



Peter L. Curry
Partner

Direct Dial: 516.227.0772
Direct Fax: 516.336.2208
pcurry@farrellfritz.com

400 RXR Plaza
Uniondale, NY 11556
www.farrellfritz.com

Our File No.
40756.100

September 10, 2024

VIA FEDERAL EXPRESS & E-MAIL

Mr. Sheldon L. Shrenkel
CEO/Executive Director
Nassau County Industrial Development Agency
1 West Street, 4th Floor
Mineola, NY 11501

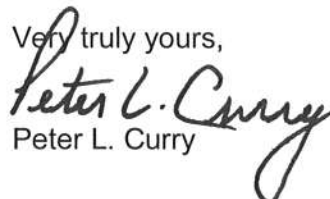
Re: Amendment to Nassau County IDA Application – Premiero Cherry LLC

Dear Mr. Shrenkel:

Our Firm continues to represent Premiero Cherry LLC (the “**Company**”). At the request of the Nassau County Industrial Development Agency (the “**IDA**”) and its counsel, we submit this letter and accompanying enclosures on behalf of the Company to amend the Company’s Application for Financial Assistance, dated as of July 19, 2023 (the “**Application**”), and previously submitted by the Company to the IDA.

Enclosed please find “slip” pages to amend the following sections of the Application: Part III., Part III.B., Part III.G., and Part IV.F.

Please let us know of any questions or if we can provide anything further in connection with the foregoing.

Very truly yours,

Peter L. Curry

PLC/mlw

cc: Paul V. O'Brien, Esq.
Michael L. Webb, Esq.

**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

PREMIERO CHERRY LLC

APPLICANT NAME

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

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

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule 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.

JULY 19, 2023

PART I APPLICANT

A. APPLICANT FOR FINANCIAL ASSISTANCE:

Name: **PREMIERO CHERRY, LLC**

Address: **366 NORTH BROADWAY, SUITE 410**
JERICHO, NY 11753

Fax: _____

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

NAICS Code #: **531190**

Website: **N/A**

Name of CEO or
Authorized Representative Certifying Application: **ISHMEET SINGH**

Title of Officer: **PRESIDENT**

Phone Number: { _____ E-Mail: j _____

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

Sole Proprietorship ___ General Partnership ___ Limited Partnership ___

Limited Liability Company **X** Privately Held Corporation ___

Publicly Held Corporation ___ Exchange listed on _____

Not-for-Profit Corporation ___

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

State and Year of Incorporation/Organization: **NEW YORK 2017**

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

C. APPLICANT COUNSEL:

Firm name: FARRELL FRITZ P.C.
Address: 400 RXR PLAZA
UNIONDALE, NY 11556

Primary Contact: PETER L. CURRY, ESQ.
Phone: (516) 227-0772
Fax:
E-Mail: pcurry@farrellfritz.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>ISHMEET SINGH</u> | <u>50%</u> |
| <u>GUNIT SINGH</u> | <u>50%</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

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

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

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

- 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

- 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

- 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

NOT TO APPLICANT'S KNOWLEDGE. ANY IMMATERIAL VIOLATIONS, SUCH AS SIDEWALK VIOLATIONS, ARE ADDRESSED PROMPTLY.

- 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

- 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: N/A

Name Title Other Business Affiliations

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): N/A. THIS IS A NEWLY-FORMED ENTITY CREATED TO ACQUIRE AND DEVELOP THE SUBJECT PROJECT

1. (a) Location: _____

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

(c) Annual Payroll, excluding benefits: _____

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

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

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

(g) Applicant's interest in the facility

FEE Title: 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):

REAL ESTATE DEVELOPMENT – MULTIFAMILY HOUSING.

- T. Any related party proposed to be a user of the Project:

Name: N/A.

Relationship to Applicant: N/A.

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: APPROXIMATELY 35,365
- 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: 0.4 ACRES
Square footage of building: _____

- Acquisition of Furniture/Machinery/Equipment
List principal items or categories:
MAINTENANCE, AMENITY, UTILITY, MECHANICAL AND APPLIANCES
CONSISTENT WITH MULTIFAMILY COMMUNITIES.

Other (specify):

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 PROJECT ADDRESSES A SIGNIFICANT DEMAND AND PRACTICAL NEED FOR RENTAL HOUSING IN THE TOWN AND REGIONALLY ACROSS LONG ISLAND. THE LOCATION IS PROXIMATE TO THE HICKSVILLE TRAIN STATION (0.6 MILES) AND SUBJECT TO RECENT ZONING AMENDMENTS INTENDED TO ACHIEVE A WALKABLE, VIBRANT DOWNTOWN WITH A MIX OF USES. THE AGENCY'S ASSISTANCE IS CRITICAL TO THE PROJECT DUE TO THE SIGNIFICANT EXPENSE OF ACQUIRING LAND AND INCREASING CONSTRUCTION COSTS RESULTING FROM ON-GOING SUPPLY CHAIN ISSUES. THE PROJECT WILL NOT BE ECONOMICALLY FEASIBLE WITHOUT THE AGENCY'S ASSISTANCE.

- 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 ____

GIVEN THE HIGH COST OF ACQUISITION AND CONSTRUCTION, OBTAINING THE AGENCY'S ECONOMIC ASSISTANCE IS CRUCIAL TO MAKING THE DEVELOPMENT AND RESULTANT CONSTRUCTION AND OPERATIONAL JOBS POSSIBLE.

- 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.

WITHOUT AGENCY ASSISTANCE, THE PROJECT WILL NOT BE ECONOMICALLY FEASIBLE, THUS WOULD NOT PROGRESS, AS A RESULT, THE TOWN AND COUNTY WILL HAVE LOST INCREASED EMPLOYMENT, FUTURE INCREASED TAX REVENUES, IMPROVED QUALITY OF LIFE, AND OTHER ECONOMIC BENEFITS. FINALLY, THE MUNICIPALITY WILL LOSE THE GENERATION OF OVER 100 LOCAL CONSTRUCTION JOBS.

Location of Project:

Street Address: 33 AND 37 W CHERRY STREET

City/Village(s): HICKSVILLE

Town(s): OYSTER BAY

School District(s): HICKSVILLE

Tax Map Section: 11

Block: 291

Lot: 32 AND 37

Census Tract Number: _____

- F. Present use of the Project site: VACANT RESIDENTIAL AND LAND.
- G. (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):

| | <u>LOT 32</u> | <u>LOT 37</u> | <u>TOTAL</u> |
|----------|-------------------|-------------------|-------------------|
| General: | <u>\$3,561.16</u> | <u>\$4,258.99</u> | <u>\$7,820.15</u> |
| School: | <u>\$5,345.43</u> | <u>\$4,545.52</u> | <u>\$9,890.95</u> |
| Village: | \$ _____ | _____ | _____ |

TOTAL: \$17,711.10

- (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

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

APPLICANT OWNS THE PROJECT.

- I. 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.)

THE PURPOSE OF THE PROJECT IS TO DEVELOP NEW MULTIFAMILY RENTAL HOUSING WITH A VARIETY OF 1- AND 2-BEDROOM UNITS CONSISTENT WITH THE TOWN'S INTENDED VISION OF A VIBRANT AND WALKABLE DOWNTOWN. THE DEVELOPMENT PLAN INCLUDES 5 ONE-BEDROOM UNITS, 15 TWO-BEDROOM UNITS WITH 30 PARKING SPACES, AND WILL INCLUDE A ROOF DECK, DOG RUNS AND LANDSCAPING AMENITIES.

- J. 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:

PROSPECTIVE RESIDENTIAL TENANTS HAVE NOT BEEN IDENTIFIED YET.

- K. 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

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

YES X

NO ___

1. Describe present zoning/land use: HD-II HICKSVILLE DOWNTOWN-II GATEWAY TRANSITION SUB-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

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

YES _____ NO X

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

YES X NO _____

If YES, indicate:

(a) Date of purchase: 33 W CHERRY STREET - DECEMBER 2022
37 W CHERRY STREET - APRIL 2017

(b) Purchase price: _____ (33 W CHERRY STREET)
_____ 37 W CHERRY STREET)

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

(d) Name of mortgage holder: N/A

(e) Special conditions: _____

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

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

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 X

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

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

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

THE ENVIRONMENTAL ASSESSMENT FORM ("EAF") PREPARED IN CONNECTION WITH THE HICKSVILLE DOWNTOWN REZONING EVALUATED THE ENVIRONMENTAL IMPACT OF THE REZONING, INCLUDING THE TOTALITY OF THE HD-II ZONING SUB-DISTRICT COMPRISING APPROXIMATELY 57.66 ACRES, INCLUSIVE OF THE 0.4 ACRE PROPOSED PROJECT SITE. ACCORDING TO THE EAF, THE HAMLET OF HICKSVILLE IS A TRANSIT-RICH AND DIVERSE COMMUNITY. THE PROJECT IS LOCATED AT THE CONFLUENCE OF TWO LIRR BRANCH LINES, ITS TRAIN STATION IS ONE OF THE BUSIEST ON LONG ISLAND. THE EAF FOUND THAT THE AREA HAS, "A STRONG PHYSICAL SUITABILITY FOR REVITALIZATION AND REDEVELOPMENT AS EVIDENCED BY THE HIGH LIRR RIDERSHIP, INTENSITY OF EXISTING COMMERCIAL LAND USES, INFILL-READY PARCELS, CONVERGING ARTERIAL ROADWAYS AND AMPLE SEWER AND UTILITY INFRASTRUCTURE." AN IDENTIFIED PURPOSE OF THE REZONING IS TO ESTABLISH A WALKABLE DOWNTOWN COUPLED WITH ACCESS TO PUBLIC TRANSPORTATION. MOREOVER, THE REZONING EFFORT INCLUDED COORDINATION OF THE DOWNTOWN HICKSVILLE COMPLETE STREETS PROJECT AND PREPARATION OF A TRANSPORTATION INFORMATION REQUEST ADDENDUMS PREPARED BY THE TOWN DEPARTMENT OF ENVIRONMENTAL RESOURCES WHICH IDENTIFIED MEASURES TO BE UNDERTAKEN TO IMPROVE EXISTING TRAFFIC CONDITIONS.

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

Architect: BHC ARCHITECTS
Engineer: CAMERON ENGINEERING
Contractors: TBD

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

YES _____ NO

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

YES _____ NO

- U. Will the proposed Project produce a unique service or product or provide a service that

is not otherwise available in the community in which the proposed Project site is located?

YES _____

NO X

HOWEVER, THE PROJECT IS PROPOSED IN RESPONSE TO THE HICKSVILLE DOWNTOWN REZONING WHICH DOCUMENTS THE NEED FOR THE PROPOSED HOUSING STOCK.

V. 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 | \$ _____ |
| 2. | Building Demolition | \$ _____ |
| 3. | Construction Reconstruction Renovation | \$ _____ |
| 4. | Site Work | \$ _____ |
| 5. | Infrastructure Work | \$ _____ |
| 6. | Architectural Engineering Fees | \$ _____ |
| 7. | Applicant's Legal Fees | \$ _____ |
| 8. | Financial Fees | \$ _____ |
| 9. | Other Professional Fees | \$ _____ |
| 10. | Furniture, Equipment & Machinery Acquisition (not included in 3. above) | \$ _____ |
| 11. | Other Soft Costs (describe) | \$ _____ |
| 12. | Other (describe) | \$ _____ |
| | Total | \$ <u>10,045,605.00</u> |

B. Estimated Sources of Funds for Project Costs:

- | | | |
|----|--|---|
| a. | Tax-Exempt IDA Bonds: | \$ <u>N/A</u> |
| b. | Taxable IDA Bonds: | \$ <u>N/A</u> |
| c. | Conventional Mortgage Loans: | \$ <u>10,045,605.00 (PERMANENT FINANCING)</u> |
| d. | SBA or other Governmental Financing: Identify: _____ | \$ <u>N/A</u> |
| e. | Other Public Sources (e.g., grants, tax credits): Identify: _____ | \$ <u>N/A</u> |

| | | |
|----|---|---------------|
| f. | Other Loans: | \$ <u>N/A</u> |
| g. | Equity Investment: (excluding equity attributable to grants/tax credits) | \$ _____ |
| | TOTAL | \$ _____ |

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: \$ 6,875,400.00 (sum of 2-5 and 10 in Question A above)

Cost for materials: \$ 4,125,240.00

% Sourced in County: 70 %

% Sourced in State: 95 % (incl. County)

Cost for labor: \$ 2,750,160.00

% Sourced in County: 65 %

% Sourced in State: 98 % (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.

Details of spending for 33-37W Cherry

| Particulars | Amount |
|--|----------------|
| | |
| Purchase of Property | |
| 33West Cherry | |
| 37 West Chery | |
| | |
| Closing cost | |
| | |
| Demolition cost | |
| | |
| Taxes - Property | |
| 37west | |
| 33west | |
| | |
| Legal fees | |
| | |
| Insurance cost | |
| | |
| Architecture fees | |
| | |
| Engeneering cost | |
| | |
| New line of water for 20 APT. | |
| | |
| IDA TAX Abatment | |
| | |
| Environmental Inspection for Phase I and II | |
| | |
| Carrying cost / Interest cost | |
| | |
| TOTAL | 2267625 |

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>2</u> | <u>2</u> | <u>2</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> |
|---|---|--|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| Management | | |
| Professional | | |
| Administrative | | |
| Production | | |
| Supervisor | <u>\$55,000.00</u> | <u>15,000.00</u> |
| Laborer | | |

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 | | |
| Independent Contractor ³ | | |
| Other | | |

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: N/A

YES _____

NO _____

- (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: 100

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?

TBD

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)?

0%

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

THE APPLICANT WILL PAY VARIOUS APPLICATION, PERMIT AND IMPACT FEES TO THE TOWN OF OYSTER BAY AND NASSAU COUNTY.

- 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 | <u>\$50,000.00</u> | <u>65%</u> | <u>85%</u> |
| Year 2 | <u>\$50,000.00</u> | <u>65%</u> | <u>85%</u> |
| Year 3 | <u>\$50,000.00</u> | <u>65%</u> | <u>85%</u> |

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

THE ECONOMIC AND FISCAL IMPACT ASSESSMENT CONFIRMS THE DEVELOPMENT WILL GENERATE SIGNIFICANT SALES TAX REVENUE FOR NASSAU COUNTY DURING EACH OF THE CONSTRUCTION PHASE AND OPERATIONAL PHASE SPENDING.

F. Estimated Value of Requested Financial Assistance:

Estimated Value of Sales Tax Benefit: \$ 355,801.95
(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: \$ 75,342.00
(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: NO
(if so, please describe)

Term of PILOT Requested: 20

Existing Property Taxes on Land and Building: \$ 15,604.00 (LAND ONLY)

Estimated Property Taxes on completed Project: \$ 144,700
(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:

THE APPLICANT WILL PAY VARIOUS APPLICATION, PERMIT AND IMPACT
FEEES TO THE TOWN AND COUNTY, INCLUDING, BUT NOT LIMITED TO
ENVIRONMENTAL REVIEWS, SITE PLAN AND PLANNING BOARD FEES AS
WELL AS BUILDING PERMITS.

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 | NO <u>X</u> | % complete |
| | (b) Environmental Remediation | YES | NO <u>X</u> | % complete |
| | (c) Foundation | YES | NO <u>X</u> | % complete |
| | (d) Footings | YES | NO <u>X</u> | % complete |

- (c) Steel YES ___ NO X ___% complete
- (f) Masonry YES ___ NO X ___% complete
- (g) Interior YES ___ NO X ___% complete
- (h) 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?

ANTICIPATED COMMENCEMENT OF DEMOLITION: SEPTEMBER 2023. ANTICIPATED START OF CONSTRUCTION: SEPTEMBER 2023

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

SUMMER 2025 – ANTICIPATED FIRST OCCUPANCY

PART VI. ENVIRONMENTAL IMPACT

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

SEE ATTACHED.

H. 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

I. 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.

J. 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: Premiera Cherry LLC
Signature: [Signature]
Name: Grant Singh
Title: Shareholder
Date: 7/17/2023

Sworn to before me this 19th
day of July, 2023

[Signature]
Notary Public

Jesse Hiney
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02HI6408324
Qualified in Suffolk County
Commission Expires August 24, 2024

**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 obtained 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)?

15% (2 AFFORDABLE UNITS AND 1 WORKFORCE UNIT)

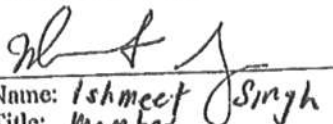
(b) What are the eligibility requirements for the Affordable Housing?

80% AMI FOR AFFORDABLE UNITS
120% AMI FOR WORKFORCE UNITS

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

HUD - FEDERAL

Name of
Applicant: PREMIERO CHERRY LLC

By: 
Name: Ishmeet Singh
Title: 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.
- (G) 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.

[Signature]
Name: *Gunit Singh*
Title: *Shareholder*

Subscribed and affirmed to me this *19th*
day of *July*, 20*23*

[Signature]
Notary Public

Jesse Hiney
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02H16408324
Qualified in Suffolk County
Commission Expires August 24, 2024

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 |

TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE

(To be completed by the Applicant if the Applicant checked "YES" in Part I, Question II 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:

SQ. 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:

Signature:

Name:

Title:

Date:

**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: PREMIERO CHERRY LLC

Signature: *Gunit Singh*
Name: Gunit Singh
Title: Shareholder
Date: July 19, 2023

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: **PREMIERO CHERRY LLC**
 Address: **366 NORTH BROADWAY, SUITE 410**
JERICHO, NY 11753
 Type of Business: **REAL ESTATE DEVELOPMENT, RENTAL AND LEASING**
 Contact Person: **ISHIMEET SINGH** Tel. No.: **(212) 695-1530**

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

| Current and Planned Occupations | Present Jobs Per Occupation | Estimated Number of Full Time Equivalent Jobs After Completion of the Project: ⁴ | | | Estimate of Number of Residents of the LMA ⁵ that would fill such jobs by the third year |
|---------------------------------|-----------------------------|---|----------|----------|---|
| | | 1 year | 2 years | 3 years | |
| Management | <u>0</u> | | | | |
| Professional | <u>0</u> | | | | |
| Administrative | <u>0</u> | | | | |
| Production | <u>0</u> | | | | |
| Supervisor | <u>0</u> | <u>2</u> | <u>2</u> | <u>2</u> | <u>2</u> |
| Laborer | <u>0</u> | | | | |
| Independent Contractor | <u>0</u> | | | | |
| Other (describe) | <u>0</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: 100

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

FEBRUARY 2024

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

YES _____

NO X

IF YES, Union Name and Local: _____

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond 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: PREMIERO CHERRY LLC

Signature: 

Name: Gaurav Singh

Title: Shareholder

Date: July 19, 2023

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: _____

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 _____

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: PREMIERO CHERRY LLC
Signature: *Grait Singh*
Name: Grait Singh
Title: Shareholder
Date: July 19, 2023

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 X

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?

_____ %

- 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: 0% Services: _____%

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

Retail Sales: 0% Services: _____%

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

Name of
Applicant:

PREMIERO CHERRY LLC

Signature:



Name:

Title:

Date:

APPLICANT'S FINANCIAL ATTACHMENTS

ENVIRONMENTAL ASSESSMENT FORM

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

Instructions for Completing Part I

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

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

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

A. Project and Applicant/Sponsor Information.

| | | |
|--|-------------------------|--|
| Name of Action or Project: MULTIFAMILY RESIDENTIAL DEVELOPMENT, HICKSVILLE, NY | | |
| Project Location (describe, and attach a general location map): SOUTH SIDE OF W. CHERRY STREET, 134.85' EAST OF FREDERICK PLACE, 396' WEST OF ROUTE 107 BROADWAY. See FEAF Figure 1. | | |
| Brief Description of Proposed Action (include purpose or need): The Proposed Action includes the development of a 3-story multifamily development with 20 units: 5 one-bedroom units and 15 two-bedroom units, with 10 units each on the 2nd and 3rd floors. The 2nd floor will have 3 one-bedroom + 7 two-bedroom units. The 3rd floor will have 2 one-bedroom + 8 two-bedroom units. Three of the one-bedroom units have 749 sf each, one will have 849 sf, one will have 988 sf. The two-bedroom units will range in size from 1,091 sf to 1,245 sf. The ground level will have 2,867 sf of lobby/amenity space, mechanical/building support areas, and 30 parking spaces within the building footprint. There will be activated outdoor space on each floor: a fenced-in dog run at grade, a 2nd floor passive outdoor area with a pergola, landscaping, synthetic turf panel, & lighting accessed via an indoor lounge amenity with seating and game tables, a rooftop 535 sf fitness room adjacent to an outdoor rooftop terrace set back 16.5 feet from the parapet wall. The site is in the Town's Hicksville Downtown subdistrict HD II. The Proposed Action's Purpose and Need are to address the lack of supply of multifamily housing in the HD District, identified on page xviii of the Hicksville Downtown Revitalization Initiative (DRI) Strategic Investment Plan (March 2018) within the criteria of the Town's "Hicksville Downtown Design Guidelines and Standards" [added to Town Code by L.L. 1-2021], particularly Section 4.2.2 HD II Subdistrict: "a maximum of three stories." | | |
| Name of Applicant/Sponsor: PREMIERO CHERRY LLC | Telephone: 212-695-1350 | E-Mail: janotsingh.gunit@gmail.com |
| Address: 366 NORTH BROADWAY #410 | | |
| City/PO: JERICHO | State: NY | Zip Code: 11753 |
| Project Contact (if not same as sponsor; give name and title/role): MICHAEL DEGIGLIO | Telephone: 516-224-5206 | E-Mail: MDEGIGLIO@CAMERONENGINEERING.COM |
| Address: 177 CROSSWAYS PARK DRIVE | | |
| City/PO: WOODBURY | State: NY | Zip Code: 11797 |
| Property Owner (if not same as sponsor): | Telephone: | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

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

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

| | | |
|---|-------------------------|--|
| Name of Action or Project: MULTIFAMILY RESIDENTIAL DEVELOPMENT, HICKSVILLE, NY | | |
| Project Location (describe, and attach a general location map): SOUTH SIDE OF W. CHERRY STREET, 134 85' EAST OF FREDERICK PLACE, 396' WEST OF ROUTE 107 BROADWAY. See FEA Figure 1 | | |
| Brief Description of Proposed Action (include purpose or need): The Proposed Action includes the development of a 3-story multifamily development with 20 units: 5 one-bedroom units and 15 two-bedroom units, with 10 units each on the 2nd and 3rd floors. The 2nd floor will have 3 one-bedroom + 7 two-bedroom units. The 3rd floor will have 2 one-bedroom + 8 two-bedroom units. Three of the one-bedroom units have 749 sf each, one will have 849 sf, one will have 988 sf. The two-bedroom units will range in size from 1,091 sf to 1,245 sf. The ground level will have 2,867 sf of lobby/amenity space, mechanical/building support areas, and 30 parking spaces within the building footprint. There will be activated outdoor space on each floor: a fenced-in dog run at grade, a 2nd floor passive outdoor area with a pergola, landscaping, synthetic turf panel, & lighting accessed via an indoor lounge amenity with seating and game tables, a rooftop 535 s f. fitness room adjacent to an outdoor rooftop terrace set back 16.5 feet from the parapet wall. The site is in the Town's Hicksville Downtown subdistrict HD-II. The Proposed Action's Purpose and Need are to address the lack of supply of multifamily housing in the HD District, identified on page xviii of the Hicksville Downtown Revitalization Initiative [DRI] Strategic Investment Plan (March 2018), within the criteria of the Town's "Hicksville Downtown Design Guidelines and Standards" [added to Town Code by L.L. 1-2021], particularly Section 4.2.2, HD-II Subdistrict "a maximum of three stories..." | | |
| Name of Applicant/Sponsor: PREMIERO CHERRY LLC | Telephone: 212-695-1350 | E-Mail: janetsingh.gunit@gmail.com |
| Address: 366 NORTH BROADWAY #410 | | |
| City/PO: JERICHO | State: NY | Zip Code: 11753 |
| Project Contact (if not same as sponsor; give name and title/role): MICHAEL DEGIGLIO | Telephone: 516-224-5206 | E-Mail: MDEGIGLIO@CAMERONENGINEERING.COM |
| Address: 177 CROSSWAYS PARK DRIVE | | |
| City/PO: WOODBURY | State: NY | Zip Code: 11797 |
| Property Owner (if not same as sponsor): | Telephone: | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|---|--|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | TOWN PLANNING ADVISORY BOARD - SITE PLAN APPROVAL | 6/2023 |
| b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | TOWN OF OYSTER BAY PLANNING & DEVELOPMENT, SITE PLAN APPROVAL | 6/2023 |
| c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | hicksville water district (domestic & fire service) TOBAY DPW - ROW improvements | 6/2023 see attachment no 2 - HWD correspondence |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | NASSAU COUNTY DPW, SANITARY SEWER CONNECTION, NASSAU COUNTY IDA | 6/2023 see attachment no 3 for IDA desc. of benefits |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

| C.1. Planning and zoning actions. | |
|--|---|
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? See FEAF Attachment 1: Zoning Analysis | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): <hr/> <hr/> <hr/> | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): <hr/> <hr/> <hr/> | |

| | |
|---|---|
| C.3. Zoning | |
| a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? HD-II-HICKSVILLE DOWNTOWN- II GATEWAY TRANSITION SUB DISTRICT (Overlay district) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the use permitted or allowed by a special or conditional use permit? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? HD-II-HICKSVILLE DOWNTOWN- II GATEWAY TRANSITION SUB-DISTRICT | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| C.4. Existing community services. | See FEAF Attachment 2: Supplemental Schools Assessment |
| a. In what school district is the project site located? HICKSVILLE UNION FREE SCHOOL DISTRICT | |
| b. What police or other public protection forces serve the project site? NASSAU COUNTY POLICE DEPARTMENT 2ND PRECINCT | |
| c. Which fire protection and emergency medical services serve the project site? HICKSVILLE FIRE DEPARTMENT | |
| d. What parks serve the project site? CANTIAGUE PARK, Situated at 480 W John Street in Hicksville | |

D. Project Details

| | |
|---|---|
| D.1. Proposed and Potential Development | |
| a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? RESIDENTIAL | |
| b. a. Total acreage of the site of the proposed action? 40 acres b. Total acreage to be physically disturbed? 40 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 40 acres | |
| c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____ | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? _____ iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____ | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. Will the proposed action be constructed in multiple phases? i. If No, anticipated period of construction: 18 months ii. If Yes: • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

| | One Family | Two Family | Three Family | Multiple Family (four or more) |
|-----------------------------|------------|------------|--------------|--------------------------------|
| Initial Phase | | | | 20 |
| At completion of all phases | | | | 20 |

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

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? Basement & footing excavations, drainage structures and utility structures _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): 1,602 cubic yards See FEAF Attachment 3: Earthwork Calculations
 • Over what duration of time? 3 - 5 months
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
 Topsoil, sand, gravel and concrete are to be excavated. Material to be separated and then removed from the site, to be relocated to a facility certified to receive
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? 40 acres
 vi. What is the maximum area to be worked at any one time? 40 acres
 vii. What would be the maximum depth of excavation or dredging? +/- 11 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____
 All export material will be removed and disposed of off-site

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

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

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

c. Will the proposed action use, or create a new demand for water? **See FEAF Attachment 4: Water Use** Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 6,068 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: HICKSVILLE WATER DISTRICT
- Does the existing public water supply have capacity to serve the proposal? **See FEAF Attachment 5: Water District Correspondence** Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
The Hicksville Water District will be replacing the existing 6-inch main to an 8-inch main from Broadway to the sites frontage
- Source(s) of supply for the district: SOLE SOURCE AQUIFER NAMES: NASSAU-SUFFOLK SSA

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 6,000 gallons/day

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

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: NASSAU COUNTY DPW WASTEWATER TREATMENT PLANT
- Name of district: NASSAU COUNTY SEWAGE DISTRICT
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? **See FEAF Attachment 6: Sewer District Correspondence** Yes No
- Is expansion of the district needed? Yes No

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

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

If Yes:

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

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

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

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):
 N/A - residential use

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

See FEAF Attachment 7: Traffic and Parking Assessment

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
 No modification of existing roads or creation of new roads Apron will be rebuilt approximately 20' west of its current location on W Cherry Street

iii. Parking spaces: Existing 3 Proposed 30 Net increase/decrease + 27

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

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

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action:
 442 KVA PEAK DEMAND

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid local utility, or other):
 PSEG/LIPA **See FEAF Attachment 8: PSEG Correspondence**

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

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

| | | | |
|-------------------------|-----------------|------------------------|----------|
| i. During Construction: | | ii. During Operations: | |
| • Monday - Friday: | 8 00AM - 5 00PM | • Monday - Friday: | 24 HOURS |
| • Saturday: | NA | • Saturday: | 24 HOURS |
| • Sunday: | NA | • Sunday: | 24 HOURS |
| • Holidays: | NA | • Holidays: | 24 HOURS |

| |
|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: CONSTRUCTION EQUIPMENT- 8 00AM-5 00PM - DURATION OF CONSTRUCTION _____</p> <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: _____</p> |
| <p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: POLE LIGHTING ON FRONT SIDE OF THE BUILDING (MAX 8 0' DISTANCE FROM THE BUILDING) HT OF FIXTURE- 16 0'</p> <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: _____</p> |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____</p> |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____ _____</p> <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center;">See FEAF Attachment 9: Solid Waste</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: 0.85 (77.5 for 1st 2 weeks) tons per _____ week (unit of time) • Operation: 0.518 tons per _____ week (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ |

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 07 | 37 | + 30 |
| • Forested | 0 | 0 | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 0 | 0 | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0 | 0 | |
| • Wetlands (freshwater or tidal) | 0 | 0 | |
| • Non-vegetated (bare rock, earth or fill) | 0 | 0 | |
| • Other Describe: managed landscape _____ | 33 | 03 | - 30 |

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No **See FEAF Attachment 10: Spills**
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): 130215, 130078
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

See FEAF Attachment 10. Spills. As shown in the individual reports, all reported spills have been closed for over twenty years, and no spills occurred on the subject property

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

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

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

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

d. What is the average depth to the water table on the project site? Average: 88 feet

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

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

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: See FEAF Attachment 11: Environmental Resource Mapper Screenshots

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i. See FEAF Attachment 11: Environmental Resource Mapper Screenshots

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: Sole Source Aquifer Names Nassau-Suffolk SSA

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes: **See FEAF Attachment 11: Environmental Resource Mapper Screenshots**
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes: **See FEAF Attachment 11: Environmental Resource Mapper Screenshots**
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes: **See FEAF Attachment 11: Environmental Resource Mapper Screenshots**
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes: **See FEAF Attachment 12: CRIS Mapper Screenshot**
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on 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? Yes No
See FEAF Attachment 12: CRIS Mapper Screenshot
 If Yes:
 i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District
 ii. Name: _____
 iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No
 If Yes:
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No
 If Yes:
 i. Identify resource: _____
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____
 iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No
 If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

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

G. Verification

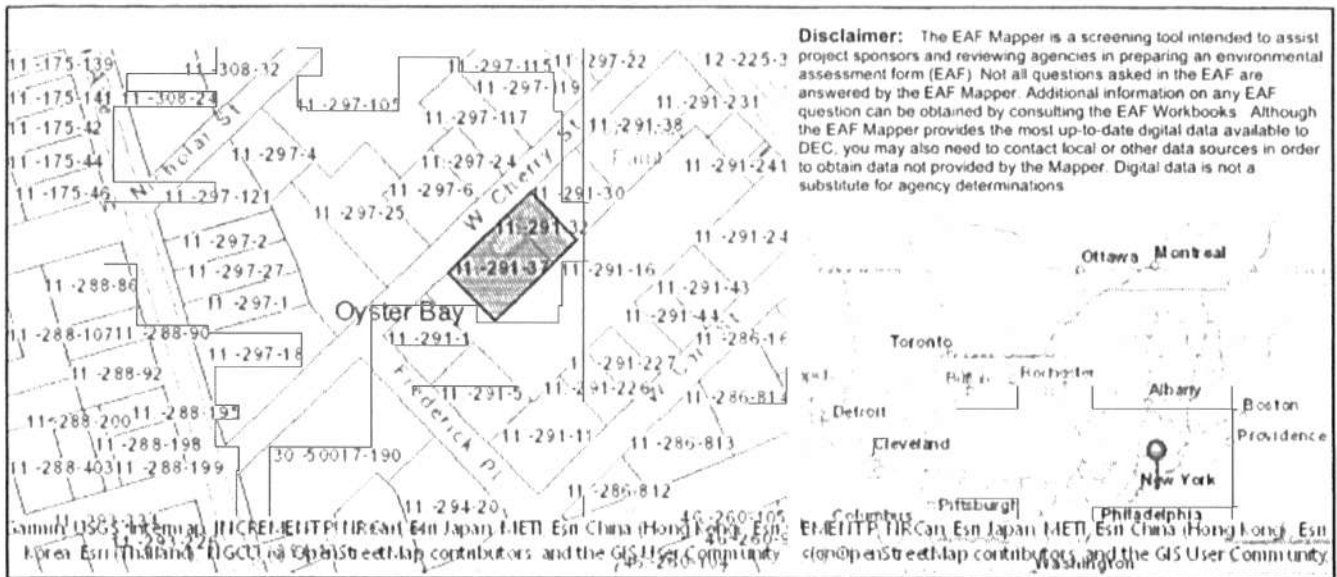
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Rebecca Goldberg, P.E., LEED AP Date June 15, 2023

Signature Rebecca Goldberg Title Associate / Senior Traffic Engineer

EAF Mapper Summary Report

Monday, March 21, 2022 5:15 PM



| | |
|--|--|
| B.1.i [Coastal or Waterfront Area] | No |
| B.1.ii [Local Waterfront Revitalization Area] | No |
| C.2.b. [Special Planning District] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | Yes |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID] | 130215, 130078 |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | No |
| E.2.h.ii [Surface Water Features] | No |
| E.2.h.iii [Surface Water Features] | No |
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | Yes |
| E.2.l. [Aquifer Names] | Sole Source Aquifer Names: Nassau-Suffolk SSA |
| E.2.n. [Natural Communities] | No |

| | |
|--|--|
| E.2.o. [Endangered or Threatened Species] | No |
| E.2.p. [Rare Plants or Animals] | No |
| E.3.a. [Agricultural District] | No |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | No |
| E.3.i. [Designated River Corridor] | No |



**CAMERON
ENGINEERING**
INC.

170 Corporate Park Drive, Hicksville, NY 11745
 180 Boulevard, Suite 100, New York, NY 10018
 800 Tappan Road, 4th Floor, White Plains, NY 10601
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 www.cameroneng.com www.cep.com

T: (516) 437-8900
 F: (516) 437-8901
 T: (914) 761-8300

PROJECT NAME:
FIGURE 1: AERIAL LOCATION MAP
33 & 37 W. CHERRY STREET, HICKSVILLE
 SOURCE: NYS ORTHOIMAGERY OF NASSAU
 COUNTY 2020

JOB NO.
 CE3169
 DATE
 JUNE 2023
 SCALE
 1" = 100'

LEGEND

 SUBJECT
 PROPERTY

FEAF Attachment 1: Zoning Analysis (SEAF Item C.2)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Subject Site

The Subject Site is known as and by the street address 33 & 37 West Cherry Street and is designated as Tax Lots 32 & 37 on Block 291 in Section 11 of the Nassau County Land and Tax Map. The total area of the Subject Site is approximately 17,500 square feet (or approximately 0.40 acres). Lot 32 is approximately 5,000 square feet (0.115 acres) and Lot 37 is approximately 12,500 square feet (0.287 acres).

The Subject Site is within the Town of Oyster Bay Hicksville Downtown (HD) District, within the HD Gateway Transition (HD-II) Subdistrict. The Subject Site currently developed with a single-family home on Lot 32 (33 West Cherry Street) and a vacant residential lot on Lot 37 (37 West Cherry Street).

Zoning Conformance

The Proposed Project was set forth following the adoption of the Hicksville Downtown Zoning District regulations. These zoning regulations were initially developed and advanced under the New York State Downtown Revitalization Initiative (DRI), a community-driven planning process which began in 2017. The current form of the Hicksville Downtown (HD) Zoning District regulations was adopted in 2021. The implementation of the HD Zoning District is intended to create a walkable, mixed-use environment, where residents and visitors can access the wide variety of uses and amenities within Downtown Hicksville.

Purpose and Legislative Intent

As outlined in the *Background and Purpose* of the HD District (§ 246-5.9.1.1 of the Town of Oyster Bay Code), the area surrounding the Hicksville Train Station is currently underutilized and fails to leverage the opportunities presented by one of the Long Island Rail Road's major transportation hubs. With approximately 22,000 daily riders, this part of Downtown Hicksville provides significant opportunities for economic development and reimaged placemaking. The proposed project is located just under one-half mile to the Hicksville LIRR Station, which typically equates to a walk time of less than 10 minutes (or a bicycling time of approximately 4 minutes). The Proposed Project would introduce additional full-time residents to the Downtown Station Area, while also contributing to critical improvements to local land use form and design. While there is a diverse mix of residential, commercial, industrial and community service-related uses within Downtown Hicksville, several critical land use components, including multi-family housing, remain scarce. The Proposed Project will introduce modernized, transitional housing that directly addresses this deficiency in the Downtown Hicksville Station Area.

The stated legislative intent of the HD Gateway Transition (HD-II) Subdistrict is to create a Downtown Gateway Transition District that allows up to three-story buildings and a mix of uses. The existing land uses along West Cherry Street (and surrounding roadways) are reflective of this Downtown transitional area, with a range of commercial uses, community services (including the Town of Oyster Bay Walter P. Bennett Community Center, Town of Oyster Bay Hicksville Athletic Center as well as multiple schools and religious uses) and residential uses. As stated in the Code,

The intent of the subdistrict is to provide an active pedestrian environment with commercial and mixed-use along primary roadways while also preserving the existing neighborhood character along side streets in this subdistrict. The HD-II Subdistrict will act as a transitional area between the surrounding community and the HD-I Downtown Core Subdistrict. This subdistrict includes prominent entry corridors from surrounding neighborhoods to create attractive entry points to the Downtown Core. Development on these corridors will be less intensive than what is proposed in the HD-I Subdistrict, with a maximum of three stories.

FEAF Attachment 1: Zoning Analysis (SEAF Item C.2)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

As the Proposed Project is located within the HD Gateway Transition (HD-II) Subdistrict, it has been designed to meet this intent, both in terms of building function and form. The proposed three-story project includes a relatively small number of residential units (20 units in total) within a multi-family residential building, with all parking located below the proposed second and third story units. As such, one of the main design considerations was providing an adequate number of parking spaces without disturbing the existing neighborhood character or the pedestrian-oriented goals of the HD District. To further complement existing neighborhood uses, outdoor amenity space is proposed on the first (fenced in dog run), second (passive outdoor area) and third levels (rooftop outdoor area). Each of these amenity spaces are designed to both serve future residents but perhaps more importantly, encourage social interaction and establish a connection from the proposed building to the neighborhood's outdoor spaces. Increased interactions and outdoor activity space help to improve vibrancy within the community and offer new ways to experience the neighborhood.

Dimensional and Operational Regulations

As outlined in the Zoning Data Table on the Proposed Project Site Plan (and reproduced below), the Proposed Project will meet all dimensional requirements of the HD-II Subdistrict. As identified in § 245-5.9.8.1 - 3, the Proposed Project is located on a Neighborhood Residential (N-Street) street type. The Proposed Project meets the minimum public frontage requirements both in total and for each of the required frontage components.

| ZONING DATA TABLE | | |
|---|---|---|
| CODE / SECTION DESCRIPTION | MAX. & MIN. REQUIRED / PERMITTED | PROPOSED / PERMITTED |
| 246-5.9.5.1 PROPOSED USE | MULTIFAMILY DWELLING USE | MULTIFAMILY DWELLING USE |
| 246-5.9.5.2 PERMITTED ROOF TOP USE | ROOFTOP DECK AND SEATING AREA | ROOFTOP DECK AND SEATING AREA |
| 246-5.9.6.1 BUILDING HEIGHT | 3 STORIES / 40 FT. MAX. | 40.0 FT. |
| 246-5.9.6.1.1a ENCLOSED ROOFTOP / BUILDING HEIGHT ENCROACHMENT | 15 FT. ABOVE MAX. BUILDING HEIGHT MAX. 10% ROOF AREA NOT GREATER THAN 600 SQ.FT. | N/A - NO PROPOSED ENCLOSED ROOFTOP AMENITY |
| 246-5.9.6.1.1b ACCESSORY ROOFTOP SHADE STRUCTURE | 10 FT. MIN. SETBACK FROM ROOF EDGE MAX. 10% ROOF AREA 11,642 SF ± 10% = 1,164 MAX AREA BUT NOT GREATER THAN 600 SQ.FT. | ROOF TOP PERGOLA OFFSET 16.5- FEET FROM ROOF EDGE 212 SF IN AREA |
| 246-5.9.6.2.1 BUILD TO ZONE | 8 FT. | 0.10 FT. |
| 246-5.9.6.2.2 TRANSITION ZONE | 3 FT. | 3.0 FT. |
| 246-5.9.6.2.3 SIDEWALK ZONE | 4 FT. | 4.0 FT. |
| 246-5.9.6.2.4 LANDSCAPE, UTILITY & INFRASTRUCTURE ZONE | 3 FT. | 3.3 FT. |
| 246-5.9.6.3.a REAR YARD REQUIREMENT | 0 FT. | 6.3 FT. |
| 246-5.9.6.3.b SIDE YARD REQUIREMENT | 0 FT. REQUIRED 5 FT. MIN. WHEN PROVIDED | 0.4 FT (WESTERLY SIDE YARD) |
| 246-5.9.6.4 MAX. UNINTERRUPTED BUILDING FACADE | 60 FT. MAX. | 49.02 FT. |
| 246-5.9.6.5 MIN. APARTMENT UNIT SIZE | 500 SQ.FT. MIN. | 749 SQ.FT. |

MIN. REQUIRED PUBLIC FRONTAGE IS 10-FT. (3-FT. INFRASTRUCTURE ZONE + 4-FT. SIDEWALK ZONE + 3-FT. OF TRANSITION ZONE)
10.64' IS PROVIDED

In addition, as outlined in the Off-Street Parking Summary on the Proposed Project Site Plan (reproduced on the next page), the Proposed Project will meet Town Code and ADA requirements related to parking, with 30 required parking spaces (30 provided) and 2 required ADA parking spaces (2 are provided).

FEAF Attachment 1: Zoning Analysis (SEAF Item C.2)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

OFF-STREET PARKING SUMMARY

| | |
|-------------------------------|--------------------------------------|
| • 4 - ONE BEDROOM UNITS | ⊗ 1.25 SPACE PER UNIT = 5.00 SPACES |
| • 1 - ONE BEDROOM UNIT W/DEN | ⊗ 1.50 SPACE PER UNIT = 1.50 SPACES |
| • 14 - TWO BEDROOM UNITS | ⊗ 1.50 SPACE PER UNIT = 21.00 SPACES |
| • 1 - TWO BEDROOM UNITS W/DEN | ⊗ 2.00 SPACE PER UNIT = 2.00 SPACES |
| • TOTAL SPACES REQUIRED | = 29.5 SPACES |
| • TOTAL SPACES PROVIDED | = 30.0 SPACES |

NOTES:

1. TOTAL PARKING COUNT IS INCLUSIVE OF 2 REQUIRED ADA PARKING SPACES:

Design Guidelines

Section 1.2 (C) of the *Hicksville Downtown Design Guidelines and Standards* (246 Attachment 28) outlines a series of principles to “define the public realm” and “create the small-scale character desired for downtown Hicksville...” These principles include sidewalk feature design (including build-to lines), design, placement and access to off-street parking, architectural considerations (including procedural requirements), and guidance for buffers, signage and lighting. The Proposed Project carefully considered each of these guiding principles in developing its design. As a result, the Proposed Project carefully meets the outlined public frontage and sidewalk feature design criteria as required for an N-Street. Off-street parking is located on the first floor, within the footprint of the building, to maintain vibrancy and an activated street wall along West Cherry Street. Both landscaping and façade treatments will shield parking from the street (as required by Section 4.1.1 of the Design Guidelines). A dog run on the first floor will activate the often-overlooked parking-adjacent area on the site, providing an additional area for community interaction and outdoor activity. The Proposed Project also carefully considered the Design Guidelines in selecting the overall project layout (including outdoor amenity spaces on each of the proposed floors).

Section 1.2 (C) also provides the following design qualities for projects within the HD-I and HD-II Subdistricts. These qualities include:

- Mixed-use development
- Mix of housing styles, types, and sizes,
- Build-to lines for commercial and mixed-use areas
- Human-scale building design and configuration
- Orientation of buildings to the street
- Activated sidewalks with pedestrian amenities and connectivity
- Quality landscape design and landscaping of parking lots/structures and public spaces
- Wherever possible, outdoor gathering spaces are to be introduced in order to activate and enliven the district, with spaces such as outdoor cafes, seating areas, and other public gathering spaces.

While the Proposed Project is not a mixed-use project, it is aligned with nearly all of the desired design qualities outlined for the HD-II Subdistrict. Further, although the Proposed Project is entirely residential, the overall design, layout and materials have all been selected to compliment the wide range of uses currently found along West Cherry Street and the surrounding neighborhood. Additional information about the proposed landscaping can be found on Sheet C-8 of Site Plan Set and the Supplemental Landscaping Exhibit. Site Details and architectural materials are provided on Sheets C-9 through C-11 on the Site Plan Set.

FEAF Attachment 1: Zoning Analysis (SEAF Item C.2)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Nassau County IDA

The Applicant will apply to the Nassau County Industrial Development Agency seeking economic incentives in the form of (a) an abatement of (i) sales tax on the construction materials and machinery acquired for the project and (ii) a portion of the mortgage tax imposed on the construction and permanent financing and (b) a 20-year PILOT program. The benefits sought from the Nassau County IDA are consistent with those granted to the vast number of multi-family rental housing project applicants that otherwise would not be economically feasible given the significant costs of acquisition, construction, and operation of these facilities on Long Island.

FEAF Attachment 2: Supplemental Schools Assessment (SEAF Item C.4)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Existing Conditions

The Project Site is served by the Hicksville Union Free School District (UFSD). Total district enrollment in 2021-2022 was 5,205 students (based on latest available data from the New York State Education Department). During the 2019-2020 school year, the average cost per student was approximately \$24,266 (with approximately \$16,500 attributed to local property taxes). The Hicksville UFSD has experienced relatively stable enrollment over the last decade, with modest yearly increases in students (e.g., increase of 30 students from 2020-2021 to 2021-2022).

Assessment of Proposed Conditions

New residential development at the Subject Site, like any residential development, has the potential to generate school-age children. A commonly-used resource for projecting school-age children is the *Residential Demographic Multipliers for New York State* (prepared by Rutgers University Center for Urban Policy Research). The Rutgers model produces estimates of public school-age children based on housing type (rental vs. owner-occupied), size (number of bedrooms) and price. For the Proposed Project, the Rutgers multipliers estimate approximately three (3) potential public school-aged children.

**Table 1: Rutgers University Residential Demographic Multipliers
(Housing Category: 5+ Units, For Rent, Highest Price Range)**

| Quantity | Type | Rate | Grade | | | | |
|--------------|------|----------|-------------|-------------|-------------|-------------|-------------|
| | | | All | K-2 | 3-6 | 7-9 | 10-12 |
| 5 | 1 br | | 0.07 | 0.02 | 0.02 | 0.01 | 0.01 |
| 15 | 2 br | | 0.16 | 0.05 | 0.05 | 0.04 | 0.03 |
| | | Students | All | K-2 | 3-6 | 7-9 | 10-12 |
| 5 | 1 br | | 0.35 | 0.10 | 0.10 | 0.05 | 0.05 |
| 15 | 2 br | | 2.40 | 0.75 | 0.75 | 0.60 | 0.45 |
| Total | | | 2.75 | 0.85 | 0.85 | 0.65 | 0.50 |

Further, based upon additional recent local research focusing on school-age children in transit-oriented developments on Long Island, the actual ratios of school-age children are generally lower than the Rutgers University Multipliers. The 2021 study, *Multifamily Housing Development Impacts in Long Island Communities School District Enrollment* (Long Island Regional Planning Council), found that the average ratio of school age children was approximately 0.07, irrespective of unit type or public vs. private school enrollment trends (across Long Island, 20% enrollment in private schools is standard; with the exception of select communities). Based on this data, the Proposed Project would result in up to two school-age children.

District enrollment for the 2021-2022 school year was 5,205 in grades K-12. Three new students would represent an increase of less than one-tenth of one percent in enrollment, and on average, less than one new student per grade level. However, each new student does not create additional cost equal to this average amount as fixed costs remain the same, i.e. building maintenance, staffing, etc. While there are individual student costs for things like books and supplies, significant costs are only incurred when a new teacher, or an additional bus, or an additional classroom space is required. Therefore, with the few students projected (less than one per grade level), new costs would be minimal as there should not be a need for additional classrooms or teachers. With only two to three public school-age children anticipated from the Proposed Project, adverse fiscal impacts are not anticipated.

FEAF Attachment 3: Earthwork Cut and Fill Calculations (SEAF Item D.2.a.ii)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Tabulation of Required Cut Volumes

- Excavation volume for proposed basement:
 $2,304 \text{ s.f.} \times 10' = 23,040 \text{ cubic feet (c.f.)}$
- Excavation volume for proposed basement wall footings:
 $3' \times 1' \times 200' = 600 \text{ c.f.}$
- Excavation volume for proposed exterior building wall footings:
 $3' \times 1' \times 400' = 1,200 \text{ c.f.}$
- Excavation volume for proposed building columns:
 $4' \times 4' \times 1' \times 7 \text{ columns} = 112 \text{ c.f.}$
- Excavation volume for proposed drainage leaching galleys:
 $8.5' \times 4.75' \times 5.554' \times 42 \text{ galleys} = 9,418.2 \text{ c.f.}$
- Excavation volume for proposed drainage pipe:
 $10'' \text{ dia. pipe [0.6875 s.f. per foot]} \times 200 \text{ linear feet} = 137.5 \text{ c.f.}$
- Excavation volume for proposed drainage structures:
 $3' \times 3' \times 4' \times 6 \text{ structures} = 216 \text{ c.f.}$
- Excavation volume for proposed stone drainage trench:
 $25' \times 2.5' \times 3' = 187.5 \text{ c.f.}$
- Excavation volume for proposed electrical transformer vault:
 $16.5' \times 5.83' \times 8.5' = 818 \text{ c.f.}$
- Excavation volume for proposed construction of parking area:
 $0.67' \times 11,250 \text{ s.f.} = 7,537.5 \text{ c.f.}$
- **Total Cut Volume $43,267 \text{ c.f.} / 27 = 1,602 \text{ cubic yards (cy)}$**

Tabulation of Required Fill Volumes:

- Fill volume to level void of the basement of the existing residence:
 $614 \text{ s.f.} \times 8.5' = 5,219 \text{ c.f.}$
- Fill volume to level void of the basement of the existing residence:
 $178 \text{ s.f.} \times 3.5' = 623 \text{ c.f.}$
- **Total Fill Volume $5,842 \text{ c.f.} / 27 = 216 \text{ cy}$**

Total Net Export = $1,602 - 216 = 1,386 \text{ cy}$

FEAF Attachment 4: Water Use (SEAF Item D.2.c.i)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Domestic Water Use Calculation:

- 300 gallons per day (GPD) x 20 units = 6,000 GPD
Source: Nassau County Department of Health

Seasonal Landscape Irrigation Use:

- 1,330 SF of landscape area x [1 inch = 0.083 feet] of irrigation water per week = 110 cubic feet (cf) of water per week
1" of irrigation water used per week is an industry standard
- 110 cf of water per week x 30 weeks of irrigation per year = 3,300 cf per year
- 3,300 cf per year x 7.481 gallons per cf of water = 24,687 gallons per year
- 24,687 / 365 days per year = 67.6 gallons per day

Total Water Usage = 6,000 + 67.6 = 6,068 gallons per day

FEAF Attachment 5: Water District Correspondence (SEAF Item D.2.c.ii)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

The Hicksville Water District correspondence follows on the next pages.



architects + engineers

538 Broad Hollow Road, 4th Floor East
Melville, NY 11747 | tel 631.756.8000

October 28, 2022

Michael A. De Giglio
Cameron Engineering & Associates, LLP
177 Crossways Park Drive
Woodbury, NY 11797

**Re: Hicksville Water District
Request for Water Services – District Requirements
33 & 37 West Cherry Street – Hicksville, NY 11801
H2M Project No.: HKWD2252**

Dear Mr. De Giglio:

Our firm is the consulting engineer for the Hicksville Water District (District) and in accordance with District procedures, we have been directed to respond to your request for water service for the proposed three-story residential development located at 33 and 37 West Cherry Street. Based on our preliminary review of the District's distribution system in the surrounding area, modifications to said distribution system will be required in order to provide the requested domestic water and fire service requested for the proposed development.

We are in receipt of the Utilities Plan – C-5, last revised March 16, 2022, for the proposed development located on the south side of West Cherry Street between Frederick Place and Broadway. Based on the referenced site plan, we understand that the Owner is proposing to construct a three-story, 29-unit multifamily residential building. Based on the anticipated domestic water and fire flow requirements for the development, and our assessment of the District's existing distribution system, the following modifications will need to be made:

1. Replace approximately 540 linear feet of 6-inch water main with new 8-inch C.L.D.I. water main on West Cherry Street between the proposed facility and Broadway, which includes the tap location for the proposed water and fire services to the development. This includes all appurtenances, valves, hydrants, and reconnection to existing services.
2. Install approximately 50 linear feet of new 6-inch C.L.D.I. water main (domestic service to be reduced to 4-inch at property line) and 50 linear feet of new 6-inch C.L.D.I. water main (fire service) from the new 8-inch water main on West Cherry Street to the property line of the development adjacent the proposed mechanical room.

As per Section 2.1 – *Applications and Acceptance* of the District's ordinances, the owner/developer shall be responsible for all expenses associated with the water main upgrades required to provide service to the property. At this time, our preliminary estimate for the total the above listed improvements is \$410,000. This preliminary cost estimate includes all construction costs as well as engineering, inspection, and administrative/legal fees associated with the water main upgrades. A more detailed cost estimate will be prepared during design and prior to public bidding of the work.

A certified check in the amount of \$82,000, which represents 20 percent of the total estimated cost (cost opinion enclosed for reference), payable to the Hicksville Water District, must be deposited with the District in order for the design, permitting, and public bidding of the water main upgrades to proceed. Following receipt of bids, you will be notified of the total project costs, the balance of which will have to be provided by the owner to the District for the funding of the project. No work will proceed until all costs for construction, engineering, legal and contingencies are deposited with the District. In addition to the water main upgrades described above, the owner/developer is responsible for any other applicable fees charged by the District related to services to the property.

Additionally, We understand that this development may be the beneficiary of a PILOT (Payments In Lieu Of Taxes) agreement. Currently, businesses that commit to job creation in Nassau County can take advantage of a PILOT. These payments are in lieu of real estate taxes, but PILOT payments are distributed to tax jurisdictions in the same manner as standard real estate taxes. However, PILOT programs are a stabilized schedule of real estate taxes over a determined time period. This essentially does not account for increases in taxes on an annual basis. The challenges the District encounters is that PILOT agreements are a schedule of tax increases over a determined number of years and estimates the level of payments over future years. The Hicksville Water District will impose user fees on properties having access to the District's water supply services. The District's user fees are sanctioned



in the Municipal Home Rule Law, which permits local governments to adopt local laws for the "...fixing, levy, collection, and administration of local government rentals, charges, rates or fees, penalties and rates of interest thereon, liens on local property in connection therewith and charges thereon." (Section 10). As such, each year the Water District will assess a user fee, that is no less than, and/or equal to the tax rate for the business classification assessed by the Town of Oyster Bay.

This correspondence can be considered a "letter of water availability" contingent upon the execution of a water supply agreement in which the site owner agrees to the improvements as described above, and agrees to payment in lieu of taxes to compensate the Water District for lost property tax revenue associated with the abatement granted by the Nassau County Industrial Development Agency. Compliance with the following items must also be adhered to:

1. Backflow prevention plans must be submitted to the Water District for review, approval, and forwarding to the Nassau County Department of Health (NCDH). The NCDH requires a sized based fee for each commercial submission. You may contact the NCDH to verify current submittal fees. Connection to District water mains and extension of new service lines to the building will not be permitted until an approved backflow application is received.
2. The General Requirements of the District must be strictly adhered to during construction of the domestic water and fire service from the property line to the mechanical room. A copy of the general requirements is attached for your use.
3. The Developer will be required to submit a landscape irrigation plan including considerations for drip irrigation and xeriscaping to the water district for review and approval. For properties that plan to install automatic irrigation systems only an EPA WaterSense labeled automatic adjustable calendar-type clock timer device will only be permitted. A separate metered service may be required for the landscape irrigation.

Please note that no work will proceed until the Owner complies with the requirements identified above. You are also advised that the New York State and Town Plumbing Codes have banned the use of lead solder for home plumbing. Water saving plumbing fixtures including toilets, shower heads, and faucets are required in all new construction by State law.

Should you have any questions regarding this matter, please feel free to contact our office.

Very truly yours,

H2M architects + engineers

Timothy J. McGuire, P.E.
Sr. Discipline Engineer

TJM:slm
Enclosures

cc: Board of Commissioners (HKWD)
Superintendent Paul Granger, P.E. (HKWD)
Richard Humann, P.E. (H2M)

FEAF Attachment 6: Sanitary District Correspondence (SEAF Item D.2.d.iii)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

The Nassau County Department of Public Works correspondence on sewer capacity follows on the next page.

BRUCE A. BLAKEMAN
NASSAU COUNTY EXECUTIVE



KENNETH G. ARNOLD, P.E.
COMMISSIONER

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
1194 PROSPECT AVENUE
WESTBURY, NEW YORK 11590-2723

April 21, 2022

Mr. Michael De Giglio
Cameron Engineering
177 Crossways Park Drive
Woodbury, New York 11797

Re: Sanitary Sewer Availability
33-37 West Cherry Street
Hicksville, New York 11801
Section 11; Block 291; Lots 37, 32

Dear Mr. De Giglio:

We have received your request for sewer availability for the proposed apartment building in Hicksville. The proposed building will connect to the Nassau County sewer system.

Be advised that the Nassau County sanitary sewer collection system has sufficient capacity for the anticipated sanitary discharge of 8,700 GPD and the Cedar Creek Water Pollution Control Plant also has sufficient capacity to provide treatment for the same anticipated flows.

Prior to connecting the new facility to the County sewer system, an Industrial Waste Permit may be needed. You may contact Mr. Pasquale Assalone at (516) 571-6887 for additional information.

Should you have any questions, please contact Mr. Peter Pyne at (516) 571-6843.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ken Arnold", written over a horizontal line.

Kenneth G. Arnold, P.E.
Commissioner of Public Works

KGA:VF:rp

c: Vincent Falkowski., Deputy Commissioner for Environmental Programs
Peter Pyne, Project Manager IV

FEAF Attachment 7: Traffic and Parking Assessment (SEAF Item D.2.j)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

The Cameron Engineering Traffic and Parking Assessment is provided on the following pages.



CAMERON ENGINEERING

an **IMEG** company

April 7, 2023/Revised May 8, 2023

Ms. Julia Schneider, AICP, CPESC
Director of TEQR
Department of Environmental Resources
29 Spring Street
Oyster Bay, NY 11771

Re: Proposed Development of 33 & 37 W. Cherry Street, Hicksville (Section 11, Block 291, Lots 32 & 37)
FEAF Attachment 7

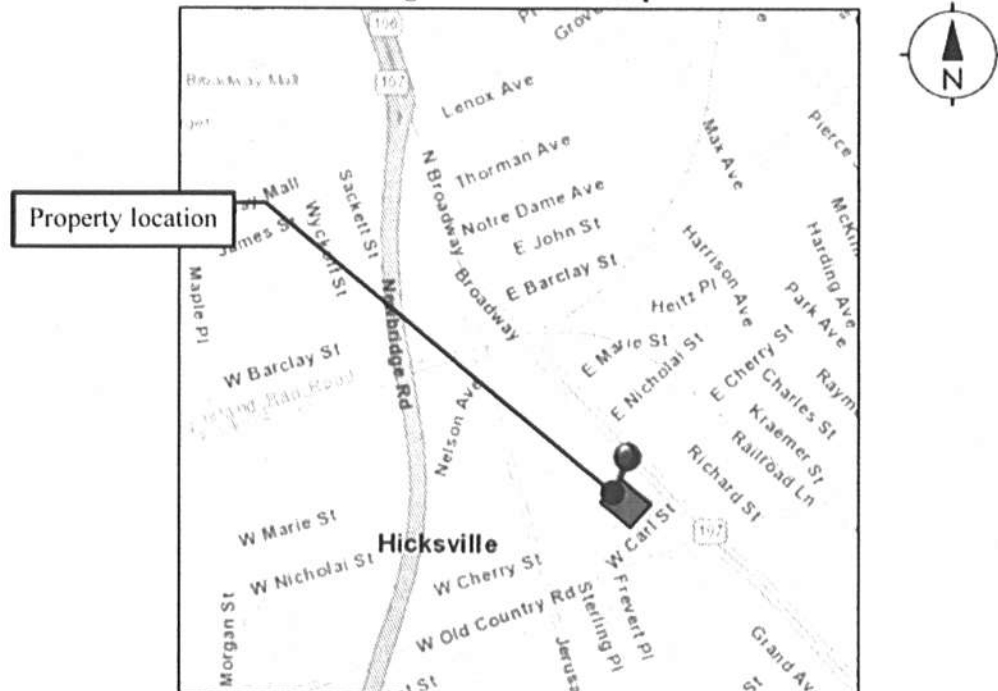
Dear Ms. Schneider:

Cameron Engineering has conducted a traffic engineering assessment of potential traffic conditions related to the development of a three-story apartment building, with two stories above on-grade parking. The new building will be a 20-unit multi-family building with fifteen 2-bedroom units and five 1-bedroom units, to replace a single-family home and garage. This letter report is a summary of Cameron Engineering's technical analysis and conclusions, revised in response to Town comments received April 26, 2023.

Site Location

The property address is 33 & 37 W. Cherry Street in Hicksville. The 0.4-acre site is on the south side of the street, roughly halfway between Frederick Place and NYS Route 107/Broadway, as shown in Figure 1 below.

Figure 1: Location Map



Active Member of  

177 Crossways Park Drive, Woodbury, NY 11797 / (516) 827-4900 1411 Broadway, Suite 610, New York, NY 10018 / (212) 324-4000

303 Old Tarrytown Road, 1st Floor, White Plains, NY 10603 / (914) 721-8300

Site Access and Adjacent Roadways

W. Cherry Street is a 28-foot wide local street, a two-lane asphalt roadway with a 30 mph speed limit. The closest traffic signal to the property is at the intersection of NYS Route 107/Broadway and W. Cherry Street, to the east. The site plans depict one proposed 30-foot wide apron on W. Cherry Street, approximately 20' west of the property line (see Figures 2 and 3 below).

Since W. Cherry Street is only carrying local traffic, we believe that all turns, including exiting left turns from this site, will be made easily and safely, with numerous acceptable gaps in W. Cherry Street traffic.

Figure 2: Aerial Photograph (not to scale)

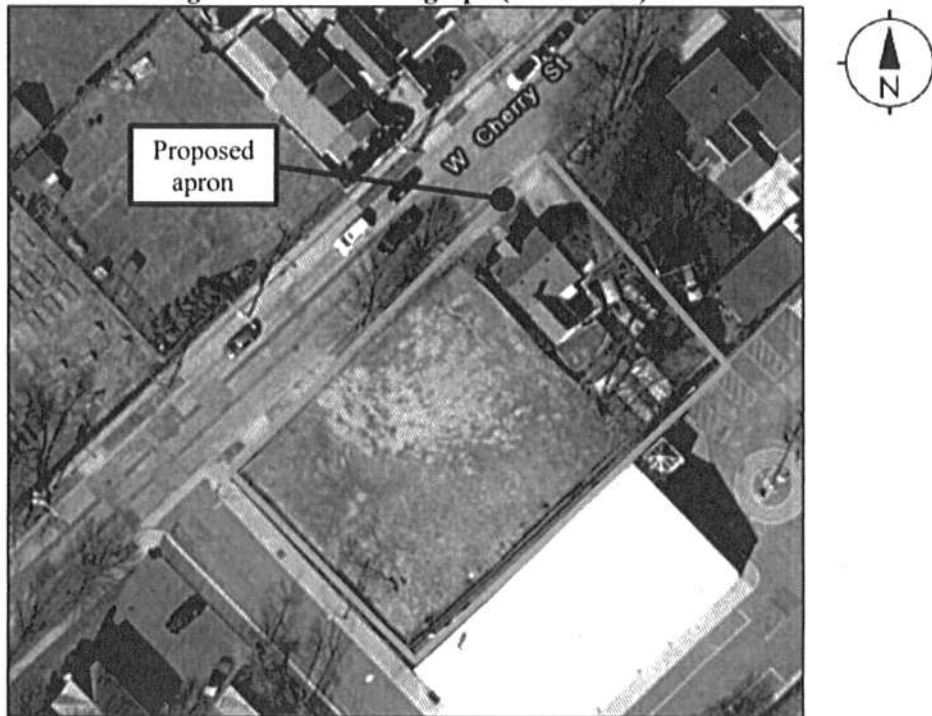
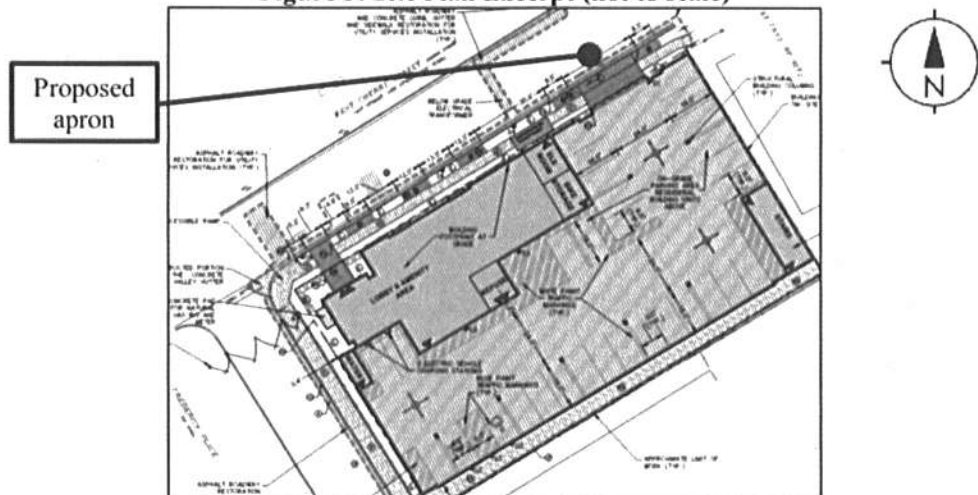


Figure 3: Site Plan Excerpt (not to scale)



Public Transportation

This property is situated roughly 1/2 mile from the Hicksville LIRR station and roughly 1/2 mile to the nearest N24 NICE Bus stop at Newbridge Road-W. Nicholai Street. Figure 4 below is an excerpt of the NICE Bus map which depicts the local bus routes and the Hicksville LIRR station. All bus routes shown in Figure 4 stop at the LIRR station. The map was accessed on May 8, 2023 at <https://www.nicebus.com/Tools/Maps-and-Schedules>.

Figure 4: Area Transit (not to scale)



Site-Generated Trips

Cameron Engineering calculated the expected peak hour trip generation using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* for ITE Land Use Code 220 (Low-Rise Multi-Family). Based on the ITE manual, there would be 8-10 trips during typical peak hours, as shown in Table 1 below.

With 10 vehicles at most (on average, 1 vehicle every 6 minutes), there will not be enough site-generated traffic to have any impact on the local streets or intersections, according to the ITE and the NYS Department of Environmental Conservation SEQR Handbook. There would be no impact to traffic flow on W. Cherry Street.

This calculation reflects sites more than 1/2 mile from rail transit. The shortest walking route to the LIRR Hicksville Waiting Room and escalators is roughly 1/2 mile, via W. Cherry Street-Nelson Avenue-Newbridge Road.

Table 1: Site-Generated Trips

| Proposed Apartments | AM Peak Hour | PM Peak Hour | Saturday Peak Hour |
|---------------------|--------------|--------------|--------------------|
| Enter | 2 | 6 | 4 |
| Exit | 6 | 4 | 4 |
| Total | 8 | 10 | 8 |

Other Projects Planned in the Area

Cameron Engineering obtained a list from the Town Planning Division on May 5, 2023, of eleven pending or recently approved applications within 1 mile of the 33-37 W. Cherry Street property. These applications will not result in significant traffic generation on W. Cherry Street, and this application will not result in a net cumulative traffic impact associated with these other projects.

For projects numbered 1 through 3 below, the new trip generation numbers are far too small (i.e. well below 100 trips per hour) to have a cumulative traffic impact on W. Cherry Street or at nearby intersections.

- 1) SP12-22, 100-104 Woodbury Road: A proposed 2-story addition (400 s.f.) and a 2nd floor addition (±1,100 s.f.) to an existing one-story 2,172 s.f. commercial building. The additions will accommodate a stairwell leading to new office space on the proposed second floor.
 - This site will have little to no traffic on W. Cherry Street. Its respective AM, PM, and Saturday peak hour trip generation is 2 trips per hour, 2 trips per hour, and 1 trip per hour.
- 2) SP17-22, 70 E. Old Country Road: A ±2,278 s.f. two-story office building with associated site improvements on a lot with an existing approximately 6,400 square foot two-story office building.
 - This site will have little to no traffic on W. Cherry Street. Its respective AM, PM, and Saturday peak hour trip generation is 3 trips per hour, 3 trips per hour, and 1 trip per hour.
- 3) SUP482-21, 285 N. Broadway, Hicksville: Special Use Permit to maintain a Fitness Center (boxing training facility) proposed ±3,889 s.f. within an existing one-story, ±51,600 s.f. building.
 - There is no site-generated traffic associated with maintaining an existing land use.

For projects numbered 4 through 6 below, the Town’s information does not include the existing buildings’ square footages or the square footage to be altered. Information for project number 5 excludes the existing land use.

However, we were able to provide conservative trip generation estimates for the new land uses, based on reasonable estimates of the future square footage, or based on high-level knowledge of how the future land uses would operate. The resulting trip generation numbers would be too small (i.e. well below 100 trips per hour) to have a traffic impact on W. Cherry Street or at nearby intersections.

- 4) SP05-23, 350 South Broadway: Demolish a portion of an existing vacant medical building; perform interior and exterior alterations to accommodate a multi-tenant retail and professional office use.
 - Aerial maps show the existing building is ±15,675 s.f. (285’x55’).
 - ITE trip generation rates per s.f. are smaller for professional offices (ITE Land Use 710) than for medical offices (Land Use Code 720). Any space that changes from medical to professional office will have a net decrease in site-generated traffic.
 - If we consider the entire building changes from medical office to 50% professional office, 50% retail, the net change in traffic is a decrease (during the weekday AM peak hour) or a negligible increase (during the weekday PM peak hour and Saturday peak hour) of 1 or 8 new trips per hour.

Table 2: “Other Project 4” Site-Generated Trips with Hypothetical New Uses

| Trips per Hour: | Existing 15,675 s.f. Medical office | Estimated Future Land Use of the Building: | | |
|------------------|-------------------------------------|--|-------------------|--------------------------------|
| | | TOTAL 15,675 s.f. | 7,838 s.f. Retail | 7,838 s.f. Professional office |
| Peak Hour Period | | | | |
| AM Peak Hour | 49 trips/hour | 31 (net change -18) | 19 trips/hour | 12 trips/hour |
| PM Peak Hour | 62 trips/hour | 63 (net change +1) | 52 trips/hour | 11 trips/hour |
| Sat. Peak Hour | 48 trips/hour | 56 (net change +8) | 52 trips/hour | 4 trips/hour |

- 5) SP06-23, 449 West John Street: Demolish all existing structures and propose the construction of a maintenance/office building with associated site improvements for a bus depot.
 - A new bus depot would have little to no traffic distributed to W. Cherry Street, particularly during weekday peak hour periods (7-9 a.m. and 4-6 p.m.).
 - The trip generation is expected to be small during peak hours, based on a Cameron Engineering study of another school bus depot. Bus depot traffic typically peaks outside of typical peak hours because the peak traffic involves drivers arriving before 7:00 a.m. and leaving for the day before 4:00 p.m. or after 6:00 p.m.
- 6) SUP507-22, 75 Woodbury Road, Hicksville: Special Use Permit to maintain a ground floor apartment and establish a mixed-use building which currently has two 2nd floor pre-existing non-conforming apartments.

- The Nassau County Land Records Viewer (<https://lrv.nassaucountyny.gov/info/12235++00450/>) shows 1,281 s.f. per floor and already shows commercial space in this existing building.
- A conservative projection would consider the two 2nd floor apartments would become retail, and to consider 1,500 s.f. (above the square footage from the Nassau County site). The corresponding retail trips are 4, 10, and 10 trips during the respective AM, PM, and Saturday peak hours, with little to no expected generated traffic on W. Cherry Street due to the distance between properties.

For the remaining other projects, the Town's information does not include the existing square footages or land uses to calculate a net increase/decrease in site-generated traffic. Nonetheless, we note that W. Cherry Street is not a major through street, so the traffic generated from these other redevelopments may utilize the intersections of Route 107 or Jerusalem Avenue with W. Cherry Street, but the traffic would not be expected on W. Cherry Street itself.

- 7) SP04-21, 330 Old Country Road, Hicksville: Demolish all existing buildings on the property to construct a two-story, 60,000 s.f. (overall, approximate) multi-use building with associated site improvements.
- 8) SP05-21, 82 N. Broadway, Hicksville: Demolish several buildings in the newly developed Hicksville Downtown area (Hicksville DRI) to construct a four-story, ±230,000 s.f. mixed use building (retail and apartments). The proposal includes 96 apartment units and 7,800 s.f. of retail space.
- 9) SP07-21, 99 Newbridge Road, 4 Duffy Avenue, and 2-10 Jerusalem Avenue, Hicksville: Demolish several buildings in the Hicksville Downtown area (Hicksville DRI) and redevelop with a four-story, mixed-use building consisting of ±7,493 s.f. retail/restaurant and 189 apartment units. *The Town email noted this project has been approved, and the applicant has applied for a Building Permit.*
- 10) SP12-21, 125 New South Road, Hicksville: Construct a two-story, ±207,237 s.f. building [the use is not listed in the email] and construct a parking area.
- 11) SP15-21, 154 Broadway, Hicksville: Demolish several structures in the Hicksville Downtown area (Hicksville DRI) to construct two three-story, ±15,000 s.f. mixed use buildings (retail and apartments).

Emergency Vehicle Access to the Site

This site is served by the Hicksville Fire Department, whose closest station house is at 20 E. Marie Street, roughly 0.3 miles away. The direct route from the nearest station house is via Broadway to W. Cherry Street. Depending on the emergency call, additional responders from other station houses may arrive via Newbridge Road or Jerusalem Avenue to W. Cherry Street.

Hicksville is part of the Nassau County Police Department 2nd Precinct which is headquartered at 7700 Jericho Turnpike in Woodbury. The route from the precinct is via Old Country Road to Broadway; responders to emergency calls are often handled by officers already driving in the nearby area, who might utilize Newbridge Road or Jerusalem Avenue to access this site.

Driveway Sight Distance

People exiting the site will need to see vehicles on W. Cherry Street to ascertain acceptable gaps in W. Cherry Street traffic and judge when to leave. Also, motorists on W. Cherry Street will need to see the vehicles exiting the site to allow for merging. The required sight distance (i.e., the farthest away a motorist on the main road can be from a driveway and still be seen by a driver waiting to exit, and vice versa) depends on the main road's 85th percentile speed (the speed below which 85% of motorists are traveling). The speed limit on W. Cherry Street is 30 mph, so the 85th percentile speed is estimated to be 35 mph. This is a conservative projection based on our site visit, and based on the proximity to the intersection with Broadway. Westbound drivers starting at slow speeds from NYS Route 107/Broadway lack the room to significantly increase speed past the driveway before they have to stop at the Jerusalem Avenue intersection. The intervening section of W. Cherry Street is less than ¼ mile long.

Sight line requirements are listed in the text, from "A Policy on Geometric Design of Highways and Streets",

published by the American Association of State Highway and Transportation Officials (AASHTO), and anecdotally known as the "Green Book." The listed requirements for various driveway maneuvers are as follows, using a 35 mph prevailing speed to be conservative:

- Exiting right turns: 335 feet to the left (500 feet available)
- Exiting left turns: 390 feet in both directions (341-500 feet available)

Cameron Engineering measured the available sight distance in both directions from the proposed driveway on March 30, 2023. The available view extends 500 feet looking west (towards Jerusalem Avenue) and 341 feet looking east (towards Broadway/NYS Route 107).

The south side of W. Cherry Street is signed "No Stopping Any Time" (as shown in Photo 2 on the next page). Two large trees along the frontage are being removed as part of this project, for aesthetic purposes. The replacement trees along the frontage will have a canopy (the trunk space beneath the leafy portion of the tree) of at least 4'-5' at the time of planting, with the leafy areas above the typical driver's eye height and out of the way of the sight lines. Therefore, there will be acceptable sight line views in both directions, looking towards Jerusalem Avenue to the west and Broadway on the east.

The view to the left exceeds AASHTO requirements and is more than sufficient for right turns out of the driveway. Please see Photo 1 on the next page.

Photo 1: View to the left (west) – the trees along the frontage will be removed during construction



The view to the right, looking east, is close to the AASHTO requirement for 35 mph (a conservative speed consideration) and the view is controlled by the distance to the intersection with Broadway. As one looks east from the proposed driveway location, the Broadway-W. Cherry Street traffic light is clearly visible (see Photo 2 below). The signal has 3 phases: north-south left turn arrows on Broadway, north-south through traffic on Broadway, and east-west traffic on W. Cherry Street. If necessary, people exiting this site could look for the red light facing W. Cherry Street to help find acceptable gaps.

Photo 2: View to the right (east) – traffic signal display is clearly visible



Red lights at the
Broadway intersection

Additionally, because the view to the left is very generous, drivers can easily move up into W. Cherry Street if necessary. Also, any car entering W. Cherry Street from the east will have to do so slowly and will be readily apparent. The slow rate of speed for these vehicles will allow for safe judging of acceptable gaps in traffic. There will not be a concern for exiting the property. The sight lines are sufficient.

Parking and Circulation

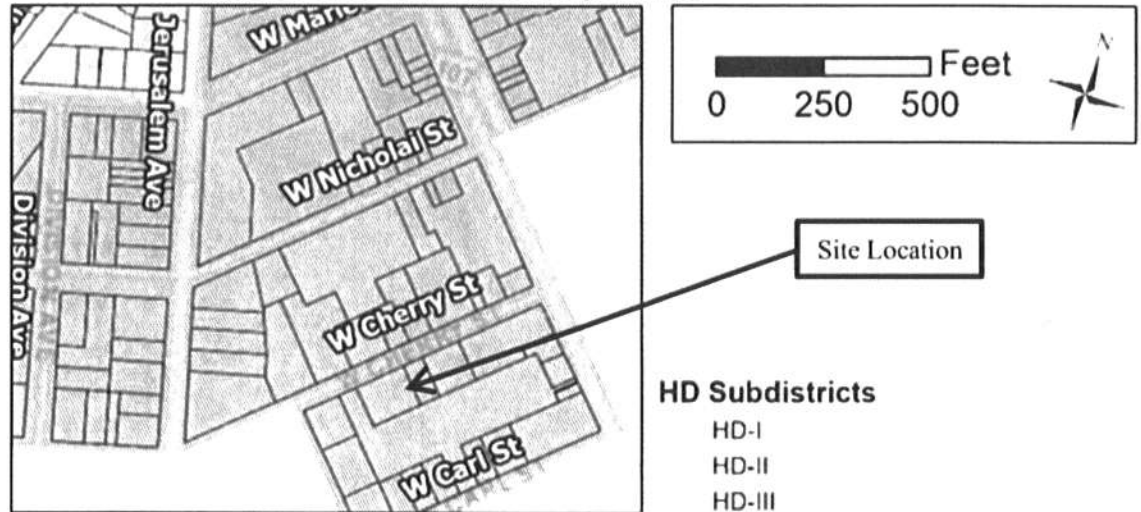
This property is situated in the Hicksville Downtown (HD) District, specifically subdistrict HD-II. Please see Figure 5 on the next page. Based on Table 246-5.9.7.1 (Hicksville Downtown District Parking Requirements), and based on §246-5.9.7.1 which requires dens to be considered bedrooms for parking purposes, the proposed apartments require 30 spaces. With 30 spaces to be provided, the proposed site will satisfy Town code.

- 1.25 spaces per one-bedroom unit x 4 units = 5.0 spaces
- 1.5 spaces per two-bedroom unit x 15 units [includes one “1-bedroom plus a den”] = 22.5 spaces
- 2.0 spaces per three-bedroom unit x 1 unit [a “2-bedroom plus a den”] = 2.0 spaces
- Total = 5.0 + 22.5 + 2.0 = 29.5 = 30 required spaces

The ADA Accessibility Guidelines (ADAAG) require 2 handicapped accessible parking spaces in lots with up to 50 spaces. Two proposed spaces are handicapped accessible, which satisfies this requirement.

In addition, all parking spaces, including the handicapped parking spaces and access aisle, are 90°, 9' x 18', with 24' drive aisles. These dimensions satisfy Town Code §246-7.5 and exceed the ADA requirement for 8' stall and access aisle widths.

Figure 5: Town's HD District Map Excerpt



Construction Phase Assessment

The earthwork portion of the construction is expected to have the highest potential for construction phase traffic impacts because this work involves the highest number of larger trucks. Construction worker numbers are not yet known. However, construction workers are generally traveling to and from the job site outside typical peak hours, arriving on-site before 7:00 a.m. and leaving before 4:00 p.m. During peak hours, it is the construction trucks that comprise site-related traffic.

The cut-and-fill volumes noted below are included in FEAF Attachment 6.

The projected total cut volume is 1,600 cubic yards of exported material, and the required total fill volume is 216 cubic yards. The result is a net export of 1,384 cubic yards of material from the site.

We consider 20-yard trucks would be utilized for this task; these trucks typically can be loaded or unloaded in approximately 15 minutes each. Applying a 5% surcharge "fluff factor", the 1,384 cubic yards of material require 73 truck trips (rounded up from 72.7).

The earthwork may take one week in total, likely spread out among non-consecutive days. A reasonable projection of peak earthwork-related truck activity is to consider 2-3 trucks per hour at most, based on 73 trucks over a 35-to-40 hour work week. This aligns with ± 15 -minute load/unload times as well.

This number of construction trucks is too small to impact traffic flow on W. Cherry Street or nearby intersections.

Conclusions

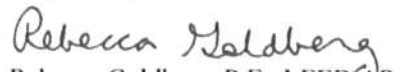
- **Generated Trips** – The proposed apartments would only generate up to 10 trips during the busiest hour of the week, which is too small to pose an impact to existing traffic. Any potential retail occupancy would generate more than 10 trips per hour, as well. There are no expected traffic flow impacts.
- **Cumulative Trips** – There are no expected cumulative traffic impacts with the eleven known other developments within 1 mile of this property.
- **Construction Phase Trips** – The highest-activity would involve 2-3 truck trips per hour during peak periods, which is not enough to impact traffic flow.
- **Site Access** – the driveway will be near the northeast corner of the site, with a Town-standard apron 30' wide.

Sight lines are generous looking to the left (500 feet), and to the right, views extend 341 feet to the traffic light at Broadway (390 feet required for left turns out of the driveway, based on 35 mph design speeds). In practice, this is not a concern because most westbound traffic will approach at less than 35 mph, and because there is excess sight distance to the left, a driver can pull out into the street to get better view to the right if necessary. Additionally, the view does extend to the traffic light, so people can see when the light is red on W. Cherry Street. Sight distance is not an expected concern.

- Parking and Circulation – the proposed site plan will provide 30 parking spaces, including 2 that are handicapped accessible. This will satisfy the 30-space Town code requirement and the ADA required number. The proposed layout will also satisfy Town dimensional standards, with all parking (including ADA) 9'x18' with 24' wide drive aisles.

Thus, with respect to traffic flow, parking, and safety, it is respectfully requested that the Board approve the subject application. Granting this approval will not create off-site parking concerns, and will not create traffic impacts on local streets and intersections. Should you have any questions or wish to discuss any item in greater detail, please do not hesitate to contact our office.

Very truly yours,


Rebecca Goldberg, P.E., LEED AP
Civil Engineering Director

K:\C3150-3199\CE3169 - Hicksville Multi-Family\Traffic\2023-05-08 Traffic letter report - Revision.docx

Enclosure: "Other Project" summary from Town Department of Planning, via email received May 5, 2023

Rebecca Goldberg

From: Dawn Hauner <dhauner@oysterbay-ny.gov>
Sent: Fri, May 5, 2023 2:47 PM
To: Rebecca Goldberg
Subject: 33-37 W. Cherry St, Hicksville
Attachments: 33-37 W. Cherry St. Hicksville.docx

Good afternoon Rebecca,

Attached is the requested project summary for 33-37 W. Cherry St. located in Hicksville, NY

Best regards,

Dawn Hauner
Planning Division
Department of Planning and Development
74 Audrey Avenue
Oyster Bay, NY 11771
Tel (516) 624-6225
Fax (516) 624-6240



This message (including any attachments) may contain confidential information and is intended only for the individual or individuals named. If you are not the intended recipient, you should delete this message immediately. If you received this message in error, please notify the sender immediately.

33-37 W. Cherry Street, Hicksville

SP11-22

Location: 33 Cherry St., Hicksville

The Applicant is proposing to construct a new apartment building to replace an existing residence on two single-family residential lots in the HD-II zoning district. The proposed apartment building is three stories in height, with the ground floor occupied mostly by parking, along with a lobby, elevator, stairways, mechanical space, trash compactor room and bike storage room. The second and third floors of the building contain a total of 29 one-bedroom and two-bedroom apartments, with indoor and outdoor amenity spaces on the second floor and on the roof.

SP12-22

Location: 100-104 Woodbury Rd

The Applicant is seeking Site Plan approval from the Department of Planning and Development for a proposed 2-story addition (400 square feet) and a 2nd floor addition (approximately 1,100 square foot), to an existing one-story, 2,172 square foot commercial building. The additions will accommodate a stairwell leading to new office space on the proposed second floor.

SP17-22

Location: 70 E. Old Country Rd, Hicksville

The Applicant is seeking Site Plan approval from the Department of Planning and Development to construct an approximately 2,278 square foot two-story office building with associated site improvements on a lot with an existing approximately 6,400 square foot two-story office building.

SP05-23

Location: 350 South Broadway

The Applicant is seeking Site Plan approval from the Department of Planning and Development to demolish a portion of an existing vacant medical building and perform interior and exterior alterations to accommodate a multi-tenant retail and professional office use building with associated site improvements.

SP06-23

Location: 449 West John St

The Applicant is seeking Site Plan approval from the Department of Planning and Development to demolish all existing structures and propose the construction of a maintenance/office building with associated site improvements for a bus depot.

SUP507-22

Location: 75 Woodbury Rd, Hicksville

The Applicant is seeking approval from the Town Board for a Special Use Permit to maintain a ground floor apartment and establish a mixed-use building which currently has two second floor apartments which are pre-existing non-conforming.

SP04-21

Location: 330 Old Country Rd, Hicksville

The Applicant is seeking Site Plan approval from the Department of Planning and Development to demolish all existing buildings on the subject property in order to construct a two-story, 60,000 square foot (overall, approximate) multi-use building with associated site improvements.

SP05-21

Location: 82 N. Broadway, Hicksville

The Applicant is seeking to demolish several buildings in the newly developed Hicksville Downtown area (Hicksville DRI) in order to construct a four-story, approximately 230,000 square foot mixed use building (retail and apartments). The proposal includes 96 apartment units as well as 7,800 square feet of retail space and associated site improvements.

SP07-21

Location: 99 Newbridge Rd, 4 Duffy Ave and 2-10 Jerusalem, Hicksville

The Applicant is seeking to demolish several buildings in the newly developed Hicksville Downtown area (Hicksville DRI) on the subject site and redevelopment with a four-story, mixed-use building consisting of 7,493± square feet (sf) of retail/restaurant use in four separate spaces on the ground floor as well as 189 apartment units with associated site improvements. APPROVED, BUILDING PERMIT HAS BEEN FILED FOR.

SP12-21

Location: 125 New South Rd, Hicksville

This Applicant is seeking Site Plan approval from the Department of Planning and Development to construct a two-story, approximately 207,237 square feet (overall). In addition to this, Applicant is also proposing to construct a parking area for these proposed buildings with associated site improvements.

SP15-21

Location: 154 Broadway, Hicksville

The Applicant is seeking to demolish several structures in the newly developed Hicksville Downtown area (Hicksville DRI) in order to construct two separate three-story, approximately 15,000 square foot mixed use building (retail and apartments).

SUP482-21

Location: 285 N. Broadway, Hicksville

The Owner/Applicant (170 Michael Drive LLC and Kayo Fitness Center d.b.a Title Boxing Club) is seeking Special Use Permit approval from the Town Board in order to maintain a Fitness Center (boxing training facility) of which is over 1,500 square feet of gross floor area (proposed; approximately 3,889 square feet) within an existing one-story, approximately 51,600 square foot building.

FEAF Attachment 8: PSEG Correspondence (SEAF Item D.2.k.ii)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Correspondence from PSEG regarding electric service for the application is provided on the following pages.

PSEG Long Island
175 E. Old Country Road
Hicksville, NY 11801



Re: Hicksville Multi-family
Residential Development
33-37 West Cherry Street
Hicksville, NY, 11801

Notification #: 900000154339

To Whom It May Concern,

We have initiated our survey to supply electric service to the subject project. It is our understanding that your plans call for the installation of a 1600 Amp, 120/208 3-phase, 4-wire wye electric service in the building. Connected load will be approximately 442 KVA.

Please note that the electric service characteristics for this service will be 4-wire, 3-phase wye with a nominal voltage of 120/208 volts.

Your service equipment should be designed to withstand a symmetrical RMS fault current of 28,000 amperes.

To confirm the breakdown of the connected load, we are designing our electric supply based on your load letter dated March 17, 2022. The total approximate load is 442 KVA.

PSEG LI will provide 120/208volt secondary metered service subject to the following specifications:

WORK BY ELECTRICAL CONTRACTOR

- A. Provide and install the submersible transformer manhole in accordance with the following construction standards (latest revision attached):

CS# 6707 – 3 Phase Subway Transformer
CS# 6544 – Rectangular Covers & Frames
CS# 6541 – TM-14-6 Transformer Manhole Components
CS# 6563 – Transformer Manhole Type TM-14-6
CS# 3950 – General Notes

All transformer manholes and grates should be purchased from one of LIPA's approved suppliers and manholes cannot be field poured:

- Coastal Pipeline
- Roman Stone
- Afco Precast
- L.I. Precast
- J.A. Potente

All Construction Standards must be adhered to and final vault location should be verified with PSEG LI

before installation.

- B. (In non-CIPUD areas the customer/contractor shall procure and install the primary cable.) Provide and install three (3) 2/C # copper or aluminum, jacketed concentric neutral, 15 kV, shielded, cross-linked polyethylene insulated cables, from the transformer vault, to the proposed riser pole. Also, provide 37 feet per phase of cable for a 40-foot pole or 42 feet per phase of cable for a 45-foot pole, to be installed on the pole. PSEG LI does not require a property line splice box for direct buried XLPE cable. The pole designated for the primary cable riser will be pole 26.

The concentric neutral cable must be installed in accordance with the following PSEG LI's guidelines:

1. 220 mil insulation thickness must be used.
 2. Cable is required to have a 50 mil semiconducting jacket extruded to fill over the concentric neutral, yet shall be free stripping from the insulation shielding.
 3. The depth of burial must be 30 inches (assuming direct-buried) (CS#5506 General Specifications Underground Distribution System).
 4. If the cable crosses under a sidewalk, roadway or driveway, the cable must be installed in an approved conduit from the property line to a point near the base of the proposed riser pole.
 5. If the proposed riser pole is in concrete or macadam, the contractor will be required to install an elbow (sweep) at the base of this pole. If the pole is in a dirt or grass area, the cable can be direct buried the entire run.
 6. The first 10 feet of cable is to be attached to the pole in U-guard, as shown on drawing D5 of PSEG LI's Specifications and Requirements for Electric Installations (January 2000 Revision) and the cable must be installed on the South East quadrant of the pole.
- C. As noted in #3, the cable on private property can be direct buried. If the entire cable run from transformer to the pole is to be in conduit, a property line pullbox must be installed. Refer to PSEG LI's CS# 6548 and 6539 ("TS" Box standards) for details.
- D. Provide and install all secondary wiring and perform all wiring within the transformer vault, including the load break elbow connections to the primary bushings and hylug connections to the secondary spade terminals. All required bonding and grounding hardware is to be provided and installed by the contractor. Refer to PSEG LI's CS# 6707 for additional details.
- E. Primary elbows will be delivered with the submersible transformer. The contractor will wire the elbows in accordance with PSEG LI's CS# 3722 Load Break Elbow Terminator. **Follow the PSEG LI Construction Standard, in conjunction with the manufacturer's cutback length instructions, as explained in step 6 on page 2 of 8 of PSEG LI's CS# 3722.**
- F. Install metering facilities in accordance with PSEG LI's Specifications and Requirements for Electric Installations. Remote meter to be mounted outdoors on the East Side of the building.
- G. It will be the responsibility of the contractor to obtain any applicable permits prior to the installation of any facilities on public property or right-of-way.

WORK BY PSEG LI:

- A. (In CIPUD areas PSEG LI to make up primary cable connections.) Furnish and deliver in customer provided

vault: One submersible transformer complete with three load break elbows with bushings, three insulated load break protective caps with bushings.

- B. Complete installation of cable on riser pole. PSEG LI will take over ownership and maintenance of the cable from the top of the riser pole to the property line.
- C. Install meter and wire current transformers.

PSEG LI will own and maintain the submersible transformer, metering current transformers, cable (described in paragraph B) and the meter. All other electrical facilities from the property line to the service location are owned and maintained by the customer.

ELECTRIC MOTOR REQUIREMENTS

Please refer to Section 9 of LIPA's Specifications and Requirements for Electrical Installation in which we outline the permissible starting currents for various size motors. If your particular equipment exceeds the value of inrush specified for this service, please contact the undersigned.

For your convenience, it is recommended that all motors and special apparatus be equipped with suitable undervoltage time delay tripping mechanisms for protection against sustained undervoltage and to avoid automatic interruption of equipment as a result of momentary voltage disturbances. All three-phase motors should also be equipped with suitable protection to prevent single-phase operation and improper direction of rotation and excessive heating.

GENERAL REQUIREMENTS

The New York State Department of Labor has enacted rules for notification when an excavator plans to use mechanical equipment on public or private property.

Pursuant to Industrial Code Rule 53, which became effective April 1, 1975, the excavator must notify each operator of existing underground facilities (such as Verizon, Water Co., Cablevision, etc.) that are within 15 feet of the proposed work area. This notice must be given within 10 days prior to the planned date of excavation so that facilities can be marked in the field to avoid damage.

You are being advised that PSEG LI must comply with these requirements and you should take into account the additional lead time this procedure will take in order to meet your service need date.

To notify both PSEG LI and Verizon for mark out of underground facilities or if you require further information regarding "Rule 53", please call 1-800-272-4480.

Arrangements will be made to connect the new service when the electrical contractor has completed the installation in accordance with our Specifications and Requirements for Electric Installations and has presented to this Company a certificate, from an approved electrical inspection agency or other authority having jurisdiction, approving the wiring of the service entrance equipment.

As you develop a construction schedule for this project, it is very important to advise us of your anticipated service need date, so that PSEG LI can plan and schedule our installation. Please keep us apprised of any scheduling developments so that we can coordinate our efforts with your construction activity.

Please be advised that there will be customer charges associated with this project of which is sales tax exempt. All charges are based upon LIPA's "Tariff for Electric Service". Any applicable tariff change becomes part of this agreement and may affect your bill. LIPA reserves the right to rebill in accordance with any such change.

The electrical specifications and general terms and conditions as outlined in this letter are subject to change as dictated by field construction, status of our electric facilities and revision of our construction standards. The latest revisions should always be used. If the electrical installation has not been started within ninety (90) days of the date of this letter, it will be the responsibility of the electrician/builder to contact this office and confirm these specifications.

APPLICATION AND DEPOSIT REQUIREMENTS

We require a deposit for new accounts equivalent to two months estimated billing. Please forward your remittance in the amount of \$22,000 for the electric deposit required. **Charges in excess of \$1,000.00 must be paid by Certified or Cashiers check.**

Before service can be established to the building, the attached application must be completed and signed by an authorized representative of the applicant and returned to this office.

If you have, any questions regarding this installation please contact please contact Pedro Ventura at (516) 949-7034 or email pedro.venturaarellano@pseg.com.

Very truly yours,



Jason Frank
Design Engineer
Distribution Design

Please make all checks payable to PSEG LI.
ATTN: Pedro Ventura- Distribution Design
Ops 2, 1st floor
175 E Old Country Rd
Hicksville, NY 11801

FEAF Attachment 9: Solid Waste Calculations (SEAF Item D.2.r)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Construction & Demolition Waste Generated from the Proposed Multi-Family Building

- The average building demolition yields 155 pounds of waste per s.f.
- The average new construction project yields 3.9 pounds of waste per s.f. of building area.

Source: Diverting Construction Waste | Buildings:

<https://www.buildings.com/department/article/10192921/diverting-construction-waste>

- Demolition of the existing building - GFA 2,000 sf x 155 lbs = 310,000 lbs
- 310,000 lbs x 1 ton per 2,000 lbs = 155 tons
- Demolition is anticipated to take 2 weeks:
155 tons / 2 = 77.5 tons per week
- Building Construction – GFA 33,100 sf x 3.9 lbs = 129,090 lbs
- 129,090 lbs x 1 ton per 2,000 lbs = 64.5 tons
- The Construction period is anticipated to be 17.5 months, which corresponds to 75.8 weeks
64.5 tons / 75.8 weeks = 0.85 tons per week

During construction, the developer will require the general contractor / sub-contractors to develop a Waste Management Plan. The plan at a minimum will identify what recyclables each Contractor anticipates, the approximate schedule of their collection, and their disposal preferences. Source separation at the site will be utilized as practicable during construction, items to be recycled, reused, or salvaged will be included in the overall Waste Management Plan. When source separation is being implanted the general contractor will be responsible for coordinating the collecting, sorting, and depositing of recyclables, waste and construction debris (C&D) in proper and designated containers. Mixed C&D waste will be collecting and stored in containers on the project site. Items not source separated at the project site will be delivered to a certified transfer facility where additional separation of Construction Debris will occur. It will be the responsibility of the developer and general contractor to engage a qualified vendor to collect all recyclables waste and C&D and a collection schedule that will not permit the accumulation of materials on-site.

Municipal Solid Waste Generated from the Proposed Residential Multi-Family Building

- 4lbs/day per bedroom.
Source: Environmental Engineering (5th Edition). Salvato, Nemerow, Agardy. Published: Wiley, 2003.
- 37 bedrooms x 4 lbs per day per bedroom = 148 lbs per day
- **148 lbs per day x 7 days = 1,036 lbs per week, at 2,000 lbs per ton = 0.518 tons per week**

Municipal Solid Waste will be collected in the refuse room of the building. Collection will be performed by a private carting company at regular intervals under contract with the building developer. The developer of the building will engage into a contract with the private carter to provide carting services for the waste generated typical of similar multi-family buildings. The contract shall also have provisions to provide separate containers internal to the building so that residents can separate paper, plastics, and waste. The private carter shall be required to transport recyclables to appropriate facilities.

**FEAF Attachment 10: SPILLS Database Search & DEC-INFO Locator
(SEAF Item E.1.h)**

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

The following pages have the results of the NYS-SPILLS database research dating back to 1978.

As shown on the individual spill reports, none of the spills that occurred were identified as having occurred on the project site, and all spills have been closed for over 20 years (i.e. since at least March 2003).

Also shown is the lack of mapped items on the DEC-Info Locator tool.



**Department of
Environmental
Conservation**

Spill Incidents Database Search

There are two ways to search the database: by spill number or by other search criteria. Entering a spill number will provide the full record for one spill. Entering other search criteria will provide a list of spills that meet the criteria, with partial information about each.

Search method #1: Enter a spill number:

OR

Search method #2: Enter as many search criteria as are known. Leave the city or street blank to obtain search results for all cities or streets. On the search results screen, click on a spill number to access the full record for a given spill.

County:

City:

Street:

Date spill reported:

From 01/01/1978 **To** 06/05/2023

(Each search will be limited to a 12 month span unless street information is provided along with a county or city as part of the criteria.)

Search Term Definitions:

County: The name of the New York State county or adjacent area in a neighboring state or Canada in which the spill occurred

City: The town, city or village in which the spill occurred

Street: Street name. The search will retrieve any street address that contains the entered string of characters (i.e., a search for "Main" will retrieve "101 Main Street", "33 Main Avenue", etc.) Hint: If you don't find what you're looking for, try a variant spelling (e.g. "eighth" or "8th").

Date Spill Reported: The date the spill was reported to the NYS Department of Environmental Conservation

[Glossary of Spill Response Terms](#)

[Return to Environmental Remediation Databases](#)



**Department of
Environmental
Conservation**

Spill Incidents Database Search Results

Record Count: 5 Rows: 1 to 5

[Export XLS](#) [Export CSV](#)

| | Spill Number | Date Spill Reported | Spill Name | County | City/Town | Address |
|----|-------------------------|--------------------------------|--------------------------------|---------------|------------------|-----------------------------------|
| 1. | 8607833 | 03/23/1987 | NY TELEPHONE | Nassau | HICKSVILLE | WEST CHERRY STREET |
| 2. | 8701991 | 06/09/1987 | GETTY S/S | Nassau | HICKSVILLE | NEWBRIDGE ROAD & CHERRY STREET |
| 3. | 9106974 | 09/29/1991 | UNKNOWN | Nassau | HICKSVILLE | BROADWAY/NO CHERRY STREET |
| 4. | 9711519 | 01/12/1998 | BELL ATLANTIC | Nassau | HICKSVILLE | 69 WEST CHERRY STREET |
| 5. | 0109290 | 12/20/2001 | HICKSVILLE METHODIST CHURCH | Nassau | HICKSVILLE | 133 WEST CHERRY STREET |

[Refine This Search](#)



Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1

Spill Number: 8607833

Spill Date/Time

Spill Date: 03/23/1987 **Spill Time:** 03:00:00 PM

Call Received Date: 03/23/1987 **Call Received Time:** 03:45:00 PM

Location

Spill Name: NY TELEPHONE

Address: WEST CHERRY STREET

City: HICKSVILLE **County:** Nassau

Spill Description

Material Spilled Amount Spilled Resource Affected

#6 fuel oil UNKNOWN Groundwater

Cause: Tank Test Failure

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: 04/22/1987

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

[Return To Results](#)

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**Department of
Environmental
Conservation**

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1
Spill Number: 8701991

Spill Date/Time

Spill Date: 06/08/1987 **Spill Time:** 12:00:00 PM
Call Received Date: 06/09/1987 **Call Received Time:** 03:20:00 PM

Location

Spill Name: GETTY S/S
Address: NEWBRIDGE ROAD & CHERRY STREET
City: HICKSVILLE **County:** Nassau

Spill Description

Material Spilled **Amount Spilled** **Resource Affected**

waste oil/used oil UNKNOWN Soil

Cause: Deliberate

Source: Gasoline Station or other PBS Facility

Waterbody:

Record Close

Date Spill Closed: 12/24/1990

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

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Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1
Spill Number: 9106974

Spill Date/Time

Spill Date: 09/29/1991 **Spill Time:** 06:20:00 PM
Call Received Date: 09/29/1991 **Call Received Time:** 06:24:00 PM

Location

Spill Name: UNKNOWN
Address: BROADWAY/NO CHERRY STREET
City: HICKSVILLE **County:** Nassau

Spill Description

Material Spilled Amount Spilled Resource Affected

gasoline 15 Gal. Soil

Cause: Traffic Accident
Source: Passenger Vehicle

Waterbody:

Record Close

Date Spill Closed: 09/30/1991

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

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Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1

Spill Number: 9711519

Spill Date/Time

Spill Date: 01/12/1998 **Spill Time:** 11:00:00 AM

Call Received Date: 01/12/1998 **Call Received Time:** 11:00:00 AM

Location

Spill Name: BELL ATLANTIC

Address: 69 WEST CHERRY STREET

City: HICKSVILLE **County:** Nassau

Spill Description

Material Spilled Amount Spilled Resource Affected

diesel UNKNOWN Soil

Cause: Other

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: 03/29/1999

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

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Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1
Spill Number: 0109290

Spill Date/Time

Spill Date: 12/19/2001 **Spill Time:** 07:00:00 PM
Call Received Date: 12/20/2001 **Call Received Time:** 08:33:00 AM

Location

Spill Name: HICKSVILLE METHODIST CHURCH
Address: 133 WEST CHERRY STREET
City: HICKSVILLE **County:** Nassau

Spill Description

Material Spilled Amount Spilled Resource Affected

#2 fuel oil 1 Gal. Soil

Cause: Other

Source: Institutional, Educational, Gov., Other

Waterbody:

Record Close

Date Spill Closed: 03/05/2003

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

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h. Potential Contamination History

Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?

If YES, Provide DEC ID numbers: 130215, 130078

If YES, describe current status of site (s):

Site Name: New Cassel/Hicksville Ground Water Contamination

Site Code: 130215

Program: State Superfund Program

Classification: 02

Address: Southern End of Iris Place

City:New Cassel **Zip:** 11590

For Site 130215: Groundwater - PCE, TCE and their associated breakdown products were detected in the groundwater located downgradient of the source areas. PCE and TCE concentrations exceed 1,000 parts-per-billion (ppb) in the groundwater plume, exceeding the New York State groundwater standard of 5 ppb for both contaminants. People are not drinking contaminated groundwater because the public water supply wells that serve the area are either monitored to verify compliance with New York State drinking water standards, or treated to remove contaminants before the water is distributed to consumers. Volatile organic compounds in the groundwater and/or soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality.

Site Name: Hicksville Operations Center

Site Code: 130078

Program: Resource Conservation and Recovery

Classification: A

Address: 175 EAST OLD COUNTRY ROAD

City: HICKSVILLE **Zip:** 11801

For Site 130078: The facility maintains a RCRA permit to store hazardous waste at the facility and there are no known environmental problems associated with the disposal of hazardous waste at this site.

FEAF Attachment 10: SPILLS Database Search & DEC-INFO Locator

(SEAF Item E.1.h)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

<https://gisservices.dec.ny.gov/gis/dil/> accessed June 8, 2023



**FEAF Attachment 11: NYSDEC Environmental Resource Mapper Screenshots
(SEAF Items E.2.g, E.2.h.ii, E.2.n, E.2.o, E.2.p)**

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

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Screenshots of the NYSDEC Environmental Resource Mapper are provided on the following pages.

The screenshots display all layers, and were accessed via <https://gisservices.dec.ny.gov/gis/erm/> on June 14, 2023.

Please note, no wetlands and no unique geological features are shown mapped on or adjacent to the subject property.

FEAF Attachment 11: NYSDEC Environmental Resource Mapper Screenshots

(SEAF Items E.2.g, E.2.h.ii, E.2.n, E.2.o, E.2.p)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

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The screenshot displays the NYSDEC Environmental Resource Mapper web application. At the top, there is a navigation bar with the New York State logo and links for 'Services', 'News', and 'Government'. Below this is a dark header with the text 'NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION' and a small icon. The main title 'Environmental Resource Mapper' is prominently displayed. On the left side, there is a sidebar menu with several sections: 'Search', 'Tools', 'Layers and Legend', 'Other Wetland Layers', 'Reference Layers', 'Tell Me More...', 'Need A Permit?', and 'Contacts'. The 'Layers and Legend' section is expanded, showing a list of checked layers: 'State Regulated Freshwater Wetlands (Outside of the Adirondack Park)', 'State Regulated Wetland Checkzone', 'Imperiled Mussels', 'Mussel Screening Ponded Waters', 'Mussel Screening Streams', 'Significant Natural Communities', 'Natural Communities Near This Location', 'Rare Plants or Animals', 'Base Flood Elevation Plus 72/75 Inches Sea-level Rise', and 'Limit to Moderate Wave Action'. The main map area shows a street grid in Hicksville, NY, with a black dot and a line pointing to it from a box labeled 'Site Location'. The dot is located at the intersection of West Cherry Street and W Old Country Road. Other streets visible include W Main St, W North St, W Old Country Rd, W Cherry St, W Carl St, Broadway, Richard St, 1st St, 2nd St, and 3rd St. A scale bar at the bottom left of the map indicates 150 feet.

FEAF Attachment 11: NYSDEC Environmental Resource Mapper Screenshots

(SEAF Items E.2.g, E.2.h.ii, E.2.n, E.2.o, E.2.p)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

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Lots 32 & 37

The screenshot displays the NYSDEC Environmental Resource Mapper interface. At the top, there is a navigation bar with the New York State logo and links for Services, News, and Government. Below this is a header for the NYSDEC and a 'Site Location' tab. The main area is a map of Hicksville, NY, with a black dot and line indicating the site location at the intersection of West Cherry Street and Fredericka Street. The map includes street names such as Duffly Ave, Nelson Ave, Jerusalem Ave, W Main St, W Nicholas St, W Cherry St, W Old Country Rd, W Carl St, Broadway, and 1st St. A legend on the left side lists various environmental layers, including Unique Geological Features, Waterbody Classifications for Rivers/Streams and Lakes, Waterbody Inventory/Priority Waterbodies List, State Regulated Freshwater Wetlands, and Other Wetland Layers. The interface also includes search, tools, and navigation controls.

FEAF Attachment 11: NYSDEC Environmental Resource Mapper Screenshots

(SEAF Items E.2.g, E.2.h.ii, E.2.n, E.2.o, E.2.p)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

The screenshot displays the NYSDEC Environmental Resource Mapper interface. At the top, there is a navigation bar with the NYSDEC logo and links for 'Services', 'News', and 'Government'. Below this is a dark header with the text 'NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION' and a home icon. The main title 'Environmental Resource Mapper' is prominently displayed. On the left side, there is a sidebar menu with sections for 'Search', 'Tools', 'Layers and Legend', and 'Other Wetland Layers'. Under 'Other Wetland Layers', the 'National Wetlands Inventory' is checked, and a legend lists various wetland types such as 'Estuarine and Marine Deepwater', 'Freshwater Emergent Wetland', and 'Riverine'. A 'Reference Layers' section is also visible. The main map area shows a street grid in Hicksville, NY, with a black dot and a line pointing to a box labeled 'Site Location' at the intersection of West Cherry Street and Broadway. A scale bar at the bottom left of the map indicates distances up to 1000 feet.

**FEAF Attachment 12: CRIS Mapper Screenshot
(SEAF Item E.3.c)**

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37

Accessed at <https://cris.parks.ny.gov/> on June 8, 2023

FEAF Attachment 12: CRIS Mapper Screenshot

(SEAF Item E.3.c)

33 & 37 West Cherry Street, Hicksville, NY (SP 11-22)

Section 11

Block 291

Lots 32 & 37



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.

OTHER ATTACHMENTS

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.

NCIDA/Premiero Cherry LLC

PILOT Chart (9/19/24)

| Year | PILOT Payment Schedule |
|------|------------------------------|
| 1 | \$15,143 |
| 2 | \$15,143 |
| 3 | \$15,143 |
| 4 | \$26,038 |
| 5 | \$37,150 |
| 6 | \$48,482 |
| 7 | \$60,036 |
| 8 | \$71,817 |
| 9 | \$83,827 |
| 10 | \$96,071 |
| 11 | \$108,551 |
| 12 | \$121,271 |
| 13 | \$134,234 |
| 14 | \$147,445 |
| 15 | \$160,906 |
| 16 | \$174,622 |
| 17 | \$188,596 |
| 18 | \$202,832 |
| 19 | \$217,334 |
| 20 | \$232,106 |

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

Posters and films are available

Form HUD-928.1 (6/2011)

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

DO YOU SUSPECT YOU HAVE BEEN DISCRIMINATED AGAINST BECAUSE OF YOUR AGE, RACE, DISABILITY, FAMILY STATUS, OR ETHNICITY 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

This publication is provided to you free of charge by the Department of Social Services, Division of Human Rights, New York State Office of General Services.

DEPARTMENT OF SOCIAL SERVICES
DIVISION OF HUMAN RIGHTS
NEW YORK STATE



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.