actually get held up by the process? In other
19 words, you have to make a decision whether you're
20 doing plan A or proposed plan B. How much in the
21 future --

22 MR. SHIRIAN: We think by the end of next
23 week we're going to be done with the foundation.
24 We're going to go to the first floor slab the
25 following week. It's going to take about a week to

1 Board of Trustees - 2/13/23 - First Playhouse
2 ten days to finish the slab and to move on to the
3 second floor.

4 TRUSTEE HERSHENHORN: Jeff, you just said
5 they have plan A or plan B. We're not going back to
6 A. We're going to B.

7 TRUSTEE OPPENHEIM: We have experts looking
8 at that.

9 DEP. MAYOR FARKAS: I just want to make
10 sure --

11 TRUSTEE HERSHENHORN: Assuming that our
12 experts agree that it's okay, we're not going back.

13 DEP. MAYOR FARKAS: No. No. No. We're not
14 going back. I just want to make sure that we're not
15 losing time --

16 TRUSTEE HERSHENHORN: Of course.

17 DEP. MAYOR FARKAS: -- because he has a
18 permit for 27 months, and I just want to make sure
19 that come November we all are proud to cut the ribbon
20 on this new building.

21 MR. SHIRIAN: If we get approval within 10
22 to 15 days as of tomorrow, we won't be delayed.

23 DEP. MAYOR FARKAS: So when does the delay
24 start, just so I know? A month? Thirty days?

25 MR. SHIRIAN: I'm going to keep going up to
the second floor. Okay? I will stop at the second

1 Board of Trustees - 2/13/23 - First Playhouse
2 floor if I don't have these new plans approved
3 because I cannot, unless the village tells me, no,
4 you go ahead, then I'll go.

5 MR. BLOOM: Jeff, if I might, I think I said
6 at the last meeting the new building, the proposed
7 building, there is no change construction-wise as it
8 relates to the foundation, first and second floor.
9 The change in the plan begins at the third floor.

10 DEP. MAYOR FARKAS: I understand. I'm just
11 asking.

12 MR. BLOOM: I'm trying to help you.

13 DEP. MAYOR FARKAS: I'm just asking at what
14 point is he going to be done with the second floor so
15 that we're not holding him up.

16 MAYOR WARNER: Today is February 13th. When
17 will you be -- ballpark.

18 MR. SHIRIAN: Hold on a second. I have my
19 project manager sitting behind me.

20 DEP. MAYOR FARKAS: Stand up. Tell us who
21 you are. You can speak for you client.

22 MR. J. SHIRIAN: I'm Jake Shirian. I'm with
23 the builder.

24 So the answer to that question is it really
25 depends on how we obtain financing, because I have a
bank lined up. We're ready to go. They're just

1 Board of Trustees - 2/13/23 - First Playhouse
2 waiting for the approved plans. Once they get the
3 updated plans, then we're ready to rock and roll with
4 our construction loan, but without these approved
plans it's going to be --

5 MR. SHIRIAN: Give me the dates that we
6 discussed.

7 MR. J. SHIRIAN: We have approvals for the
8 cellar and the first floor because they remain
9 identical.

10 DEP. MAYOR FARKAS: And the second floor.

11 MR. SHIRIAN: Up to the second floor.

12 MR. J. SHIRIAN: The second floor is
13 slightly different.

14 MS. DZIORNEY: Yeah.

15 MR. J. SHIRIAN: The cellar and the first
16 floors are --

17 MR. SHIRIAN: Up to the second floor, not
18 past the second floor.

19 MR. J. SHIRIAN: We can be at that point in
20 about a month.

21 MAYOR WARNER: Okay. Okay.

22 TRUSTEE HERSHENHORN: So are we hearing two
23 different things, up to the second floor versus --

24 DEP. MAYOR FARKAS: No. No. What we heard
25 was they can keep moving for the next 30 days

1 Board of Trustees - 2/13/23 - First Playhouse
2 regardless of whether the plans are approved or not
3 approved. That's what we heard; is that right?

4 MR. SHIRIAN: Yes.

5 MR. J. SHIRIAN: If I might, it depends on
6 our financing, as well.

7 MR. BLOOM: Just so that I think it's clear
8 in everyone's mind, you've got the basement/cellar
9 and then the first floor. When you finish the first
10 floor, you've got the part of the second floor. Now
11 going up from that point, obviously, it's different,
12 but that's why I made the reference to second floor
13 because we're up to that level.

14 TRUSTEE HERSHENHORN: The only thing that
15 makes it a little uncomfortable is we're hearing
16 about this depending on the financing.

17 MAYOR WARNER: Right, but that's --

18 DEP. MAYOR FARKAS: That's on them. They
19 can't say --

20 MR. J. SHIRIAN: It's 100 percent lined up.
21 They've already reviewed our plans that are pending
22 approval that you have. They've conducted their own
23 construction cost study. They've done their own
24 appraisal. Everything is 100 percent lined up.
25 They're telling me as soon as they get the permit
we're good to go.

Board of Trustees - 2/13/23 - First Playhouse

1 MR. SHIRIAN: So an adjustment to make it
2 easy for you guys to understand, we are past the hard
3 work. The foundation was the difficult work. We had
4 to be careful what we were doing down there,
5 protection of the neighbors and everything. Now we
6 have -- we are past that. So now I think we go much
7 faster, much smoother.

8 MR. BLOOM: I'm going to add on to his he
9 did a great job. The hard part was also the
10 demolition. The demolition was very, very difficult.
11 It was virtually brick by brick. It was not an
12 implosion and it was not heavy equipment pulling down
13 walls. It was very, very difficult.

14 DEP. MAYOR FARKAS: Paul, we're not looking
15 back. We're looking forward to get this done.
16 That's what we're doing here.

17 MR. SHIRIAN: Jeff, we're going to get it
18 done.

19 MAYOR WARNER: Any other questions?
20 Counsel?

21 MR. LEVIN: I just want to pin something
22 down. I think at previous hearings you said there
23 was not going to be IDA financing on this; is that
24 correct?

25 MR. SHIRIAN: IDA financing? We never spoke

Board of Trustees - 2/13/23 - First Playhouse
1 about that.

2 MR. LEVIN: Well, then I'll ask the question
3 directly. Is there going to be IDA financing on this
4 project?

5 MR. BLOOM: There's no financing, as you
6 know, for IDA, but there is an intent to file for an
7 IDA on this.

8 MR. LEVIN: I'm sorry. I didn't hear you.

9 MR. BLOOM: I said there is an intent to
10 file for IDA. Whether or not they approve it we do
11 not know.

12 MR. LEVIN: Okay. Because in similar
13 situations villages ask the developers to agree that
14 if they get IDA financing or any title, that they
15 agree that notwithstanding the pilot, the taxes to
16 the village will be based on the current assessment
17 roll.

18 MR. BLOOM: We will agree to that. It is
19 not an uncommon request from the villages.

20 MR. LEVIN: Okay.

21 TRUSTEE HERSHENHORN: Do you have to draw
22 something up or is putting it on the record enough?

23 MR. LEVIN: No. There would be an agreement
24 to that as part of the approval.

25 DEP. MAYOR FARKAS: I think they said that

Board of Trustees - 2/13/23 - First Playhouse
last time also.

MR. SHIRIAN: This was done already a few months ago, you know, at one of the meetings.

MR. LEVIN: I just want to make sure that it's still valid. That's fine.

MR. BLOOM: It is still a reasonable request of the village. It is not unusual. We accept it.

MAYOR WARNER: Okay.

DEP. MAYOR FARKAS: Can you just -- I'm not that familiar with the pilot program. Can you just give us a summary as to what that's about?

MR. BLOOM: It's referred to loosely as IDA financing. IDA doesn't finance anything. Your financing is all in the end. When you apply to IDA and if, in fact, they do approve it, there will be a negotiated pilot agreement, a payment in lieu of tax agreement. That payment in lieu of tax agreement will have an impact with respect to the taxes that are paid to the various municipalities.

At some point, and I can't tell you because, as I said, this is all negotiable, it could be five years, ten years, fifteen years. On some projects that we've had go through to 20 years where the taxes are staged back in. The taxes are usually frozen for a period of time, negotiable with the IDA, where the

1 Board of Trustees - 2/13/23 - First Playhouse
2 existing taxes are frozen for, in effect, the period
3 of construction and for stabilization. From that
4 point on there is annual increases.

5 They are set numbers, so nobody is guessing.
6 Years ago when we did IDAs it was tied in to all
7 percentages and you never knew, the municipality nor
8 did the applicant ever know what the actual tax
9 payments would be every year. Now they are set in as
10 fixed numbers so that the taxing authorities will
11 have the ability to plan for that.

12 DEP. MAYOR FARKAS: And what does the IDA
13 get out of it and why are they offering to phase in
14 the taxes?

15 MR. BLOOM: It's authorized by law. It's to
16 encourage things as construction of this building.
17 This one in particular is a transportation-oriented
18 project because of its location to the railroad and
19 other transportation purposes. There is also a
20 requirement with IDA that you set aside, under the
21 State Workforce Housing, ten percent of the units for
22 affordable housing -- well, workforce housing, not
23 affordable housing, workforce housing.

24 There is also usually a requirement,
25 especially these days, that the contractors that are
actually working on site will have prevailing wage.

Board of Trustees - 2/13/23 - First Playhouse
1 They would prefer union but as long as you give the
2 unions an opportunity but you are paying prevailing
3 wage. And so it is to enhance local development,
4 local employment, and it is to also encourage
5 building where people can actually walk as opposed to
6 drive their car.

7 DEP. MAYOR FARKAS: So we have, what, 20
8 units here?

9 MR. BLOOM: That's correct.

10 DEP. MAYOR FARKAS: So two of the units will
11 be --

12 MR. BLOOM: Two of the units will be
13 workforce housing.

14 DEP. MAYOR FARKAS: And are those lower
15 rents or does any of this affect the rent -- the
16 amount you can charge for rent on the property?

17 MR. BLOOM: The answer is yes, but I will
18 say to some extent, and I don't want to tell you in
19 public, but the fact is it is public. It is based
20 upon the mean average income on Long Island, which is
21 a substantially higher number than it is elsewhere.

22 DEP. MAYOR FARKAS: For all the apartments
23 or just for the two apartments?

24 MR. BLOOM: Just for the two apartments.

25 DEP. MAYOR FARKAS: You're going to have 18

1 Board of Trustees - 2/13/23 - First Playhouse
2 fair market rents, and you're going to have two that
3 are based on a median income formula?

4 MR. BLOOM: It is based on -- there's an
5 entire schedule. Generally speaking, I advise my
6 clients who do have units that are Workforce Housing
7 units that the "management" of those two units is
8 given to a private entity, Long Island Partnership,
9 and they do the clearance with respect to the
10 qualifications of the individuals and are responsible
11 with respect to seeing those units are occupied.

12 DEP. MAYOR FARKAS: Is it possible for the
13 village to have a say as to who gets those units?

14 MR. BLOOM: You don't want to.

15 MR. LEVIN: The answer is no.

16 DEP. MAYOR FARKAS: I'm looking for our
17 police or for our public works people or to have
18 those types of individuals.

19 Is there a mechanism for local workforce
20 employees to get it, Tom?

21 MR. LEVIN: No, there is not.

22 MR. BLOOM: I know a village very close to
23 where we are standing right now who tried to do that
24 and wound up with a federal lawsuit, including the
25 village, the IDA and the owner of the property. As I
said, you don't want to go down that path.

Board of Trustees - 2/13/23 - First Playhouse

1 DEP. MAYOR FARKAS: I'm just asking the
2 question. I'm not familiar.

3 MR. BLOOM: Tom, how am I doing?

4 MR. LEVIN: Pretty good. I want to clarify
5 something.

6 First of all, there was a condition of this
7 project approval all the way back at the beginning
8 that you have to comply with the Long Island
9 Workforce Housing Law. So what I want to get at,
10 though, is the IDA, assuming it's an IDA approval, is
11 that IDA approval containing its own requirement to
12 comply with -- provide workforce housing or does it
13 require compliance with the Workforce Housing Act?

14 MR. BLOOM: Just with respect to the Act.

15 MR. LEVIN: There are exceptions in the
16 Workforce Housing Act where the units have to be
17 provided but not necessarily on site. There is a way
18 to buy out from that by making payments to the
19 housing partnership, and they'll put the units
20 somewhere else. That's not in the village's control.
21 That's up to what the developer and the housing
22 partnership may work out, but there are ways to do
23 that where the units would not necessarily be here in
24 the village. So I just want to make sure you
25 understand.

Board of Trustees - 2/13/23 - First Playhouse

1 MR. BLOOM: They may be in the next door
2 village.

3 MR. LEVIN: They could be, but that's
4 something -- what happens is they can either provide
5 the units somewhere else or they can make the payment
6 to the housing partnership and the housing
7 partnership will provide the units wherever it can.

8 DEP. MAYOR FARKAS: Right. But that would
9 be up to them.

10 MR. LEVIN: That would be up to them, right,
11 but it's not something you can control.

12 DEP. MAYOR FARKAS: I just wanted to know if
13 we can vet our workforce. You're saying no.

14 MR. LEVIN: Right.

15 TRUSTEE HERSHENHORN: Going back to the main
16 point, none of that distracts from the construction.

17 MR. BLOOM: No, absolutely not. Absolutely
18 not.

19 DEP. MAYOR FARKAS: And 18 of the units are
20 fair market. They can rent to whoever they want at
21 whatever price they want.

22 MR. BLOOM: Hopefully a lot.

23 TRUSTEE HERSHENHORN: Hopefully a lot. We
24 agree with that.

25 MAYOR WARNER: Any other questions,

1 Board of Trustees - 2/13/23 - First Playhouse
2 comments, about this application?

3 (No response.)

4 That said, I'm going to make a motion we
5 close the public hearing.

6 TRUSTEE GANZFRIED: Second.

7 MAYOR WARNER: Ira seconds it.

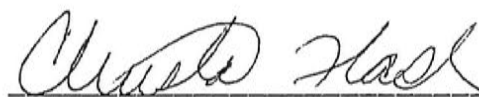
8 All in favor?

9 (Whereupon, all Board members answered in
10 the affirmative.)

11 Unanimously carries.

12 * C E R T I F I C A T I O N *
13

14 The foregoing is certified to be a true and
15 accurate transcript of my original stenographic notes for
16 the above-mentioned proceedings.

17 

18 Christa Flash, Official Court Reporter
19
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25

EXHIBIT A

Upon acceptance of the Application by the Agency for processing and completion of the Cost/Benefit Analysis, the Agency will attach a proposed PILOT Schedule hereto, together with an estimate of the net tax benefit/cost of the proposed PILOT Schedule.

EXHIBIT B

Fair Housing/Equal Housing Opportunity Policy to be adopted by Agency Applicants for Housing Projects

As part of our continuing effort to ensure compliance with federal, state, and local anti-discrimination laws, we would like to take this opportunity to remind you of our policies regarding equal housing opportunity. It is important for all employees to review his or her own actions in light of these requirements and for everyone to keep in mind the importance of treating all persons equally.

It is the policy and practice of this company not to engage in or assist the efforts of others to engage in housing discrimination. Consistent with that policy, we remind you that the antidiscrimination laws of the United States, New York State, and local laws are quite specific in the area of housing, and in conformance with those laws, you must not engage in any of the following conduct during the course of your work for this company:

1. Refuse to show, rent, sell, negotiate for the rental or sale of, or otherwise make unavailable or deny, housing to any person because of race, color, religion, creed, sex/gender, familial status (having or expecting a child under 18), national origin, ethnicity, disability, marital status, age, sexual orientation, military status, source of income or status as survivor of domestic violence (each a "prohibited basis");
2. Discriminate against any person in the terms, conditions or privileges of a rental or sale or in the provision of services or facilities in connection therewith because of a prohibited basis;
3. Make any verbal or written statement with respect to the rental or sale of housing that indicates any preference, limitation or discrimination concerning a prohibited basis, or any statement indicating an intention to make any such preference, limitation or discrimination;
4. Represent to any person because of a prohibited basis that any housing or unit is not available for inspection, rental or sale when such apartment is in fact so available;
5. Steer persons into or away from certain areas of a building, development or neighborhood because of a prohibited basis;
6. Refuse to provide a reasonable accommodation in rules, policies, practices or services for tenants, buyers, or applicants with disabilities; and
7. Refuse to allow a reasonable modification to individual units or common areas for tenants, buyers, or applicants with disabilities.

We are firmly committed to the goal of fair housing. You should understand that any violation of this Fair Housing/Equal Housing Opportunity Policy will lead to discipline, up to and including discharge.

EXHIBIT C

Sample Fair Housing Posters

U. S. Department of Housing and Urban Development



EQUAL HOUSING
OPPORTUNITY

We Do Business in Accordance With the Federal Fair
Housing Law

(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services
- In advertising the sale or rental of housing
- In the appraisal of housing
- In the financing of housing
- Blockbusting is also illegal

Anyone who feels he or she has been
discriminated against may file a complaint of
housing discrimination:

1-800-669-9777 (Toll Free)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

Previous editions are obsolete

Form HUD-920.1 (02/2011)

HOUSING
DISCRIMINATION IS
SOMETIMES **BLATANT**,
SOMETIMES
BUT ALWAYS UNLAWFUL.

DO YOU SUSPECT YOU HAVE BEEN DISCRIMINATED AGAINST BECAUSE OF YOUR AGE, RACE, DISABILITY, FAMILIAL STATUS, OR BECAUSE YOU ARE A MEMBER OF OTHER PROTECTED CLASSES? IF YOU WITNESS OR EXPERIENCE DISCRIMINATION, CONTACT THE NEW YORK STATE DIVISION OF HUMAN RIGHTS AT 1-888-392-3644 OR WWW.DHR.NY.GOV.

THE ADVERTISER HAS MADE NO CLAIMS UNDER THE FEDERAL FAIR HOUSING ACT OR ANY STATE FAIR HOUSING ACT.

NEW YORK STATE
DIVISION OF
HUMAN
RIGHTS

NY
WORKS




EXHIBIT D

Requirements for Affirmative Marketing Plans for Housing Projects

Affirmative marketing plans submitted by the Applicant shall be required only for affordable or “workforce” units and shall contain the following information:

1. Street address, village, town, zip code, and census tract number for the Project;
2. Number of affordable units to be marketed and whether they will be available for rent or purchase;
3. The number, if any, and location of market rate units included in the Project;
4. Whether the housing will be “housing for older persons”, defined as at least 80% occupancy of units with at least one person 55 or older or 100% occupancy of persons age 62 or older;
5. A description of how units will be advertised for sale or rental prior to first occupancy, including whether Applicant will utilize its own website, commercial websites, print media outlets, social media outlets such as Facebook, a sign at the project site, mailings, leaflets/flyers, brochures, and other forms of advertising;
6. A statement that the Applicant will use fair housing logo or phrase “Equal Housing Opportunity” on all advertising described above;
7. A statement that the Applicant will distribute written information regarding the availability of affordable units at the project to a list of organizations provided to the Applicant by the Agency, which list may be updated annually;
8. Whether the Applicant will conduct the marketing and initial rent-up or sales itself or contract with a third-party;
9. A statement that an initial application period with a specific start and end date will be utilized for accepting applications for consideration for the initial rental of the units and that the period will last for at least thirty (30) days after the marketing described in this plan is commenced. In addition, a statement that following the initial application period, all the applications submitted during the initial application period will be considered through the use of a lottery and not on a first-come first-served basis, unless the number of applications received during the initial application period is less than the total number of units available for rental.
10. A statement that the Applicant will maintain records of the activities it undertakes to implement its marketing plan.

SCHEDULE I

PART II (C): Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

The proposed project is a mixed-use retail/residential new development, with 20 apartments, ground-floor retail and cellar/ground-floor parking. Residential apartments consist of (4) one-bedroom apartments, (12) two-bedroom apartments, and (4) three-bedroom apartments. 10% of the total apartments, consisting of (1) one-bedroom apartment and (1) two-bedroom apartment, will be workforce apartments which will provide affordable housing for tenants at up to 100% of the median income for the Nassau-Suffolk primary metropolitan statistical area as defined by the Federal Department of Housing and Urban Development. The project will provide the Village of Great Neck Estates with necessary free-market and workforce rental housing, to promote economic growth in the area. The proposed project is located in a transportation-oriented area, roughly a 5-minute walk from the Long Island Railroad Station. The project would be economically infeasible without financial assistance from the IDA, due to current construction loan interest rates and construction costs.

PART II (E): If the Applicant is unable to arrange Agency financing or other Agency 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 financing or other Agency financial assistance? Describe.

If the Applicant is unable to arrange financial assistance from IDA, the project becomes cost prohibitive, and Applicant will be forced to abort the project. The savings from IDA assistance, including real estate tax, mortgage recording tax and sales tax, would make the project viable. There is a need for more residential rental housing in Nassau County, particularly in the Village of Great Neck Estates along Middle Neck Road. If the Applicant is unable to proceed with the project, Nassau County loses the benefit of additional residential rental housing and vibrant retail space in a central business district.

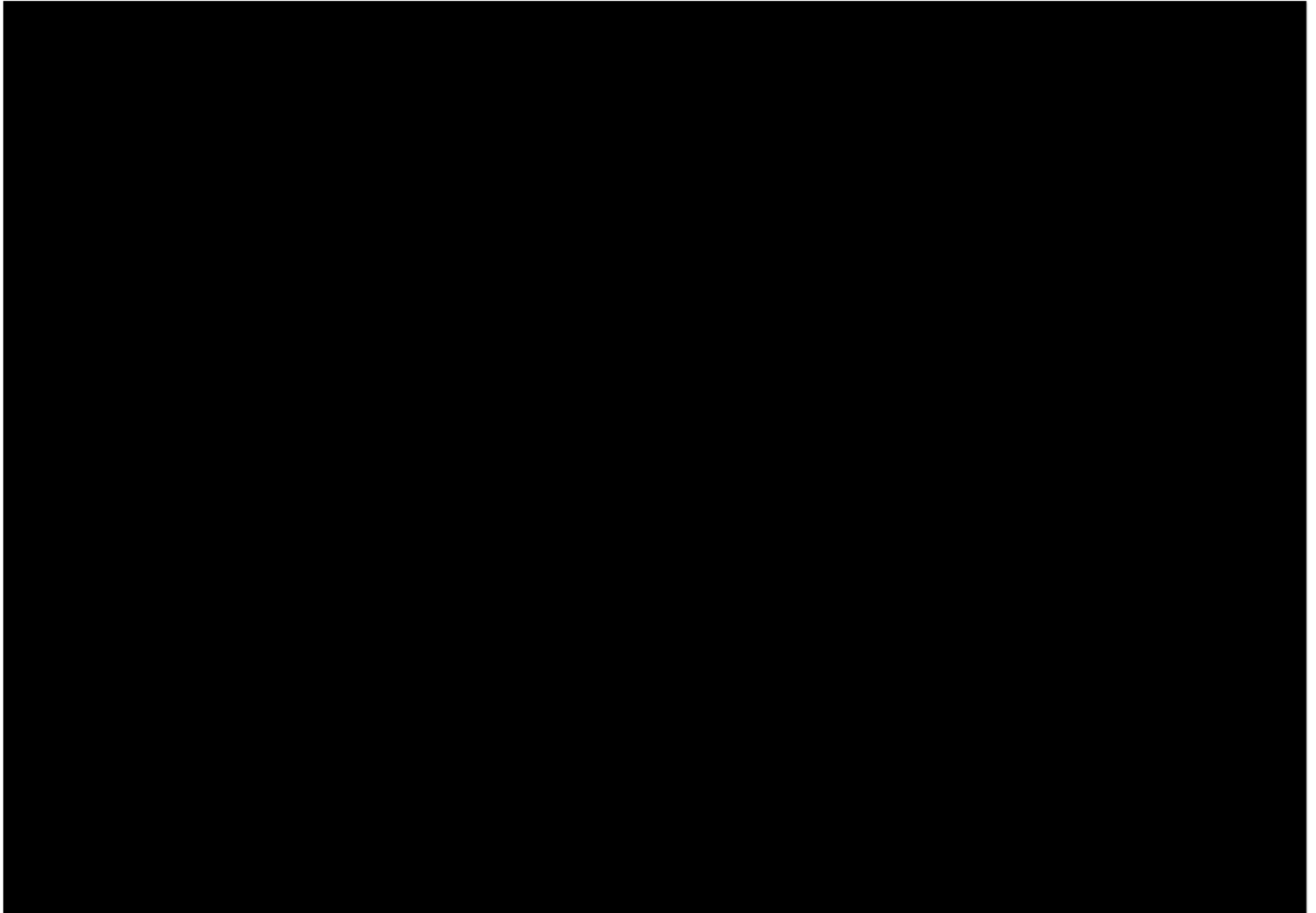
PART II (R): Describe the social and economic conditions in the community where the Project site is or will be located and the impact of the proposed Project on the community (including impact on infrastructure, transportation, fire and police and other government-provided services):

The subject property is situated within one of the most desirable housing locations on Long Island with mass transit access. The project will provide additional residential rental options in a low-supply rental market, as well as new retail space in a high-traffic central business district.

PART 1N - Ownership Other Affiliations

102-112 Middle Neck Road, Great Neck

3/1/2023



PART 3C - Project Costs Paid to Date

102-112 Middle Neck Road, Great Neck

3/1/2023

Pre-Start of Construction (10/13/2022) (Ground-Break technically 10/18/2022)

Item	Amount	Notes
Incentive Zoning	\$ 544,003.00	
Variance Fees	\$ 132,926.59	
Legal	\$ 458,422.32	
Architect and Engineers	\$ 673,388.49	One master contract with Architect
Demo Engineering	\$ 70,333.24	
Demo Scaffolding Engineering	\$ 16,200.00	
Asbestos Remediation	\$ 12,766.68	
Air Monitoring	\$ 14,400.00	
Pre-Construction Survey	\$ 1,000.00	
Title	\$ 380.19	
Sound and Vibration Monitoring	\$ 12,075.00	
Borings	\$ 7,000.00	
Surveying	\$ 2,450.00	
Site Maintenance	\$ 207,797.65	
Demolition	\$ 2,322,055.65	
Demolition - Sprinkler Removal	\$ 14,000.00	
Demolition - Steel Gantry	\$ 200,000.00	
Oil Tank Removal	\$ 1,000.00	
Site Inspections	\$ 2,275.00	
Carting and Garbage Removal	\$ 282,000.00	
Temp Electrical	\$ 3,525.00	
Scaffolding and Overhead Protection	\$ 81,870.88	
TOTAL	\$ 5,059,869.69	

During Construction (Post-10/13/2022)

Item	Amount	Notes
Village of GNE	\$ 18,600.00	On-street parking, BoT Application, Engineering Review
Insurance	\$ 90,650.05	
Insurance Consulting	\$ 6,715.00	
Legal	\$ 7,465.00	
Misc. General Field Items	\$ 6,116.75	
SOE Engineering	\$ 1,890.00	
Drainage Engineering	\$ 9,182.18	
SOE	\$ 48,000.00	
Soil Removal	\$ 64,750.00	
Foundation and Superstructure	\$ 896,800.90	
Overhead Protection	\$ 7,185.75	
Concrete Testing and Inspections	\$ 26,500.00	
Sewer Connection	\$ 9,100.00	
Nassau County	\$ 550.00	Permit to occupy street
Surveying	\$ 2,310.00	
Brick	\$ 46,526.84	Material down payment
Soil Removal Environmental	\$ 5,065.00	
Electrical	\$ 9,217.20	
Plumbing	\$ 54,369.00	
Windows	\$ 190,409.63	Material down payment
Labor	\$ 6,167.82	
Construction Loan Deposit	\$ 15,000.00	
General Conditions and GC Fee	\$ 66,518.69	
TOTAL	\$ 1,465,659.76	

Pre-Start of Construction (10/13/2022)	\$ 5,059,869.69
During Construction (Post-10/13/2022)	\$ 1,465,659.76
TOTAL COSTS PAID TO DATE	\$ 6,525,529.45

PART 4G - Municipal Revenues

102-112 Middle Neck Road, Great Neck

3/1/2023

Item	Amount	Notes
Incentive Zoning	\$ 544,003.00	
Variance Fees	\$ 132,926.59	
Village of GNE	\$ 18,600.00	On-street parking, BoT Application, Engineering Review
TOTAL to date	\$ 695,529.59	

Plus \$1,500/Mo. of construction for parking