

**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

LIBERTY HOLDINGS LLC

APPLICANT NAME

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

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

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule H to the Application. If an estimate is given, enter "EST" after the figure. One signed original and 12 copies of the Application (including all attachments) must be submitted.

A \$1,000 non-refundable Application Fee is required at the time the Application is submitted to the Nassau County Industrial Development Agency (the "Agency"). 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.

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.

Information provided herein will not be made public by the Agency prior to the adoption of a Preliminary or Inducement Resolution, but may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 *et seq.*). If a portion of the material submitted with this Application is proprietary or otherwise confidential in nature, please submit it separately and identify its confidential nature.

October 1, 2003

DATE

Rev. 5/02

PART I. APPLICANT

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

Name: LIBERTY HOLDINGS, LLC

Address: 98 Cutter Mill Road, Suite 370
Great Neck, NY 11021

Primary
Contact: Frank Lalezarian

Phone: [REDACTED]

Fax: [REDACTED]

E-Mail: [REDACTED]

NY State Dept. of

Labor Reg #: N/A

Federal Employer ID #: [REDACTED]

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

Sole Proprietorship ☐ General Partnership ☐ Limited Partnership ☐

Limited Liability Company ☒ Privately Held Corporation ☐

Publicly Held Corporation ☐ Exchange listed on ☐

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

State and Year of Incorporation/Organization: New York

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

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

Name: NONE

Relationship: _____

D. APPLICANT ACCOUNTANT (subject to Agency approval):

Firm name: HOMAYOON MOSSAZADEH, CPA, PC

Address, 6 Grace Avenue, Suite 201, Great Neck, NY 11021
Contact & Homayoon Mossazadeh, CPA, PC
Phone: 516-466-7718

E. APPLICANT COUNSEL (subject to Agency approval):

PART I., continued

Firm name: MORTON WEBER ASSOCIATES
201 North Service Road, Suite 300
Melville, New York, 11747
Address, _____
Contact & Paul Bloom
Phone: 631-549-2000

F. Principal stockholders, members or partners, if any (i.e., owners of 5% or more of equity in Applicant):

<u>Name</u>	<u>Percentage owned</u>
<u>Frank Lalezarian</u>	<u>50 %</u>
<u>Flora Lalezarian</u>	<u>50 %</u>

G. 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

H. 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 X

NO

Silverpoint Properties Inc. (owned 1.7% Frank Lalezarian, 65% Flora Lalezarian)
Dumond Enterprises LLC (Owned 90% Frank Lalezarian; 10% Flora Lalezarian)

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

N/A

J. (To be completed only if Applicant is seeking tax-exempt bond financing)

1. Has the Applicant (or any related entity or person) been involved in, applied for or benefitted 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, town or village, Nassau County.) If YES, describe:

YES

NO X

PART I., continued

2. Has the Applicant (including any related entity or person) received or benefitted from within the past six months, or is contemplating to receive or benefit from within the next six months, tax-exempt financing anywhere within the United States? If YES, describe:

YES ☐

NO ☒

3. Will the proposed bond issue, when combined with all other outstanding industrial development bond issues of the Applicant or any related entity, exceed the aggregate principal amount of \$40,000,000?

YES ☐

NO ☒

4. Is the Applicant seeking federal tax-exempt bonds as a manufacturing facility?

YES ☐

NO ☒

If YES, complete the attached Tax-Exempt Bond Manufacturing Questionnaire (Schedule A) and provide an estimate of the capital expenditures of the Applicant, and its affiliates and subsidiaries in Nassau County, during the past three years?

\$ N/A

- K. Has the Applicant (including any related entity or person) made a public offering or private placement of its stock within the last year? If YES, attach a copy of the Prospectus or Offering Statement used in connection with the offering or placement.

YES ☐

NO ☒

- L. List the major bank references of the Applicant including name, address and phone number of bank contact:

1. North Fork Bank, 275 Broad Hollow Road, Melville, NY 11747
631-844-1068-Attention: Bob Bernard

2. Citibank, 666 Fifth Avenue, New York, NY 10103
212-830-4900-Attention: Kearn Weatherly

Additional References Available upon Request

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

YES ☐

NO ☒

- N. Has the Applicant (or any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business 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.

PART I., continued

YES ___

NO X

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

YES ___

NO X

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

YES ___

NO X

- Q. Complete the following information for principals (including, in the case of corporations, officers and members of the board of directors) of the Applicant:

<u>Name</u>	<u>Title</u>	<u>Social Security #</u>	<u>Other Business Affiliations</u>
Frank Lalezarian	Member	[REDACTED]	_____
Flora Lalezarian	Member	[REDACTED]	_____
_____	_____	_____	_____
_____	_____	_____	_____

Do any of the foregoing principals hold elected or appointive public positions? If YES, attach details.

YES ___

NO X

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

YES ___

NO X

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

1. (a) Location: N/A

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

(c) Annual Payroll, excluding benefits: _____

PART I., continued

(d) Type of operation (e.g. manufacturing, whole-sale, distribution) and products or services: _____

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

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

(g) If Applicant rents, state annual payment
and lease expiration date: _____

(h) Standard Industrial Code (SIC) Number: _____

(i) Terms of use of facility.

FEE TITLE (i.e. own)

LEASE OTHER (describe below)

2. If any of the facilities described above are located within the State of New York, is it expected that any of the described facilities will be closed or be subject to reduced activity? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D). N/A

YES ___

NO ___

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

YES ___

NO ___

T. Does any one supplier or customer account for over 50% of Applicant's annual purchases or sales, respectively. If YES, attach name and contact information for supplier and/or customer, as applicable: N/A

YES ___

NO ___

U. Describe any labor union affiliation of the Applicant and/or the Applicant's employees:

N/A

V. Attach a brief history of the Applicant and its business.
See Appendix 1 Attached for Resume of Lalezarian Developers, INC,
Frank Lalezarian's Operating Company

PART II. PROPOSED PROJECT

- A. Type of financing requested (Check One or More):

TAX-EXEMPT BONDS X TAXABLE BONDS _____ STRAIGHT LEASE _____

Exemption from Real estate tax, Sales Tax, Mortgage Recording Tax

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

See Appendix 2 Attached

- C. If the Applicant is unable to arrange financing 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 assistance? Describe.

See Appendix 3 attached

- D. Location of Project (attach map showing the location), Project address, real property Section, Block, and Lot numbers and School District:

Project Address:

80 Clinton Street

Hempstead, New York

Section: 34 Block: 350 Lot: 117

School District: 1

School Number: _____

- E. Describe proposed Project (attach copies of preliminary plans or sketch of proposed acquisition, renovation and/or construction).

1. Real Property: 2.3594 Acres

2. Building(s): 128,000 Square Feet (99,000 sq. Ft Residential;
29,000 sq ft. Retail)

(a) Existing Building(s) (number of buildings and number of floors and square footage of each building):

PART II., continued

109,504 sq.ft. Total

- (b) Does the Project consist of an addition and/or renovations to existing buildings? If YES, indicate nature of expansion and/or renovation.

YES X NO

Conversion of Hotel, Retail, Ballroom to

residential and retail; increase amount of retail space

- (c) Does the Project consist of new construction? If YES, indicate the number of buildings and square footage of each building:

YES NO X

Owner/applicant or related entity

- (d) Builder or Contractor Name and Address:

Owner/applicant or related entity

98 Cutter Mill Road, Suite 370

Great Neck, NY 11021

- (e) Architect Name and Address:

Newman Design Group, 210 West Rogues Path,

Cold Spring Hills, New York, 11743

3. Describe the present use of the Project site: Hotel, Retail, Ballroom

4. (a) What are the real estate taxes on the Project? (If amount of current taxes is not available, provide assessed value for each): \$450,000

Land: \$ Building(s): \$

- (b) Are tax certiorari proceedings currently pending with respect to the Project real property? If YES, attach details.

YES NO X

- F. Describe proposed project ownership structure (Applicant or other entity):

Currently owned by applicant; will be transferred

to a New York LLC Managed by Frank Lalezarian and Kevin Lalezarian
prior to closing of title.

PART II., continued

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

Section 8 Residential; Retail

- H. If any space in the Project is to be leased to third parties, or is currently leased to 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:

Both residential and retail to be leased

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

Building systems (E.G. Heating, plumbing, electrical)

- J. Will Project meet zoning requirements at proposed location?

YES ___

NO X

1. Describe present zoning: BUSINESS A AND RESIDENCE G

2. Describe required zoning, if different: RESIDENTIAL AND RETAIL

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

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

YES ___

NO X

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

YES ___

NO X

PART II., continued

If YES, indicate:

- (a) Date of purchase: _____
- (b) Purchase price: \$ _____
- (c) Balance of existing mortgage, if any: \$ _____
- (d) Name of mortgage holder: _____
- (e) Special conditions: _____

If NO, indicate:

- (a) Name of present owner of Project site: HKKW HOTEL, L.P.
- (b) Does the Applicant or any related person or entity have an option or a contract to purchase the Project site and/or any buildings on the Project site?

YES X

NO

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

- (a) Date signed: August 21, 2003
- (b) Purchase price: \$ 10,230,000
- (c) Closing date: February 2, 2004

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

YES

NO X

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

Retail Sales: YES X NO

Services: YES

Unknown
(To Be Leased)
NO

- O. Is proposed Project site served by:

Water X

Electric X

Gas X

Sanitary/Storm Sewer X

PART III. PROJECT COSTS

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

<u>Item</u>	<u>Cost</u>
1. Land Acquisition (Combined)	\$ _____
2. Building Acquisition	\$ <u>10,230,000</u>
3. Construction or Renovation	\$ <u>4,040,000</u>
4. Site Work	\$ <u>400,000</u>
5. Engineering Fees	\$ <u>50,000</u>
6. Architectural Fees	\$ <u>150,000</u>
6. Applicant's Legal Fees	\$ <u>75,000</u>
7. Financial Fees (incl. lender legal fees)	\$ <u>700,000</u>
8. Other Professional Fees	\$ <u>25,000</u>
9. Furniture, Equipment & Machinery	\$ <u>0</u>
10. Recording Fees	\$ <u>0</u>
11. Other Soft Costs (describe) *	\$ <u>1,189,000</u>
12. Other (describe): \$ _____	\$ <u>450,000</u>
Total	\$ <u>17,309,000</u>

B. Funds required: \$ 12,500,000 Financing term desired: 30 Years

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 XNO Contract of Sale Deposit, (\$250,000) Legal Fees (\$10,000)
And Architectural Fees (\$10,000)

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 YES, provide details:

YES NO X

PART III., continued

- E. Will any of the funds to be borrowed through the Agency be used to repay or refinance an existing mortgage or outstanding loan? If YES, provide details:

YES ☐

NO ☒

- F. What portion, if any, of the cost of the Project is to be financed from funds of the Applicant, or other than from the proposed Project financing? Provide details:

_____ %

\$4,809,000 (PV) of Total Project Cost of

\$17,309,000 will be financed from Funds other than

the proposed project financing.

- G. Has the Applicant made any arrangement for the marketing or the purchase of the bond or bonds or the provision of other third party financing? If YES, indicate with whom (subject to Agency approval).

YES ☐

NO ☒

- H. Has the Applicant made any arrangements for a bond trustee? If YES, indicate with whom (subject to Agency approval).

YES ☐

NO ☒

PART IV.

PART IV. COST/BENEFIT ANALYSIS

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

	<u>Present</u>	<u>First Year</u>	<u>Second Year</u>
Full-Time:	\$ _____	\$ <u>2,240,000</u>	\$ <u>2,240,000</u>
Part-Time:	_____	<u>30,000</u>	<u>30,000</u>
Seasonal:	_____	<u>-</u>	<u>-</u>
Total Annual Payroll:	\$ _____	\$ <u>2,270,000</u>	\$ <u>2,270,000</u>
Temporary Construction Jobs	<u>40</u>		

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to maintain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

- B. Does the Applicant intend to employ new additional employees at the proposed Project site, or will Applicant transfer current employees from existing location(s)? If YES, describe:

YES x

NO

New Employees

- C. What, if any, will be the expected increase in the dollar amount of production, sales or services rendered?

 %

- D. Describe, if applicable, other benefits to the County anticipated as a result of the Project:

Creation of Temporary construction and Permanent Jobs,

Creation of affordable housing, creations of additional retail space, beautification of highly visible corner
Costs to the County and affected municipalities:

- E.

Estimated Value of Sales Tax Exemption: \$150,960

Estimated Value of Mortgage Tax Exemption: \$ 80,000

PART IV.

Estimated Property Tax Abatement: \$ 300,000

Estimated Interest Savings: \$ _____

PART V. PROJECT CONSTRUCTION SCHEDULE

- A. Has construction work on this project begun? If YES to any of the following categories, complete the following table:

1. (a) Site clearance	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	___% complete
(b) Foundation	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	___% complete
(c) Footings	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	___% complete
(d) Steel	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	___% complete
(e) Masonry	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	___% complete
(f) Other (describe below):	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	___% complete

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

Acquisition closing date scheduled for
February 2, 2004

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

Estimated completion and first use October 1, 2004

- C. At what date(s) and in what amount(s) is it estimated that funds will be required?

10,500,000 at Acquisition Closing (February 2, 2004)
1,000,000 March 1, 2004
1,000,000 April 1, 2004

PART VI. ENVIRONMENTAL IMPACT

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

See Attached environmental Form

PART VI.

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

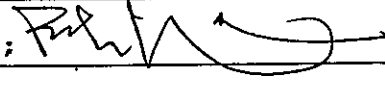
YES

NO X

- C. Please be advised that the Agency may require at the sole cost and expense of the Applicant the preparation and delivery to the Agency of an environmental report in form and scope satisfactory to the Agency, depending on the responses set forth in the Environmental Form.
- D. The Applicant authorizes the Agency to make inquiry of the Environmental Protection Agency, the Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

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

Name of Applicant: LIBERTY HOLDINGS LLC

Signature: BY: 

Name: Frank Lalezarian

Title: Member

Date: 10/1/03

**RULES AND REGULATIONS OF THE NASSAU COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

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

FIRST:

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

SECOND:

At such time as a change in the use or ownership of the premises may be effectuated during the life of the financing which is inconsistent with the original application, and such use or change of ownership does not meet with the prior written approval of the Agency, a lease or sale termination payment will be required to be paid by the Applicant to the Agency.

Factors to be used in determining the value of a lease or sale termination payment shall include but not be limited to (i) tax benefits conferred upon the Applicant and the premises as a result of Agency sponsorship, and (ii) the net profits realized by the Applicant from a change in use or ownership of the premises.

The amount and sufficiency (with respect to a particular applicant) of a lease or sale termination payment, shall be determined by the Agency and shall be set forth in the bond or straight lease documents.

THIRD:

At such time as a proposed Project is reviewed, the members of the Agency must disclose any blood, marital or business relationship they, or members of their families have had with the Applicant.

FOURTH:

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

FIFTH:

All proposed underwriters, credit enhancers (including banks and bond insurance companies), trustees, title companies and their respective attorneys must be satisfactory to and approved in writing by the Agency.

Understood and Agreed to:
LIBERTY HOLDING LLC

BY: 

Name/Title: Frank Lalezarian
Member

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

I, Frank Lalezarian (Name of chief executive officer of Applicant) depose and say: that I am Member (title) of Liberty Holdings LLC (Applicant name) (the "Applicant"), the Limited Liability (business type) named in the attached application (the "Application"); that I am an authorized representative of the Applicant, empowered to deliver this certificate and the Application for and on behalf of the Applicant; that I am familiar with the contents of said Application (including all schedules and attachments thereto); and that said contents are true, correct and complete to my knowledge.

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

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that Applicant shall be and is responsible for all costs incurred by the Nassau County Industrial Development Agency (hereinafter referred to as the "Agency") acting for the benefit of the Applicant in connection with the Application, including the fees and expenses of general counsel, bond/transactional counsel and an independent tax assessor (if deemed necessary or advisable by the Agency), and all matters relating to the issuance of bonds or other form of financing and/or the providing of other forms of Agency assistance. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act 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 requested project, then upon presentation of invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application up to that date and time. Upon successful conclusion 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:

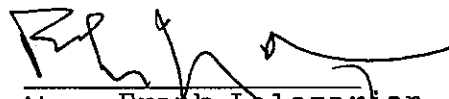
- (A) Taxable Bond Issues - One half ($\frac{1}{2}$) of one percent (1%) for the first twenty million dollars (\$20,000,000) and, if applicable, one-tenth ($\frac{1}{10}$) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000).
- (B) Tax-Exempt Bond Issues - One half ($\frac{1}{2}$) of one percent (1%) of the total amount.
- (C) Straight-Lease Transactions - One half ($\frac{1}{2}$) of one percent (1%) for the first twenty million dollars (\$20,000,000) of and, if applicable, one-tenth ($\frac{1}{10}$) of one percent (1%) for amounts in excess of twenty million dollars (\$20,000,000) of total project costs or the amount of the increased value of the assets plus the amount of all anticipated capital improvements and/or equipment to be purchased in connection with the project.
- (D) All Transactions - Two Thousand Five Hundred Dollars (\$2,500) agency fee payable at closing and One Thousand Dollars (\$1,000) per year (or part thereof) service fee, payable in advance, 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 at the discretion of the Agency.

Additionally, the Applicant shall pay the sum of one tenth ($\frac{1}{10}$) of one percent (1%) of the total amount of the financing, to the Agency's general counsel, as an additional administrative fee. The Agency's

bond/transactional counsel's fees and the administrative fees may be considered as a cost of the project and included as part of any resultant financing.

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 bond/transactional counsel and general counsel, and all recording, filing or other related fees, taxes and charges.

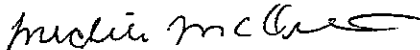
I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency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



Name: Frank Lalezarian

Title: Member

Sworn to before me this 1
day of October, 2003



MICHELE McQUILLAN
Notary Public, State of New York
No. 02MC6076867
Qualified in New York County
Commission Expires July 1, 2006

TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE

N/A

(To be completed by Applicant if Applicant checked "YES" in Part I, Question J.4 of the Application for Financial Assistance).

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>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

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 (same building, adjacent land or building, off-site, etc.).

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

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:

A-1

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 on January 15. The report will be requested from the Applicant before the end of each calendar year.

In consideration of the issuance of bonds by the Agency or other financial assistance, 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).

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

- C. Please be advised that the New York State Industrial Development Agency Act imposes additional annual reporting requirements, as follows:

1. 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, county and school 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.

Month and year 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; and final maturity date.


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

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

Failure to provide any of the aforesaid information will be deemed a DEFAULT under the Lease Agreement or the Installment Sale Agreement, as applicable, to be entered into by the Agency and the Applicant in connection with the proposed Project.

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

Name of
Applicant: LIBERTY HOLDINGS LLC

Signature: 

Name: Frank Lalezarian

Title: Member

Date: 10/1/03

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES

The Private Activity Bond Allocation Act imposes an employment listing obligation that requires that persons eligible for service under the Federal Job Training Partnership Act be considered first for any new jobs created in connection with the issuance of qualified small issue bonds.

INITIAL EMPLOYMENT PLAN

Prior to the expenditure of bond proceeds, the Applicant shall complete the following employment plan:

Applicant Name: LIBERTY HOLDINGS LLC
 Address: 98 Cutter Mill Road, Suite 370, Great Neck, NY 11021
 Type of Business: Real Estate Management
 Contact Person: Frank Lalezarian Tel. No. [REDACTED]

Please complete the following table describing the Applicant's projected employment plan following receipt of financing.

<u>Current and Planned Full Time Occupations</u>	<u>Current Number Full Time Jobs Per Occupation</u>	<u>Estimated Number of Full Time Jobs After Completion of the Project</u>		
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>
<u>Retail</u>	<u>-</u>	<u>58</u>	<u>58</u>	<u>58</u>
<u>Doorman</u>	<u>-</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Super</u>	<u>-</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Porter</u>	<u>-</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Maintenance</u>	<u>-</u>	<u>1</u>	<u>1</u>	<u>1</u>

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

October 1, 2004

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

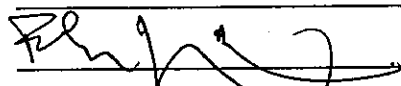
YES _____

NO X _____

IF YES, Union Name and Local: N/A _____

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to maintain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

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

Name of Applicant: LIBERTY HOLDINGS LLC
Signature: 
Name: Frank Lalezarian
Title: Member
Date: 10/1/03

N/A

ANTI-RAIDING QUESTIONNAIRE

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

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

YES ____

NO ____

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

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

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

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

YES ____

NO ____

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

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

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

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

YES ____

NO ____

If the answer to Question C is YES, please provide details by 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 any proposed occupant of the Project, in its industry?

YES ____

NO ____

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

YES ____

NO ____

IF THE ANSWER TO EITHER QUESTION D OR E IS "YES", ATTACH DETAILS.

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: _____

RETAIL QUESTIONNAIRE

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

- A. Will any portion of the Project (including that portion of the cost to be financed from equity) consist of facilities or property that are or will be primarily used in making retail sales to customers who personally visit the Project?

YES X NO _____

- B. If the answer to Question A is YES, will the Applicant or any other Project occupant be a registered vendor under Article 28 of the 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)?

YES X NO _____

- C. Will any portion of the Project (including that portion of the cost to be financed from equity) consist of facilities or property that are or will be primarily used in making retail sales of services to customers who personally visit the Project?

TO BE DETERMINED

YES _____ NO _____

- D. If the answer to Question A or Question C is YES, what percentage of the cost of the Project (including that portion of the cost to be financed from equity) 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?

20 %

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

1. Will the Project be operated by a not-for-profit corporation?

YES _____ NO _____

2. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Long Island) in which the Project will be located?

YES _____ NO _____

3. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York?

YES _____ NO _____

4. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

YES ____

NO ____

5. Will the Project be located in one of the following: (a) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES ____

NO ____

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

- F. If the answer to any of the subdivisions 3 through 5 of Question E 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. N/A

YES ____

NO ____

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

Retail Sales: ____%


Services: ____% TO BE DETERMINED

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

Retail Sales: ____%

Services: ____% TO BE DETERMINED

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

Name of Applicant: LIBERTY HOLDINGS LLC
Signature: 
Name: Frank Lalezarian
Title: Member
Date: 10/1/03

APPLICANT'S FINANCIAL ATTACHMENTS

ENVIRONMENTAL ASSESSMENT FORM

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

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

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

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

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

☐ Part 1

☐ Part 2

☐ Part 3

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

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

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

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

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

Name of Action 80 Clinton Street

Location of Action (include Street Address, Municipality and County)

80 Clinton Street, Hempstead, Nassau County, New York

Name of Applicant/Sponsor LIBERTY HOLDINGS LLC

Address 98 Cutter Mill Road, Suite 370

City/PO Great Neck State NY Zip Code 11021

Business Telephone 516-396-5100

Name of Owner (if different) Same as above

Address _____

City/PO _____ State _____ Zip Code _____

Business Telephone _____

Description of Action:

Conversion of existing Hotel, Ballroom, Retail to residential
apartments and retail; expansion of retail

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

A. SITE DESCRIPTION

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

1. Present Land Use: ☐ Urban ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Other _____

2. Total acreage of project area: 2.3594 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	<u>2.3594</u> acres	<u>2.3594</u> acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site?

- a. Soil drainage: ☐ Well drained _____ % of site ☐ Moderately well drained _____ % of site.
☐ Poorly drained _____ % of site UNAVAILABLE

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No

- a. What is depth to bedrock _____ (in feet) UNAVAILABLE

5. Approximate percentage of proposed project site with slopes:

☒ 0-10% 100 % ☐ 10- 15% _____ % ☐ 15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☐ Yes ☒ No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No

8. What is the depth of the water table? _____ (in feet) UNAVAILABLE

9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☐ No UNAVAILABLE

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☒ No

According to:

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

☐ Yes ☒ No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☐ Yes ☒ No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? ☐ Yes ☒ No

15. Streams within or contiguous to project area:

NONE

- a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

NONE

- b. Size (in acres):

17. Is the site served by existing public utilities? ☒ Yes ☐ No
- a. If YES, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
- b. If YES, will improvements be necessary to allow connection? ☐ Yes ☒ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 2.3594 acres.
- b. Project acreage to be developed: 2.3594 acres initially 2.3594 acres ultimately.
- c. Project acreage to remain undeveloped: 0 acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. 12 %
- f. Number of off-street parking spaces existing 218 ; proposed 242
- g. Maximum vehicular trips generated per hour: _____ (upon completion of project)? **LESS THAN EXISTING**
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | 105 | _____ |
| Ultimately | _____ | _____ | 105 | _____ |
- i. Dimensions (in feet) of largest proposed structure: 77.6 height; 180 width; 250 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 397.25 ft. Along Fulton Street
300.00 ft. Along Clinton Street
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed ☐ Yes ☐ No ☒ N/A
- a. If yes, for what intended purpose is the site being reclaimed?
-
- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☒ No

6. If single phase project: Anticipated period of construction: 8 months, (including demolition)

7. If multi-phased: N/A

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☒ No

9. Number of jobs generated: during construction 40; after project is complete

10. Number of jobs eliminated by this project UNAVAILABLE

11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No

If yes, explain:

12. Is surface liquid waste disposal involved? ☐ Yes ☒ No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? ☒ Yes ☐ No Type county sewer system Sewage-Connection to existing

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☐ No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No

16. Will the project generate solid waste? ☒ Yes ☐ No

a. If yes, what is the amount per month? 6.5 tons (PLUS RETAIL)

b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No

21. Will project result in an increase in energy use? ☐ Yes ☒ No

If yes, indicate type(s)

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

23. Total anticipated water usage per day 16,000 gallons/day.

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

If yes, explain:

Site to be developed for section 8 Housing.
Federal Tax Credits
Bond Financing

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
		_____	_____
		_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
		_____	_____
		_____	_____
City, Town Zoning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>VARIANCE</u>	_____
		_____	_____
		_____	_____
City, County Health Department	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
		_____	_____
		_____	_____
Other Local Agencies NASSAU COUNTY SECTION 8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>PROJECT BASED</u> <u>VOUCHERS</u>	_____
		_____	_____
		_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
		_____	_____
		_____	_____
State Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
		_____	_____
		_____	_____
Federal Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
		_____	_____
		_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No

If Yes, indicate decision required:

<input type="checkbox"/> Zoning amendment	<input checked="" type="checkbox"/> Zoning variance	<input type="checkbox"/> New/revision of master plan	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Site plan	<input type="checkbox"/> Special use permit	<input type="checkbox"/> Resource management plan	<input type="checkbox"/> Other

2. What is the zoning classification(s) of the site?

BUSINESS A
RESIDENCE G

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

4. What is the proposed zoning of the site?

RESIDENTIAL./RETAIL

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

AS PLANNED

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

☒ Yes

☐ No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

MULTI-FAMILY RESIDENTIAL, OFFICE, RETAIL

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?

☒ Yes

☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/a

- a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

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

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

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

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

D. Informational Details

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

E. Verification

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

Applicant/Sponsor Name LIBERTY HOLDINGS LLC Date 10/1/03

Signature



Title MEMBER

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- Maybe answers should be considered as Yes answers.
- If answering Yes to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☐ YES ☐

Examples that would apply to column 2

- | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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| • Construction or expansion of a sanitary landfill. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☐ NO ☐ YES

- Specific land forms:

☐ ☐ ☐ Yes ☐ No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☐ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--------------------------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|
| • Developable area of site contains a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Extension of utility distribution facilities through a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated freshwater or tidal wetland. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

4. Will Proposed Action affect any non-protected existing or new body of water?

☐ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|
| • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of a body of water that exceeds 10 acres of surface area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
5. Will Proposed Action affect surface or groundwater quality or quantity?			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction or operation causing any contamination of a water supply system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will adversely affect groundwater.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action would use water in excess of 20,000 gallons per day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
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6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☐ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

☐ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☐ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
☐ NO ☐ YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☐ NO ☐ YES

Examples that would apply to column 2

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| • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Project components that will result in the elimination or significant screening of scenic views known to be important to the area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☐ NO ☐ YES

Examples that would apply to column 2

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| • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Any impact to an archaeological site or fossil bed located within the project site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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Project Change

- Other impacts:

☐☐☐

Yes

No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☐ NO

☐ YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.

☐☐

☐ Yes

☐ No

- A major reduction of an open space important to the community.

☐☐

☐ Yes

☐ No

- Other impacts:

☐☐

☐ Yes

☐ No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☐ NO

☐ YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- Proposed Action to locate within the CEA?

☐☐

☐ Yes

☐ No

- Proposed Action will result in a reduction in the quantity of the resource?

☐☐

☐ Yes

☐ No

- Proposed Action will result in a reduction in the quality of the resource?

☐☐

☐ Yes

☐ No

- Proposed Action will impact the use, function or enjoyment of the resource?

☐☐

☐ Yes

☐ No

- Other impacts:

☐☐

☐ Yes

☐ No

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Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☐ NO ☐ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts:

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☐ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts:

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☐ NO ☐ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts:

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

☐☐

☐ Yes ☐ No

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☐ Yes ☐ No

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Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☐ NO ☐ YES

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☐ NO ☐ YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed Action will conflict with officially adopted plans or goals.
- Proposed Action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

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Mitigated by
Project Change |
|------------------------------------------------------------------------|-------------------------------------|-----------------------------------|----------------------------------------------------------|
| • Proposed Action will set an important precedent for future projects. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will create or eliminate employment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
- ☐ NO ☐ YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

APPENDIX 1

Lalezarian Developers, Inc.
98 Cutter Mill Road - Suite 370
Great Neck, New York 11021

Frank Lalezarian, Principal & Founder
Kevin Lalezarian, Principal
October 1, 2003

Frank Lalezarian, principal and founder of Lalezarian Developers, Inc., started his career in Real Estate and Construction twenty-five years ago. Frank has a BS in Mechanical Engineering. Kevin Lalezarian joined the company after graduating with a BS in finance and management from the Stern School of Business at New York University. The following is a brief synopsis of some current and recent developments.

The company's earlier real estate ventures consisted primarily of the construction of single-family housing throughout Long Island, New York. Lalezarian Developers has built hundreds of homes throughout Long Island, several of them on difficult to develop sites believed by many developers to be unfeasible for development. Most recently, in cooperation with the Huntington Hebrew Congregation, the company is currently developing nine multi-million dollar homes within the Village of Plandome on Long Island. Additionally, Walter Lane, one of the company's award winning developments in Manhasset, New York, is currently near completion with eighteen homes and average sales prices of two million dollars. The Aldershot development, completed several years ago, was a development of thirteen, million dollar homes that received great praise from civic associations as a shining example of homes of today's size and for today's lifestyles fitting into an established community.

The company's business evolved to include, in addition to the construction of single-family homes, the acquisition, construction, and management of various types of income producing properties. Currently a significant portion of the company's activity is targeted towards multi-family developments. Over the past ten years the company has successfully built numerous multi-family apartment houses throughout the New York metropolitan area. All of the income producing properties in the company's portfolio are managed very closely to maintain the buildings to the highest degree.

Several years ago the company completed Versailles Court, a luxury, full-service building in Great Neck, New York. Although this building is managed as a rental building, all amenities are of the highest degree and are of luxury condominium grade. This is the only new apartment building to be built in Great Neck during the past ten years. One recent acquisition for the company was the purchase of a majority of the units of the Pavillion Condominium. This twelve year old, first class building located in the heart of town, is within walking distance of the Great Neck train station serving New York City.

Some of the company's current multi-family developments include Millennium Tower and The East Village Apartments. Millennium Tower is a twelve-story, waterfront, 79-unit luxury building in Westchester, New York. This first class residence will have concierge services,

indoor parking, and all units will have balconies overlooking the Hudson River. The property is located immediately adjacent to the Metro North Greystone Station, providing train service to midtown Manhattan in 27 minutes.

The East Village Apartments are three buildings with a total of 86 units. The most recent building is eight stories tall with 60 units. This building was just recently completed and has been fully rented. This building has condominium finishes, and a granite exterior, making it the most luxurious residential building in this young and trendy area of New York City. Additionally, in the Chelsea area of Manhattan, the company is currently developing a ground up 110 unit, high-rise, luxury, mixed use building. This 150,000 square feet plus building will also contain a retail component.

Adding to the diversification of the company's portfolio is the Lake Success Office Complex. These twin Class A office buildings will contain approximately 260,000 square feet of office area and a 1,400 car parking garage. Located seconds from Long Island Jewish Hospital, and with direct access to the Long Island Expressway and Northern State Parkway, these granite and glass buildings will be the only new buildings in an area where there is no development land available, and an area wide vacancy rate of between 1% and 3%. These new Class-A office buildings are being developed in two phases, with construction on the 110,000 square feet Phase 1 building scheduled for completion by December 2003 and lease-up currently underway.

Additionally, the company has successfully developed and leased multiple shopping centers in prime retail areas throughout Long Island. The company's most recent development in the retail arena was the construction of a shopping center along Glen Cove Road in Greenvale, which was completed earlier this year.

The Lalezarians believe diversification through different types of developments in various desirable geographic areas combined with the highest level of quality and intense hands on management is a strong recipe for continuing success.

APPENDIX 2

The subject property is a 2.3594 acre site located within the Village of Hempstead at the southeast corner of the intersection of Clinton Street and Fulton Street. The property is currently being operating as a 182 unit hotel, under the Quality Inn flag, with a ballroom/meeting space as well as retail space on the first floor. The existing hotel has recently been struggling financially and is not economically viable. If the property is not converted to an alternate use, the hotel will most likely be forced to terminate its operation and close its doors. The applicant is seeking to eliminate the threat that the property will succumb to the threat of closure, vacancy and disrepair, which would render the property a blight and eyesore for the surrounding community.

The applicant proposes reinvigorate the property by converting the existing hotel to Section 8 residential housing reserved for those aged 55 and over and to expand the available retail space on the first floor to a total of approximately 29,000 square feet. The conversion will result in the creation of 105 units of affordable housing for the County. Additionally, the applicant intends to reconfigure the on-grade parking to allow for the creation of an additional 58 surface level parking spaces (for a total of 73) and the creation of new landscaping and planting beds running the entire length of the property along Clinton Street. This restructuring will dramatically improve both the appearance of the property, and the site lines to the retail storefronts along the western and northern facades of the building.

The conversion will result in the creation of both temporary construction and permanent jobs. During construction, it is anticipated that approximately 40 new jobs will be created. Upon completion of the project, it is estimated that the residential portion of the new project will create 6 permanent jobs, specifically, 3 full-time doormen, 1 full-time super, 1 full-time porter, 1 full-time maintenance person, and 2 additional part-time jobs. Additionally, the expanded retail portion of the project will create approximately 58 new full-time jobs (estimated at 2 per 1,000 square feet of retail space).

In short, the proposed project will revitalize an economically distressed property, create much-needed affordable housing units for those aged 55 and over, provide both temporary and permanent jobs, and improve the aesthetic appearance of the entire property at a highly visible corner.

APPENDIX 3

The financial assistance being applied for, in the form of bond financing and exemptions from real estate, mortgage recording and sales taxes, are crucial to the success of the project. The project will not be financially feasible absent such assistance.