
City of Syracuse
Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202
Tel (315) 448-8100

To: Board of Directors
City of Syracuse Industrial Development Agency

From: Eric Ennis

Date: June 28, 2023

Re: Board of Directors Meeting Agenda – June 30, 2023

The City of Syracuse Industrial Development Agency will hold a Board of Directors Meeting on Friday, June 30, 2023, at 8:15 a.m. in the Common Council Chambers, 304 City Hall, 233 East Washington St., Syracuse, N.Y. 13202.

I. Call Meeting to Order –

II. Roll Call –

III. Proof of Notice – 1

IV. Public Hearing –

728 E Genesee St – Eric Ennis – 2

Attachment:

1. Public Hearing Notice

V. Minutes – 3

Approval of the minutes from the Board of Directors meeting of May 16, 2023

VI. New Business –

Appointment of Executive Director – Kathy Murphy – 4

Appointment of Eric Ennis as the Executive Director of the Agency.

Attachment:

1. Consent of Mayor

2. Resolution

728 E. Genesee Street – Sue Katzoff – 5

Approval of amended resolutions authorizing the Agency to undertake modifications to the Project.

Attachments:

1. *Revised Cost Benefit Analysis.*
2. *Correspondence*
3. *Amended Inducement Resolution.*
4. *Amended PILOT Resolution.*
5. *Amended Final Resolution.*

Northside Genesee Associates, LLC – Sue Katzoff – 6

Approval of a resolution authorizing a public hearing on the project.

Attachments:

1. *Executive Summary*
2. *Application*
3. *Resolution*

Beacon Armory LLC – Sue Katzoff – 7

Approval of a resolution authorizing the Agency’s participation in a mortgage modification and a second mortgage and subordination for the project.

Attachments:

1. *Correspondence*
2. *Resolution*

1970 W. Fayette Street LLC – Sue Katzoff – 8

Approval of a resolution authorizing extension of sales tax appointment through June 30, 2024.

Attachments:

1. *Correspondence*
2. *Resolution*

Syracuse Housing Study Phase II – Sue Katzoff – 9

Approval of a resolution authorizing the Agency to enter into a municipal cooperation memorandum of understanding with the City of Syracuse to support the second phase of a housing study previously undertaken by the City and to allocate an amount not to exceed \$137,00 of the Agency's unencumbered assets.

Attachments:

1. *Correspondence*
2. *Resolution*

Agency Uniform Tax Exemption Policy – Kathy Murphy – 10

Discussion regarding effective date of UTEP and possible amendments.

VII. Executive Session

VIII. Adjournment

City of Syracuse
Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202
315 448-8100

PLEASE POST

PLEASE POST

PLEASE POST

PUBLIC MEETING NOTICE

THE SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY

HAS POSTPONED ITS BOARD OF DIRECTORS

MEETING ON TUESDAY JUNE 20 AT 8:15 AM.

THIS MEETING WILL NOW BE HELD ON:

FRIDAY JUNE 30, 2023

AT

8:15 A.M.

IN

THE COMMON COUNCIL CHAMBERS

THIRD FLOOR

CITY HALL

233 EAST WASHINGTON STREET

SYRACUSE, NEW YORK 13202

For More Information, Please Contact Eric Ennis at:

EEnnis@syr.gov

RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on May 16, 2023 at 8:00 o'clock a.m., local time, in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

RESOLUTION DETERMINING THAT THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A MIXED-USE FACILITY AT THE REQUEST OF THE COMPANY CONSTITUTES A PROJECT; DESCRIBING THE FINANCIAL ASSISTANCE IN CONNECTION THEREWITH; AND AUTHORIZING A PUBLIC HEARING

WHEREAS, the City of Syracuse Industrial Development Agency (the "*Agency*") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "*State*"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "*Act*"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to grant "financial assistance" (as defined in the Act) in connection with the acquisition, reconstruction and equipping of one or more "projects" (as defined in the Act); and

WHEREAS, by application dated May 5, 2022 (the "*Original Application*"), 728 E Genesee St Property Owner, LLC or an entity to be formed (the "*Company*"), requested the Agency undertake a project (the "*Project*") consisting of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda building ("*Original Building 1*") and a one-story bank drive through building ("*Original Building 2*"),

located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the “**Original Land**”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 134,230 sq. ft., 11-story building to include approximately 129,230 sq. ft. of residential space consisting of approximately 191 market rate units comprised of approximately (45) studio apartments, (50) 1-bedroom apartments and (96) two-bedroom apartments; 3,660 sq.ft. of resident amenity space to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents’ use for entertaining larger guest gatherings and 1,340 sq. ft. of commercial/retail space, as well as 40 surface parking spaces (collectively, the “**Original Facility**”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “**Original Equipment**” and together with the Land and the Facility, the “**Original Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Original Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Company submitted an amended application on or about May 12, 2023 seeking to amend the Original Project due to significant increases in costs, such that the project (the “**Project**”) will now consist of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda approximately 23,000 sq.ft. building (“**Building 1**”) and a one-story bank drive through building (“**Building 2**”), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the “**Land**”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 185,700 sq. ft., 12-story building to include approximately 129,230 sq. ft. of residential space consisting of approximately 201 market rate units comprised of approximately (47) studio apartments, (49) 1-bedroom apartments and (105) two-bedroom apartments; 7000 sq.ft. of resident amenity space to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents’ use for entertaining larger guest gatherings and 1,100 sq. ft. of commercial/retail space, as well as 37 on-site parking spaces (collectively, the “**Facility**”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”), the Agency is required to make a determination with respect to the environmental impact of any “action” (as said quoted term is defined in SEQRA) to be taken by the Agency and the approval of the Project constitutes such an action; and

WHEREAS, the Agency previously reviewed the Original Project under SEQRA and issued a negative declaration. The Agency has not yet but will review the proposed changes to the Original Project and determine if any further review or action is required under SEQRA; and

WHEREAS, the Agency has not approved undertaking the Project or granting the Financial Assistance; and

WHEREAS, the grant of Financial Assistance to the Project is subject to, among other things, the Agency finding after a public hearing pursuant to Section 859-a of the Act that the Project will serve the public purposes of the Act by promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State or increasing the overall number of permanent, private sector jobs in the State.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Based upon the representations made by the Company to the Agency, the Agency makes the following findings and determinations:

(A) The Project constitutes a “project” within the meaning of the Act; and

(B) The Financial Assistance contemplated with respect to the Project consists of assistance in the form of exemptions from real property tax, State and local sales and use taxation and mortgage recording tax; and

(2) The Agency hereby directs that pursuant to Section 859-a of the Act, a public hearing with respect to the Project and Financial Assistance shall be scheduled with notice thereof published, and such notice, as applicable, shall further be sent to affected tax jurisdictions within which the Project is located.

(3) The Secretary or the Executive Director of the Agency is hereby authorized to and may distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(4) A copy of this Resolution shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll

call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on May 16, 2023, with the original thereof on file on file in the office of the Agency, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

City of Syracuse Industrial Development Agency

201 East Washington Street, 6th Floor

Syracuse, NY 13202

Tel (315) 473-3275

Minutes

Board of Directors Meeting

Tuesday, May 16, 2023

Board Members Present: Kathleen Murphy, Kenneth Kinsey, Steven Thompson, Dirk Sonneborn

Board Member Excused: Rickey T. Brown

Staff Present: Eric Ennis, Susan Katzoff, Esq., Lori McRobbie

Others Present: Aggie Lane, Chuck Wallace, Genevieve Trigg, Paige Beyer

I. Call Meeting to Order

Ms. Murphy called the meeting to order at 8:00 a.m.

II. Roll Call

Ms. Murphy acknowledged that all board members were present, except Rickey T. Brown who was excused.

III. Proof of Notice

Ms. Murphy acknowledged that notice of the meeting had been duly and properly provided.

IV. Minutes

Ms. Murphy asked for a motion approving the minutes from the April 18, 2023 Board of Directors meeting, a copy of which was included in the Board's packet. Mr. Sonneborn made the motion. Mr. Kinsey seconded the motion. There being no discussion, **THE MOTION TO APPROVE THE MINUTES FROM THE APRIL 18, 2023 BOARD OF DIRECTORS MEETING WAS UNANIMOUSLY APPROVED.**

V. New Business

One Webster's Landing

Ms. Katzoff said the project received approvals from the board November 2022. They have come back due to an increase in costs associated with undertaking the project.

The company is requesting an increase in State and local sales and use tax by an additional \$58,500 and an increase in the mortgage recording tax exemption by an additional \$3,750. Because the aggregate amount of the additional financial assistance does not exceed 100,000, no new public hearing is required.

Ms. Katzoff noted a representative from the company is in attendance for questions.

Ms. Murphy reminded the board they approved the project last November and the increase being requested is due to increased project costs.

Mr. Ennis reviewed the original benefit package. He noted that the total project cost was \$6,845,000 and has increased to \$8,970,000. The mortgage recording tax exemption benefit was \$37,050 and has increased to \$41,250. The State and local sales and use tax exemption was \$131,500 and is increased to \$190,000. Mr. Ennis noted that the payment in lieu of tax exemption has remained the same and that no increase in benefit was requested.

Mr. Wallace, the company's representative, stated that they are well underway with design and scope changes. They are getting hard bids and estimates are costing more than they anticipated. They are working with lenders and tax credit investors with a goal to get construction started mid-July. The construction period will be 9-10 months.

There being no further discussion, Ms. Murphy asked for a motion to approve the resolution. Mr. Sonneborn made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING AN INCREASE IN THE AMOUNT OF FINANCIAL ASSISTANCE AWARDED TO THE PROJECT**

728 E Genesee St Property Owner, LLC

Ms. Katzoff reported that the project was before board last year and was approved. They have come back due to increased costs. The company is making changes to the project, including reducing the number of parking spaces, removing parking stackers, increasing the building from 11 to 12 stories increasing units from 191 to 201 and reducing commercial space by 200 square feet.

As a result of the changes, we are seeking to authorize to hold a new public hearing.

Mr. Ennis reviewed the original benefit package. He noted that the total project cost was \$57,723,000 and has now increased to \$85,632,000. The mortgage recording tax exemption

benefit was approximately \$281,000 and has now increased to approximately \$353,234. The State and local sales and use tax exemption was \$1,920,000 and is now increased to \$2,600,000. The payment in lieu of tax exemption (PILOT) PILOT was \$2,967,624 and next month there will be full cost benefit analysis to analyze the PILOT as well.

Mr. Ennis noted a representative from the applicant is in attendance for questions.

Ms. Murphy reminded the board that this project includes the rotunda building, which will be retained.

Mr. Sonneborn asked about decrease in number of parking spaces.

Ms. Katzoff stated that parking stackers were being eliminated. Due to the advent of rezone coming and reduction of required spaces, the company is seeking a waiver from Planning Commission to reduce the number of parking spots. Rezone is being considered by Common Council at the beginning of June. If passed, there will be no parking requirements for the location. Ms. Katzoff said the waivers are in process.

Mr. Ennis said the company has secured offsite parking which will increase spots from 125 to 150 spaces.

Mr. Thompson asked where the offsite parking is located. Ms. Katzoff said it is east on Genesee Street. Mr. Ennis said exact details will be available at the public hearing next month.

There being no further discussion, Ms. Murphy asked for a motion to approve the resolution to authorize a public hearing. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION DETERMINING THAT THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A MIXED-USE FACILITY AT THE REQUEST OF THE COMPANY CONSTITUTES A PROJECT; DESCRIBING THE FINANCIAL ASSISTANCE IN CONNECTION THEREWITH; AND AUTHORIZING A PUBLIC HEARING.**

341 Peat Street/Former Syracuse Rigging Site

Mr. Ennis spoke about 341 Peat Street which is owned by the Agency. In 2018, the Agency was awarded a grant through the Department of Environmental Conservation's (DEC) Environmental Restoration Program (ERP) to remediate the site. Over time there have been a series of cost increases in total remediation work. The project is well underway and the project will be wrapping up this summer. The DEC is responsible for 90% of the remediation cost of the site and the Agency is responsible for 10%. The Agency's total allocation will increase to \$310,000. The Executive summary explaining the cost increase and correspondence from the DEC requesting confirmation to proceed is included in the board's packet.

Ms. Murphy reminded the board this is the site between Winkleman and DPW on Route 690, off Teal Avenue.

Mr. Kinsey asked if the Agency has the funds available. Ms. Murphy said yes.

Mr. Sonneborn asked if the site was being used by DPW and if it was the Agency's intention to market it for sale. Mr. Ennis said it was previously used by DPW and there are requirements as a part of the program that require reimbursement to the DEC for the DEC's 90% contribution if sold. The first priority is to get the property remediated.

Mr. Ennis said staff will work with the board to explore the highest and best use of the property while staying within requirements of the program and the 10-year hold period.

Ms. Murphy reported that the Agency is a party to an application for a very large remediation regarding the Winkleman site next door. It may lead to an ultimate combination of two very large parcels if that were to happen (13-14 acres).

Mr. Ennis said this has been a multi-year project and it is almost complete.

Ms. Katzoff stated it has been a great deal. The State took 90% of the cost and the Agency's 10% match of the costs of the cleanup is worth the benefit of having it remediated.

There being no further discussion, Ms. Murphy asked for a motion to approve an increase of up to \$310,000 in the Agency's participation in the remediation of 341 Peat Street. Mr. Sonneborn made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS IN ACCORDANCE WITH THE TERMS OF A NYSDEC GRANT RECEIVED BY THE AGENCY TO FUND CERTAIN ENVIRONMENTAL REMEDIATION COSTS ON LAND OWNED BY THE AGENCY.**

TLSP Coda Project Update

Ms. Murphy reported that with regards to the Minority and Women Owned Business Enterprises ("**MWBE**") participation, if we incorporated the six-county radius used for all other policies, there is almost \$12,000,0000 in MWBE participation which computes to 56% of the total spend so far. If we look at only Onondaga County, as currently drafted, the MWBE participation is \$9,000,000, computing to 46% of the project. The project currently calls for a 10% goal.

Regarding local hire (10% of workforce must be city of Syracuse residents), Ms. Murphy said as of now, there are 26 City workers on the project site. They anticipated workforce was 500 construction workers. The policy requirement is 50 of those to be City workers. They are early in the Project and she is hopeful they will exceed the goal.

Staff is working on setting up a required reporting forms for each MWBE and local hire. Reporting will be done quarterly and compliance will be on the 10th of the month after it is required to be filed. That data will be shared with the board as it is received.

Mr. Kinsey asked if there were any numbers on the breakdown between WBEs and MBEs for the TLSP Coda Project. Ms. Murphy said the numbers have been requested and the form asks for it.

Ms. Katzoff said two meetings were held with a development team regarding the new policy. They were very accommodating with agreeing to provide information, including the bifurcation between MBEs and WBEs. Both were good meetings.

SUNY EOC Job Fair Update

The job fair was held April 27, 2023. They had a total of 26 people register for the job fair. 13 showed up and 7 people walked in. Three or four of the people would be able to translate quickly to hiring. Others had other questions/issues that needed to be explored. Eight sub-agents were present at the job fair. Jubilee Homes is planning a job fair for June. There is a lot of purposeful work going on in this phase.

With respect to the job fair, Ms. Katzoff said understanding how challenging the events are for the organizers who are trying to figure out what can be done better and get more people to attend and make the required connections to improve future job fairs.

Mr. Ennis said that Jubilee Homes is holding an expo fair on June 16th at the Hotel Syracuse. Huber Breuer is a participant as well as other general contractors in the area. Agency staff assisting, supporting and getting the word out about the event. They are taking those lessons learned from EOC's job fair to now incorporate them into this event. The flyer will be shared and will provide a detailed report to the board after the event.

Ms. Murphy compile all of the data from projects and events - convene a meeting mid-September with all stakeholders to review the findings and all that has been learned up to that time and make sure everyone is on the same page regarding next steps to fill the gap. The board will be included in that event.

Ms. Lane of Urban Jobs Taskforce requested the Agency connect with Syracuse Build, specifically, Kelsey who fills in their hiring software. It would be good to keep them in the loop. Ms. Murphy said she believes they were a co-sponsor of the EOC event and are connected to the Jubilee Homes event. She said that communication and data building will continue.

VI. Executive Session

Ms. Murphy asked for a motion to move into Executive Session for the purposes of discussing personnel.

At 8:36 a.m., Mr. Kinsey made a motion to enter executive session to discuss personnel. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL.**

Ms. Murphy asked for a motion to adjourn out of executive session. At 9:07 a.m., Mr. Kinsey made a motion to leave executive session. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ADJOURN OUT OF EXECUTIVE SESSION.**

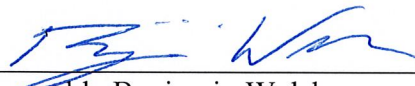
VII. Adjournment

There being no further business to discuss, Ms. Murphy asked for a motion to adjourn the meeting. Mr. Sonneborn made a motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ADJOURN THE MEETING AT 9:09 AM.**

CONSENT OF THE MAYOR OF THE CITY OF SYRACUSE

Pursuant to Section 6 of the City of Syracuse Industrial Development Agency's By-Laws, I, Benjamin Walsh, Mayor of the City of Syracuse, hereby consent to the appointment of Eric Ennis as Executive Director of the City of Syracuse Industrial Development Agency.

June 15, 2023



Honorable Benjamin Walsh
Mayor, City of Syracuse

RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023 at 8:15 o'clock a.m., local time, in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

**RESOLUTION AUTHORIZING THE APPOINTMENT
OF ERIC ENNIS AS EXECUTIVE DIRECTOR OF
THE CITY OF SYRACUSE INDUSTRIAL
DEVELOPMENT AGENCY**

WHEREAS, Article III, Section 6 of the By-Laws of the City of Syracuse Industrial Development Agency (the “*Agency*”) permits the Agency, with the consent of the Mayor of the City of Syracuse, to appoint an Executive Director to supervise the administration of the business and affairs of the Agency; and

WHEREAS, the Agency has received the consent of the Mayor to appoint Eric Ennis as the Executive Director for the Agency and the Agency desires to appoint Eric Ennis as Executive Director for the Agency.

NOW, THEREFORE, BE IT RESOLVED by the Agency that:

1. Eric Ennis shall be appointed Executive Director of the Agency effective immediately.
2. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “*Agency*”) held on June 30, 2023, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

Project Summary

1. Project: 728 E Genesee St Property Owner LLC **2. Project Number:** 0

3. Location: Syracuse 13210 **4. School District:** Syracuse

5. Tax Parcel(s): 048.-15-03.0 **6. Type of Project:** Mixed Use

| | | | |
|---|----------------------|----------------------|----------|
| 7. Total Project Cost: | \$ 85,632,513 | 8. Total Jobs | 5 |
| Land | \$ 6,150,000 | 8A. Job Retention | 0 |
| Site Work | \$ 196,500 | | |
| Building | \$ 63,597,645 | 8B: Job Creation | 5 |
| Furniture & Fixtures | \$ 1,824,577 | (Next 5 Years) | |
| Equipment | | | |
| Equipment Subject to NYS Production Exemption | \$ - | | |
| Engineering/Architecture Fees | \$ 2,001,771 | | |
| Financial Charges | \$ 816,168 | | |
| Legal Fees | \$ 775,000 | | |
| Other | \$ 7,037,756 | | |

| | | |
|---------------------------------|-------------------------------------|------------------------|
| Cost Benefit Analysis: | 728 E Genesee St Property Owner LLC | |
| | Fiscal Impact (\$) | |
| Abatement Cost: | | \$13,944,968 |
| Sales Tax | \$2,600,000 | |
| Mortgage Tax | \$353,234 | |
| Property Tax Relief (PILOT)15yr | \$10,991,733.80 | |
| New Investment: | | \$89,239,113.78 |
| PILOT Payments 15yrs | \$7,203,609.35 | |
| Project Wages (5yrs) | \$1,234,374.08 | |
| Construction Wages | \$ 5,804,000.00 | |
| Employee Benefits (10 years) | \$370,312 | |
| Project Capital Investment | \$73,770,493.00 | |
| New Sales Tax Generated | \$0 | |
| Agency Fees | \$856,325 | |
| Benefit:Cost Ratio | 6.40 :1 | |

Jeffrey W. Davis
Partner

June 26, 2023

VIA ELECTRONIC MAIL

Mr. Eric Ennis
Executive Director
Syracuse Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202

Re: 728 East Genesee Street Re-Development
Project

Dear Mr. Ennis:

As you know, on June 21, 2022 the Agency induced a proposed re-development project located at 728 East Genesee Street, Syracuse NY (the "Project"). The applicant, 728 E Genesee St Property Owner LLC ("Applicant"), was under contract to purchase the subject property and Project from 728 EGSU LLC (the "Owner"). In 2023 the Applicant submitted a request to the Agency to amend the Project and that request is currently pending and scheduled for the Agency's June 29, 2023 meeting and public hearing for consideration of the amended Project.

On June 12, 2023 the Applicant informed the Owner that it was terminating the contract to purchase the Project. The Project cannot proceed without the Agency benefits, accordingly, as the owner of the property and the Project, the Owner hereby requests that 728 EGSU LLC be substituted as the applicant for the Agency approval and pending request to amend the Project. The Agency approval is specific to the property and tax identification number for the property and as such it is appropriate for the Agency to substitute the Owner as the applicant entity.

728 EGSU LLC is a New York limited liability company with an address of 1 Saddle Lane, Roslyn Heights, New York 11577. The members of the LLC have the following membership interests:

| Member | Address | Membership Interest |
|----------------|---|---------------------|
| Michael Levine | 116 Pembroke Ave, Melville, NY 11747 | 33.333% |
| Ross Levine | 20 Northgate Drive, Syosset, NY 11791 | 33.333% |
| Brian Sivin | 1 Saddle Lane, Roslyn Heights, NY 11577 | 16.667% |
| Marni Sivin | 1 Saddle Lane, Roslyn Heights, NY 11577 | 16.667% |

Mr. Eric Ennis
June 26, 2023
Page 2

Enclosed with this letter is a verification from 728 EGSU LLC confirming, acknowledging and verifying all the information contained in the application for the Project and amended Project as well as an updated page one of the Agency application. Also enclosed is the PILOT Benefit Letter for 728 EGSU LLC.

My colleague, Kevin McAuliffe, will be attending the June 29, 2023 Agency meeting. If you have any questions prior to the meeting please let us know.

Thank you.

Very truly yours,

Jeffrey W. Davis

Jeffrey W. Davis

JWD:jbl
Enclosures

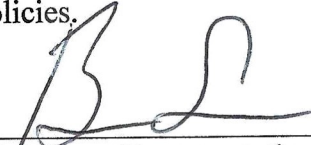
cc: Susan R. Katzoff, Esq.
Lorre McRobbie
Kevin R. McAuliffe, Esq.

Verification

State of New York)
 : ss.
County of Nassau)

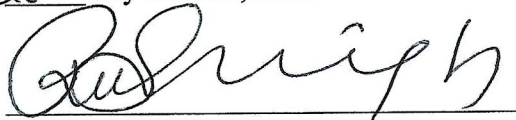
Brian Sivin, deposes and says that he is a Member of 728 EGSU LLC
(Name of Individual) (Title) (Applicant Name)

that he is the authorized to bind the company/applicant, and has personally completed and read the Application and knows the contents and hereby to the best of his knowledge confirms, acknowledges and verifies all the information in the application to be true, accurate and complete as if 728 EGSU LLC was the original applicant, as subscribed and affirmed under the penalties of perjury. The grounds of deponent's beliefs relative to all matters in the Application which are not stated upon his own personal knowledge are investigations which the deponent has caused to be made concerning the subject matter of the Application as well as, if applicable, information acquired by deponent in the course of his duties and responsibilities for the Applicant and from the books and papers of the Applicant. The deponent also acknowledges the receipt of the schedules attached to the Application, including but not limited to the Agency's fee schedule and assumes responsibilities for payment of any and all applicable fees as described therein. Deponent further acknowledges review and understanding of the Agency's published policies, including but not limited to the Agency's Recapture Policy, and agrees as if 728 EGSU LLC was the original applicant to be bound by and comply with all such policies.


Applicant Representative Signature

Member
Title

Subscribed and sworn to before me this
26th day of June, 2023



Notary Public

VIKRAM S RANA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RA6376926
Qualified in Suffolk County
My Commission Expires 06-25-2026

City of Syracuse
Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202
Tel (315) 448-8100

June 22, 2023

VIA E-MAIL

728 EGSU LLC
1 Saddle Lane
Roslyn Heights, NY 11577
Attn: Brian Sivin

Re: City of Syracuse Industrial Development Agency
728 EGSU LLC
728 E. Genesee Street Project

Dear Mr. Sivin:

As you know, 728 E Genesee St Property Owner, LLC (the "**Company**") submitted an application to the City of Syracuse Industrial Development Agency (the "**Agency**") on or about May 5, 2022, as amended on or about May 12, 2023 (collectively, the "**Application**"). 728 EGSU LLC, as owner of the property is being substituted as the Company on the Application requesting the Agency consider undertaking a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda approximately 23,000 sq.ft. building ("**Building 1**") and a one-story bank drive through building ("**Building 2**"), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the "**Land**"); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 185,700 sq. ft., 12-story building to include approximately 129,230 sq. ft. of residential space consisting of approximately 201 market rate units comprised of approximately (47) studio apartments, (49) 1-bedroom apartments and (105) two-bedroom apartments; 7000 sq.ft. of resident amenity space to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents' use for entertaining larger guest gatherings and 1,100 sq. ft. of commercial/retail space, as well as 37 on-site parking spaces (collectively, the "**Facility**"); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the "**Equipment**" and together with the Land and the Facility, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency

pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement.

The Agency is governed by the New York State General Municipal Law which, effective June 15, 2016, requires, pursuant to Section 859-a, among other things, that each project applicant affirm, *under penalty of perjury*, the estimated amount of benefits requested from the Agency.

To that end, attached hereto at **Exhibit "A"**, please find a PILOT benefit schedule reflecting the estimated real property tax benefits related to the Project, including an estimated savings valuation totaling **\$10,991,733.80** to be realized by the Company over the fifteen (15) year term of the payment in lieu of taxes ("**PILOT**") agreement requested by the Company.

In addition, it has been estimated and confirmed by the Company within its Application for Financial Assistance that: (i) the purchase of goods and services relating to the Project, and subject to New York State and local sales and use taxes, are estimated to cost an amount up to \$32,500,000 and therefore, the value of the State and local sales and use tax exemption benefits authorized and approved by the Agency cannot exceed **\$2,600,000**; and (ii) the mortgage recording tax exemption approved by the Agency shall be approximately **\$353,234** based upon the Company's estimation in its application that the principal amount of the mortgage on the Project will be \$47,097,882.

Before the Agency can confer the Financial Assistance, the Agency needs to receive back the signature of the Company on the affirmation below.

To that end, please review the foregoing and the enclosed PILOT Benefit Schedule. Unless you have any questions, please execute the verification below and have it notarized where indicated and return same to my attention such that it is received on or before **June 28, 2023**. This letter shall be deemed to be part of your Application.

Please feel free to contact me with any questions.

Very truly yours,

**CITY OF SYRACUSE INDUSTRIAL
DEVELOPMENT AGENCY**

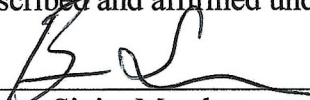
By: /s/ Kathleen Murphy
Kathleen Murphy, Chair

Enclosure

VERIFICATION

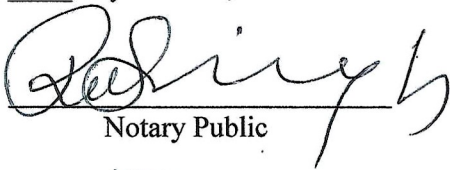
STATE OF NEW YORK }
COUNTY OF Nassau } ss.:

BRIAN SIVIN, deposes and says that: (i) he is a Member of 728 EGSU LLC, the owner of the property and Project; (ii) he has the authority to bind the Company; (iii) he has read the foregoing letter outlining the Financial Assistance approved for the Project, including but not limited to the attached PILOT Benefit Schedule, knows the contents thereof, and acknowledges same and knows that the same is true, accurate and complete and incorporates same into the Application. All of the foregoing is subscribed and affirmed under the penalties of perjury.



Brian Sivin, Member

Sworn to before me this
26th day of June, 2023.



Notary Public

VIKRAM S RANA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RA6376926
Qualified in Suffolk County
My Commission Expires 06-25-2026

EXHIBIT A

PILOT BENEFIT SCHEDULE

| Comparison | |
|--|-----------------|
| Estimated 15-year Taxes w/o PILOT benefit | \$22,385,620.64 |
| Estimated 15-year PILOT Payments | \$11,393,886.84 |
| Estimated 15-year PILOT Savings | \$10,991,733.80 |

AMENDED INDUCEMENT RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023, at 8:15 o'clock a.m. in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

AMENDED RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A PROJECT; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN THE AGENCY AND THE COMPANY

WHEREAS, the City of Syracuse Industrial Development Agency (the “*Agency*”) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “*State*”), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the “*Act*”) to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, for the purpose of promoting, attracting, encouraging and developing recreation and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, and to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, lease and sell real property and grant financial assistance in connection with one or more “projects” (as defined in the Act); and

WHEREAS, 728 E Genesee St Property Owner, LLC, a Delaware limited liability company, or an entity to be formed (the “*Company*”), by application dated May 5, 2022 (the

“*Original Application*”), requested the Agency undertake a project (the “*Original Project*”) consisting of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda building (“*Building 1*”) and a one-story bank drive through building (“*Building 2*”), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, including Building 1 and Building 2, the “*Original Land*”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 134,230 sq. ft., 11-story building to include approximately 129,230 sq. ft. of residential space consisting of approximately 191 market rate units comprised of approximately (45) studio apartments, (50) 1-bedroom apartments and (96) two-bedroom apartments; 3,660 sq.ft. of resident amenity space to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents’ use for entertaining larger guest gatherings and 1,340 sq. ft. of commercial/retail space, as well as 40 surface parking spaces (collectively, the “*Original Facility*”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “*Original Equipment*” and together with the Land and the Facility, the “*Original Project Facility*”); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “*Original Financial Assistance*”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, construction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Agency previously authorized and held a public hearing with respect to the Original Project; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “*SEQRA*”), the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a “significant impact on the environment” (as said quoted term is utilized in SEQRA), and the preliminary agreement of the Agency to undertake the Original Project Facility constitutes such an action; and

WHEREAS, by resolution adopted June 21, 2022 (the “*SEQRA Resolution*”), the Agency issued a negative declaration and determined that the Original Project Facility will not have a significant adverse impact on the environment; and

WHEREAS, on or about May 12, 2023, the Company submitted an amended application seeking to amend the Original Project due to significant increases in costs, such that the project (the “*Project*”) will now consist of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda approximately 23,000 sq.ft. building (“*Building 1*”) and a one-story bank drive through building (“*Building 2*”), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New

York (collectively, the “**Land**”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 185,700 sq. ft., 12-story building (*previously an 134,230 sq. ft., 11-story building*) to include approximately 129,230 sq. ft. of residential space consisting of approximately 201 market rate units (*previously 191*) comprised of approximately (47) studio apartments (*previously 45*), (49) 1-bedroom apartments (*previously 50*) and (105) two-bedroom apartments (*previously 96*) ; 7,000 sq.ft. of resident amenity space (*previously 3,660 sq.ft.*) to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents’ use for entertaining larger guest gatherings and 1,100 sq. ft. of commercial/retail space (*previously 1,340 sq. ft.*), as well as 37 on-site parking spaces (*previously 40*) (collectively, the “**Facility**”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”), the Agency is required to make a determination with respect to the environmental impact of any “action” (as said quoted term is defined in SEQRA) to be taken by the Agency and the approval of the Project constitutes such an action; and

WHEREAS, when the Agency conducted its SEQRA review on the Original Project Facility it found that there would not be a significant adverse impact on the environment; in reviewing the proposed amendments to the Original Project Facility, the Agency has determined that the modifications are not substantial, would not materially alter the Agency's findings from the original SEQRA review, and the Agency has determined it does not need to conduct any further environmental review under SEQRA; and

WHEREAS, the changes to the Original Project necessitated a new public hearing and on May 16, 2023 the Agency adopted a resolution describing the amendments to the Project and authorizing a new public hearing with respect thereto (the “**Public Hearing Resolution**”); and

WHEREAS, the Agency conducted a public hearing with respect to the changes to the Original Project on June 30, 2023 pursuant to Section 859-a of the Act (the “**Second Public Hearing**”), notices of which were published on June 18, 2023 and June 25, 2023 in the Post-Standard, a newspaper of general circulation in the City of Syracuse, New York; and given to the chief executive officers of the affected tax jurisdictions by letters dated June 7, 2023 and June 14, 2023; and

WHEREAS, the Agency has considered the policy, purposes and requirements of the Act in making its determinations with respect to taking official action regarding the amendments reflected in the Project; and

WHEREAS, the Agency has given due consideration to the Application and to representations by the Company that the provision of Financial Assistance: (i) will induce the Company to develop the Project Facility in the City of Syracuse (the “*City*”); (ii) will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act; and (iii) the Project will serve the purposes of the Act by advancing job opportunities and the economic welfare of the people of the State and the City and improve their standard of living.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

Section 1. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

Section 2. Based upon the representations and projections made by the Company to the Agency, the Agency hereby and makes the following determinations:

(A) The modifications proposed to the Original Project are not material or substantive changes that would alter the Agency's original SEQRA findings, and the Agency hereby ratifies and confirms the SEQRA Resolution with respect to the Project;

(B) The Project constitutes a “*project*” within the meaning of the Act;

(C) The acquisition of a controlling interest in the Project Facility by the Agency and the designation of the Company as the Agency’s agent for completion of the Project will be an inducement to the Company to acquire, construct, renovate, equip and complete the Project Facility in the City, and will serve the purposes of the Act by, among other things, advancing job opportunities, the standard of living and economic welfare of the inhabitants of the City;

(D) The Project will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or result in the abandonment of

one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act;

(E) The Financial Assistance approved hereby includes an exemption from State and local sales and use taxes in an amount not to exceed **\$2,600,000** and mortgage recording taxes in the approximate amount of **\$353,234**; and

(F) To appoint the Company as agent of the Agency as further set forth herein.

Section 4. As a condition to the appointment of the Company as agent of the Agency, and the conference of any approved Financial Assistance, the Company and the Agency shall first execute and deliver: (i) the Agreement; (ii) a project agreement in substantially the same form used by the Agency in similar transactions (the “***Project Agreement***”); and (iii) the Lease Documents (as defined herein) unless otherwise authorized by the Agency and the Company shall provide proof that all real estate taxes due and owing on the Project Facility are current. The Chair, Vice Chair or Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Agreement, the Project Agreement and the Lease Documents (as defined herein), in form and substance similar to other such agreements and documents used by the Agency for similar transactions, with changes in terms and form as shall be consistent with this Resolution and as the Chair or Vice Chair shall approve. The execution thereof by the Chair, Vice Chair and/or Executive Director shall constitute conclusive evidence of such approval. Subject to the due execution and delivery by the Company of the Agreement, the Project Agreement and the Lease Documents, the satisfaction of the conditions of this Resolution, the Agreement, the Project Agreement, the Lease Documents and the payment by the Company of any attendant fees and costs of the Agency, the Company and its designees, are appointed the true and lawful agent of the Agency to proceed with the construction, renovation, restoration, preservation, equipping and completion of the Project, all with the same powers and the same validity as if the Agency were acting in its own behalf. The amount of State and local sales and use tax exemption benefits comprising the Financial Assistance approved herein shall not exceed **\$2,600,000**.

Section 5. Subject to the terms of this Resolution and the execution and delivery of, and the conditions set forth in the Agreement and the Project Agreement, and the adoption of a PILOT resolution by the Agency, the Agency will: (i) acquire an interest in the Land and Facility pursuant to a lease agreement (the “***Lease***”) to be entered into between the Company and the Agency; accept an interest in the Equipment pursuant to a bill of sale from the Company (the “***Bill of Sale***”); (ii) sublease the Project Facility to the Company pursuant to a sublease agreement (the “***Sublease***” and with the Lease and the Bill of Sale, and all other documents required by the Agency for similar transactions, including but not limited to, an environmental compliance and indemnification agreement, collectively, the “***Lease Documents***”) to be entered into between the Agency and the Company; (iii) grant the approved Financial Assistance, subject to the approval and execution of the PILOT Agreement; and (iv) provided that no default shall have occurred and be continuing under the Agreement and provided the Company has executed and delivered all documents and certificates required by the Agency in conjunction with the Agency’s undertaking of the Project, execute and deliver all other certificates and documents necessary or appropriate for the grant of the approved Financial Assistance, in form and

substance acceptable to the Agency.

Section 6. The terms and conditions of subdivision 3 of Section 875 of the Act are herein incorporated by reference and the Company shall agree to such terms as a condition precedent to receiving or benefiting from an exemption from State and local sales and use tax exemptions benefits.

Section 7. Subject to the terms of this Resolution, the Agreement and the Project Agreement, the Company may utilize, and is hereby authorized to appoint, a Project operator, contractors, agents, subagents, subcontractors, contractors and subcontractors of such agents and subagents (collectively, “***Additional Agents***”) to proceed with the construction, renovation, restoration, preservation, equipping and completion of the Project, all with the same powers and the same validity as if the Agency were acting in its own behalf, provided the Company execute, deliver and comply with the Agreement. The Company shall provide, or cause its Additional Agents to provide, and the Agency shall maintain, records of the amount of State and local sales and use tax exemption benefits provided to the Project and the Company shall, and cause each Additional Agent, to make such records available to the State Commissioner of Taxation and Finance (the “***Commissioner***”) upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company or Project’s receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its Additional Agents to make, all records and information regarding State and local sales and use tax exemption benefits realized by the Project available to the Agency or its designee upon request. for purposes of exemption from New York State (the “***State***”) sales and use taxation as part of the Financial Assistance requested, “sales and use taxation” shall mean sales and compensating use taxes and fees imposed by article twenty-eight or twenty-eight-A of the New York State tax law but excluding such taxes imposed in a city by section eleven hundred seven or eleven hundred eight of such article twenty-eight.

Section 8. The Chair, Vice Chair and/or the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified herein and any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred herein as the (Vice) Chairman deems appropriate, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution, the Agreement and/or the Project Agreement.

Section 9. The obligation of the Agency to consummate any transaction contemplated herein or hereby is subject to and conditioned upon the Company’s execution and delivery of the Lease Documents and the documents set forth in Sections 3, 4 and 5 hereof.

Section 10. No covenant, stipulation, obligation or agreement contained in this

resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

Section 11. Should the Agency's participation in the Project, or the appointments made in accordance herewith, be challenged by any party, in the courts or otherwise, the Company shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from any such challenge including, but not limited to, the fees and disbursement of the Agency's counsel. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to participate in the Project, this Resolution shall automatically become null, void and of no further force and effect, and the Agency shall have no liability to the Company hereunder or otherwise.

Section 12. Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare for submission to the Agency, all documents necessary to effect the grant of Financial Assistance and consummate the Lease Documents.

Section 13. The Secretary and/or the Executive Director of the Agency are hereby authorized and may distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 14. This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file on file in the office of the Agency, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

AMENDED PILOT RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023, at 8:15 o'clock a.m. in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

RESOLUTION APPROVING AN AMENDED PAYMENT IN LIEU OF TAX SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A PILOT AGREEMENT

WHEREAS, the City of Syracuse Industrial Development Agency (the “*Agency*”) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “*State*”), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the “*Act*”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, for the purpose of promoting, attracting, encouraging and developing recreation and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, by application dated May 5, 2022 (the “*Original Application*”), 728 E Genesee St Property Owner, LLC or an entity to be formed (the “*Company*”), requested the Agency undertake a project (the “*Project*”) consisting of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda building (“*Original Building 1*”) and a one-story bank drive through building (“*Original Building 2*”), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the “*Original Land*”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 134,230 sq. ft., 11-story building to include approximately 129,230 sq. ft. of residential space consisting of approximately 191 market rate units comprised of approximately

(45) studio apartments, (50) 1-bedroom apartments and (96) two-bedroom apartments; 3,660 sq.ft. of resident amenity space to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents' use for entertaining larger guest gatherings and 1,340 sq. ft. of commercial/retail space, as well as 40 surface parking spaces (collectively, the "**Original Facility**"); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the "**Original Equipment**" and together with the Land and the Facility, the "**Original Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the "**Original Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, on or about May 12, 2023, the Company submitted an amended application seeking to amend the Original Project due to significant increases in costs, such that the project (the "**Project**") will now consist of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda approximately 23,000 sq.ft. building ("**Building 1**") and a one-story bank drive through building ("**Building 2**"), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the "**Land**"); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 185,700 sq. ft., 12-story building (previously an 134,230 sq. ft., 11-story building) to include approximately 129,230 sq. ft. of residential space consisting of approximately 201 market rate units (previously 191) comprised of approximately (47) studio apartments (previously 45), (49) 1-bedroom apartments (previously 50) and (105) two-bedroom apartments (previously 96) ; 7,000 sq.ft. of resident amenity space (previously 3,660 sq.ft.) to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents' use for entertaining larger guest gatherings and 1,100 sq. ft. of commercial/retail space (previously 1,340 sq. ft.), as well as 37 on-site parking spaces (previously 40) (collectively, the "**Facility**"); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the "**Equipment**" and together with the Land and the Facility, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of

the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”), the Agency is required to make a determination with respect to the environmental impact of any “action” (as said quoted term is defined in SEQRA) to be taken by the Agency and the approval of the Project constitutes such an action; and

WHEREAS, when the Agency conducted its SEQRA review on the Original Project Facility it found that there would not be a significant adverse impact on the environment; in reviewing the proposed amendments to the Original Project Facility, the Agency has determined that the modifications are not substantial, would not materially alter the Agency's findings from the original SEQRA review, and the Agency has determined it does not need to conduct any further environmental review under SEQRA; and

WHEREAS, on June 30, 2023, the Agency resolved to take official action toward the acquisition, construction, renovation, equipping and completion of the Project ("**Amended Inducement Resolution**"); and

WHEREAS, in conjunction with the amendments to the Original Project, the Company sought an amended payment in lieu of taxes (the “**PILOT**”) schedule with respect to the Project (the "**Revised Schedule**"), as more fully described on **Exhibit “A”** attached hereto, which schedule conforms with the Agency’s Uniform Tax Exemption Policy (“**UTEP**”) established pursuant to General Municipal Law Section 874(4); and

WHEREAS, approval of the Revised Schedule is in furtherance of the Project, which underwent an environmental review by the Agency pursuant to the State Environmental Quality Review Act (“**SEQRA**”) and does not require reconsideration or further review by the Agency under SEQRA.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Approval of the Revised Schedule is in furtherance of the Project that was previously approved, which underwent an environmental review by the Agency pursuant to the State Environmental Quality Review Act (“**SEQRA**”) and does not require reconsideration or further review by the Agency under SEQRA.

(2) The Agency hereby approves the Revised Schedule and the (Vice) Chairman and/or Executive Director, acting individually, are each authorized to execute and deliver a PILOT agreement (the “**PILOT Agreement**”) providing for the Revised Schedule attached as **Exhibit “A”** hereto, all in such form and substance as shall be substantially the same as approved by the Agency for other similar transactions and consistent with this Resolution and as approved by the Chairman or Vice Chairman of the Agency upon the advice of counsel to the Agency.

(3) The (Vice) Chair and/or Executive Director, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified herein and any and all such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make

such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein as the (Vice) Chair shall approve, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

(4) No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to above shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(5) The Secretary and/or the Executive Director of the Agency are hereby authorized to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(6) This Resolution shall take effect immediately, but is subject to execution by the Company of the Lease Documents, a PILOT Agreement and the Project Agreement and Agreement (each as defined in the Inducement Resolution) and compliance with all other resolutions and other related documents adopted and/or approved by the Agency in conjunction with the Project and/or as set forth herein.

(7) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file on file in the office of the Agency, and that the same (including any and all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

EXHIBIT "A"

REVISED PILOT SCHEDULE

Total Annual Payment

| <i>Year</i> | <i>Amount</i> |
|-------------|-----------------|
| 1 | \$242,304.77 |
| 2 | \$247,150.87 |
| 3 | \$252,093.89 |
| 4 | \$257,135.77 |
| 5 | \$262,278.48 |
| 6 | \$383,690.39 |
| 7 | \$509,853.86 |
| 8 | \$640,910.39 |
| 9 | \$777,005.25 |
| 10 | \$918,287.53 |
| 11 | \$1,064,910.31 |
| 12 | \$1,217,030.68 |
| 13 | \$1,374,809.90 |
| 14 | \$1,538,413.48 |
| 15 | \$1,708,011.27 |
| Total | \$11,393,886.84 |

AMENDED FINAL APPROVING RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023, at 8:15 o'clock a.m. in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

AMENDED RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A COMMERCIAL PROJECT UNDERTAKEN AT THE REQUEST OF THE COMPANY

WHEREAS, the City of Syracuse Industrial Development Agency (the “*Agency*”) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “*State*”), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the “*Act*”), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, by application dated May 5, 2022 (the “*Original Application*”), 728 E Genesee St Property Owner, LLC or an entity to be formed (the “*Company*”), requested the Agency undertake a project (the “*Project*”) consisting of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda building (“*Original Building 1*”) and a one-story bank drive through building (“*Original Building 2*”), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the “*Original Land*”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 134,230 sq. ft., 11-story building to include approximately 129,230 sq. ft. of residential space consisting of approximately 191 market rate units comprised of approximately (45) studio apartments, (50) 1-bedroom apartments and (96) two-bedroom apartments; 3,660 sq.ft. of resident amenity space to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents’ use for entertaining larger guest gatherings

and 1,340 sq. ft. of commercial/retail space, as well as 40 surface parking spaces (collectively, the “**Original Facility**”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “**Original Equipment**” and together with the Land and the Facility, the “**Original Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Original Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, on or about May 12, 2023, the Company submitted an amended application seeking to amend the Original Project due to significant increases in costs, such that the project (the “**Project**”) will now consist of: (A)(i) the acquisition of an interest in approximately 0.98 acre of real property improved by a vacant two-story rotunda approximately 23,000 sq.ft. building (“**Building 1**”) and a one-story bank drive through building (“**Building 2**”), located at 728 East Genesee & Forman Avenue (tax map no. 048.-15-03.0), in the City of Syracuse, New York (collectively, the “**Land**”); (ii) the demolition of Building 2; the rehabilitation of Building 1 to accommodate a commercial or retail use; and the construction of a new approximately 185,700 sq. ft., 12-story building (previously an 134,230 sq. ft., 11-story building) to include approximately 129,230 sq. ft. of residential space consisting of approximately 201 market rate units (previously 191) comprised of approximately (47) studio apartments (previously 45), (49) 1-bedroom apartments (previously 50) and (105) two-bedroom apartments (previously 96) ; 7,000 sq.ft. of resident amenity space (previously 3,660 sq.ft.) to include, but not be limited to, on site gym, roof terrace and club room including kitchen facility for residents’ use for entertaining larger guest gatherings and 1,100 sq. ft. of commercial/retail space (previously 1,340 sq. ft.), as well as 37 on-site parking spaces (previously 40) (collectively, the “**Facility**”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures, inventory and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real property taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Agency conducted a public hearing with respect to the changes to the Original Project on June 30, 2023 pursuant to Section 859-a of the Act (the “**Second Public Hearing**”), notices of which were published on June 18, 2023 and June 25, 2023, each in the Post-Standard, a newspaper of general circulation in the City of Syracuse, New York; and given to the chief executive officers of the affected tax jurisdictions by letters dated June 7, 2023 and

June 14, 2023; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”), the Agency is required to make a determination with respect to the environmental impact of any “action” (as said quoted term is defined in SEQRA) to be taken by the Agency and the approval of the Project constitutes such an action; and

WHEREAS, when the Agency conducted its SEQRA review on the Original Project Facility it found that there would not be a significant adverse impact on the environment; in reviewing the proposed amendments to the Original Project Facility, the Agency has determined that the modifications are not substantial, would not materially alter the Agency's findings from the original SEQRA review, and the Agency has determined it does not need to conduct any further environmental review under SEQRA; and

WHEREAS, the Agency adopted a resolution on June 30, 2023 (the “**Amended Inducement Resolution**”) entitled:

AMENDED RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A PROJECT; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN THE AGENCY AND THE COMPANY

which resolution is in full force and effect and has not been amended or modified; and

WHEREAS, the Agency adopted a resolution on June 30, 2023 (the “**Amended PILOT Resolution**”) entitled:

RESOLUTION APPROVING AN AMENDED PAYMENT IN LIEU OF TAX SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A PILOT AGREEMENT

which resolution is in full force and effect and has not been amended or modified.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

Section 1. Based upon the representations made by the Company to the Agency and after consideration of the comments received at the public hearing, if any, the Agency hereby makes the following findings and determinations:

(a) The acquisition of a controlling interest in the Project Facility by the Agency, the granting of the Financial Assistance and the designation of the Company as the Agency's agent for completion of the Project will be an inducement to, and permit, the Company to develop and operate the Project Facility in the City of Syracuse, thus serving the public purposes of Article 18-A of the General Municipal Law of New York State by promoting and preserving the job opportunities, general prosperity, health and economic welfare of the inhabitants of the City of Syracuse (the "***City***") in furtherance of the purposes of the Act.

(b) The Project will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act.

(c) The commitment of the Agency to provide Financial Assistance to the Company will enable and induce the Company to construct, renovate, equip and complete the Project Facility.

(d) The acquisition, construction, renovation, equipping and completion of the Project Facility and the attendant promotion of the local economy will advance the job opportunities, health, prosperity and economic welfare of the people of the City and the granting of the Financial Assistance is a necessary component to the financing of the Project.

(e) The Project Facility constitutes a "project" within the meaning of the Act.

(f) It is desirable and in the public interest for the Agency to grant Financial Assistance in connection with the Project.

Section 2. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. The Project will serve the public purposes of Article 18-A of the General Municipal Law of the State of New York by advancing job opportunities and promoting economic development.

Section 3. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, renovating, improving, maintaining, equipping, furnishing and completing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

Section 4. Subject to the conditions set forth in this and prior resolutions adopted by the Agency, the Agreement, and the Project Agreement (each as defined in the Inducement Resolution), and the adoption of a PILOT Resolution, the Agency will: (A) acquire a controlling interest in the Project Facility; (B) lease the Land and Facility from the Company pursuant to a lease agreement between the Agency and the Company (the “*Company Lease*”); acquire an interest in the Equipment pursuant to a bill of sale from the Company (the “*Bill of Sale*”); and sublease the Project Facility to the Company pursuant to a sublease agreement (the “*Agency Lease*”); (C) subject to the terms of the Agency Lease and other documents, secure the Company’s borrowings with respect to the Project Facility by joining in one or more construction or permanent mortgages on the Project Facility in favor of the Company’s lenders; (D) execute and deliver any and all necessary documents to confer the approved Financial Assistance, subject to the approval and execution of the PILOT Agreement; and (E) execute and deliver any other documents necessary to effectuate the actions contemplated by and consistent with this Resolution upon the advice of counsel to the Agency.

Section 5. The Chair, Vice Chair and the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified in Section 4 of this Resolution as well as the Lease Documents (as defined in the Inducement Resolution) and any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to in Section 4 of this Resolution, as approved by the Chair or Vice Chair, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

Section 6. No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

Section 7. Bousquet Holstein, PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare, for submission to the (Vice) Chair and/or Executive Director for execution and delivery, all documents necessary to effect the undertaking of the Project and the grant of Financial Assistance in connection with the Project.

Section 8. The approvals provided for herein are contingent upon the Company’s payment of all of the Agency’s fees and costs, including but not limited to attorneys’ fees.

Section 9. The Secretary and/or Executive Director of the Agency is hereby authorized to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 10. This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file in the office of the Agency, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

City of Syracuse
Industrial Development Agency
201 East Washington St, 6th Fl
Syracuse, NY 13202
Tel (315) 448-8100

EXECUTIVE SUMMARY

Agenda Item: 6

Title: Northside Genesee Associates, LLC

Requested By: Sue Katzoff

OBJECTIVE: Approval to authorize a public hearing on the project.

DESCRIPTION:

Direct expenditure of fund: Yes No

Type of financial assistance requested

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

SUMMARY:

The Agency is in receipt of an application from the Company for a Project to construct a 286,080 sq. ft. footprint, five story mixed use, mixed income development, with one level of structured parking on the 1200-1300 block of East Genesee Street. The proposed Project will consist of approximately 286 apartments. It is currently anticipated that the Project will include 77 studio apartments, 70 one-bedroom apartments and 139 2-bedroom apartments. In addition to the apartments, the Project will consist of small retail spaces, amenity spaces, and underground parking with approximately 143 parking spaces. Due to the mixed income project, inflation on building materials and increase in financing costs, the applicant is seeking mortgage recording, sales tax and a PILOT per the standard UTEP for the development of the project. Cost of the Project is estimated to be \$83,058,643.00. Benefits requested from the Agency are exemptions for mortgage tax (\$434,300), sales tax (\$3,225,600) and a 15 Year Priority Commercial and Residential PILOT with a value that is to be determined.

ATTACHMENTS:

1. Application for Financial Assistance.

The Project is being developed as a mixed income project with 12% being workforce housing (income qualified) and 88% at market rate. The site currently consists of residential and apartment buildings that will be demolished for the construction of the new mixed-use building. The site is located in the Neighborhood Revitalization Strategy Area (NRSA).

REVIEWED BY:

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

Meeting: June 30, 2023

Prepared By: E. Ennis



CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR BENEFITS

INSTRUCTIONS

1. The person completing this application on behalf of the company/applicant shall be a person who is either the CEO of the company/applicant or a person authorized to bind the company/applicant and each statement contained in this application shall be made by such a person. Fill in all blanks, using "none", "not applicable" or "not available" where the question is not appropriate to the Project, which is the subject of this Application (the "Project"). If you have any questions about the way to respond, please call the City of Syracuse Industrial Development Agency ("SIDA" or the "Agency") at (315) 448-8100.
2. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any "financial assistance" (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes "public funds" within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant's obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
3. If an estimate is given as the answer to a question, put "(est.)" after the figure or answer, which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return this application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Eric Ennis at ennis@syrgov.net.
6. All projects approved for benefits by the SIDA Board will close with the Agency within 12-months of the inducement date. If this schedule cannot be met, the applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to SIDA Board for consideration.

An application will not be considered by the Agency until the application fee has been received.

7. The Agency will not give final approval for this Application until the Agency receives a completed NYS Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>
8. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the SIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with

SIDA Application

Article 6 of the Public Officers Law, the SIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.

9. The Applicant will be required to pay the Agency application fee and legal fee deposit upon submission. The Applicant is responsible for all administrative and legal fees as stated in Appendix A.

10. Prior to submission to the Agency for consideration, the application must be complete. A complete application consists of the execution, where applicable, and delivery of following 8 items:

- This Application
- Conflict of Interest Statement - Appendix B
- Environmental Assessment Form - - Appendix C
- Verification – Appendix D
- A Project description, including a feasibility statement indicating the need for the requested benefits
- Provide site plans, sketches, and/or maps as necessary (see page 7 for more detail)
- 10 year pro forma operating budget, including funding sources
- A check payable to the Agency in the amount of \$1,000
- A check payable to Bousquet Holstein PLLC in the amount of \$2,500

It is the policy of the Agency that any Project receiving benefits from the Agency will utilize 100% local contractors and local labor for the construction period of the Project unless a waiver is granted in writing by the Agency.

Applicant must agree to comply with all of the Agency's policies, including but not limited to its Project Approval Policy.

Return to:

City of Syracuse Industrial Development Agency
201 East Washington Street, 6th Floor
Syracuse, NY 13202
Phone: 315-448-8100
eennis@syrgov.net

City of Syracuse Industrial Development Agency Application

SECTION I: APPLICANT INFORMATION

Please answer all questions. Use "None", "Not Applicable" and "See Attached" where necessary.

Submittal Date: _____

A. Contact Information

| | | | | | |
|------------------|------------------------------------|---|------------|------|---------------|
| Company Name: | Northside Genesee Associates, LLC | | | | ("Applicant") |
| Mailing Address: | P.O. Box 90708 | | | | |
| City: | Camden | State: | NJ | Zip: | 08101 |
| Phone: | 336-314-9211 | Fax: | N/A | | |
| Contact Person: | Chris Brookshire | | | | |
| Email Address: | cbrookshire@tmo.com | | | | |
| Industry Sector: | Real Estate and Rental and Leasing | | | | |
| NAICS Code: | 53 | Federal Employer Identification Number: | 81-5068017 | | |

B. Will the Applicant be the Project Beneficiary (i.e., Project tenant or owner/operator)

Yes

No If No, who will:

C. Principal Stakeholders

List principal owners/officers/directors owning 5% or more in equity holdings with percentage ownership. Public companies should list corporate officers.

| Name | % Ownership | Business Address | Phone | Email |
|-------------------|-------------|------------------|-------|-------|
| See Attachment #1 | | | | |
| | | | | |
| | | | | |
| | | | | |

D. Corporate Structure: Attach a schematic if Applicant is a subsidiary or otherwise affiliated with another entity.

Corporation
 Private Public

Date and Location of
 Incorporation/Organization:

Partnership
 General Limited

If a foreign corporation, is the
 Applicant authorized to do
 business in the State of New York?

Other Sole Proprietorship
 Limited Liability Company/Partnership

E. Applicant's Counsel:

| | | | | | |
|------------------|---|--------|--------------|------|-------|
| Name: | Robert J. Smith | | | | |
| Firm: | Costello, Cooney & Fearon, PLLC | | | | |
| Mailing Address: | 211 West Jefferson Street, Suite 1 | | | | |
| City: | Syracuse | State: | NY | Zip: | 13202 |
| Phone: | 315-422-1152 | Fax: | 315-422-1139 | | |
| Email Address: | rsmith@ccf-law.com / wlougnot@ccf-law.com | | | | |

F. Applicant's Accountant:

| | | | | | |
|------------------|---------------------------------|--------|----|------|--|
| Name: | Dominic Coppolella, Tax Partner | | | | |
| Firm: | BDO | | | | |
| Mailing Address: | | | | | |
| City: | | State: | NY | Zip: | |
| Phone: | 215-940-7882 | Fax: | | | |
| Email Address: | dcoppolella@bdo.com | | | | |

G. Applicant History: If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

Is the Applicant, its management, or its principal owners now a plaintiff or defendant in any civil or criminal litigation? Yes No

Has any person listed in Section 1(c) ever been convicted of a criminal offense (other than a minor traffic violation)? Yes No

Has any person listed in Section 1 (C) or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes No

H. Has the Applicant, or any entity in which the Applicant or any of its members or officers are members or officers, received assistance from SIDA or the Syracuse Local Development Corporation (SLDC) in the past? If yes, please give year, Project name, description of benefits, and address of Project.

Yes No

See Attachment #2

SECTION II: PROJECT AND SITE INFORMATION

A. Project Location

| | | | |
|--|---|---|---------------------|
| Address: | See Attachment #3 | Legal Address (if different)* | 1301 E. Genesee St. |
| City: | Syracuse | | |
| Zip Code: | 13210 | | |
| Tax Map Parcel ID(s): | See Attachment #3 | | |
| Current Assessment: | See Attachment #3 | Square Footage /Acreage of Existing Site*: | See Attachment #3 |
| Square Footage of Existing Building, if any: | See Attachment #3 All to be demolished | Census Tract: (Please See Appendix E for Census Tracts) | 34 |

*Please verify that the address and sq. ft. on <https://ocfintax.ongov.net/lmate/search.aspx> matches what you are proposing here or explain discrepancy in box below.

B. Type (Check all that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> New Construction | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Expansion/Addition to Current Facility | <input type="checkbox"/> Brownfield/Remediated Brownfield |
| <input type="checkbox"/> Manufacturing | <input checked="" type="checkbox"/> Residential Mixed Use |
| <input type="checkbox"/> Warehouse/Distribution | |
| <input type="checkbox"/> Other | <input style="width: 580px; height: 20px;" type="text"/> |

C. Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to: i) a description of your Company’s background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site; (ii) the size of the Project in square feet and a breakdown of square footage per each intended use; (iii) the size of the lot upon which the Project sits or is to be constructed; (iv) the current use of the site and the intended use of the site upon completion of the Project; (v) describe your method for site control (Own, lease, other); and (vii) Company history and any additional circumstances the Agency should be aware of relative to the project or Company.

D. Is the Applicant the owner of the property?

- Yes No

If not, who is the owner and by what means will the site be acquired? If leasing, when does the lease end?

3 of the 13 properties are under contract to purchase (will close after SIDA approval). Remaining 10 properties are owned by the Applicant

E. Infrastructure: Please indicate whether the following are onsite, need to be constructed, or need to be renovated/expanded:

| | | | |
|----------------------|--------------------------|--------------------|--------------------------|
| Water | To be Renovated/Expanded | Electric | To be Renovated/Expanded |
| Sanitary/Storm Sewer | To be Renovated/Expanded | Private Roads | |
| Gas | To be Renovated/Expanded | Telecommunications | To be Renovated/Expanded |

F. Local Approvals (Site Plan and Environmental Review)

- 1. Have site plans been submitted to the appropriate City department?**
- Yes. What is the status? No. When will the plans be submitted.

City approvals have been received. See Attachment #5

- 2. Has the project received site plan approval from the Planning Commission?**

Yes No

3. If no, what is the anticipated date? _____

4. If yes, provide the Agency with a copy of the Planning Board's approval resolution.

G. Will the Project generate sales tax for the community?

Yes No

If yes, what is the company's average annual sales or estimated annual sales?

TBD based upon retail tenants

H. Likelihood of Undertaking Project without Receiving Financial Assistance

Please confirm by checking a box below, whether this Project will move forward without the requested incentives?

Yes No

If the Project will be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be given economic incentives by the Agency:

I. In accordance with N.Y. GML Sec. 862(1):

Will the Project primarily consist of retail facilities as defined in Section 862(2)(a) of the GML?

Yes No

If yes, will the cost of these facilities exceed one-third of the total Project cost?

Yes No

J. Is the project located in a distressed Census Tract?

Yes No Please see Appendix E for the map of distressed census tracts in the city of Syracuse.

K. Is the Project site designated as an Empire Zone?

Yes No

L. Construction

1. Project Timeline (approximate):

Construction Commencement 08/01/2023

Construction Completion 07/01/2025

Date of Occupancy 08/01/2025

2. Please list any other key Project milestones:

3. Has work begun? Yes No

If so, indicate the amount of funds expended in the past 3 years?

SECTION III: PROJECT COSTS & FINANCING

A. Estimated Project Costs

1. State the costs reasonably necessary for the acquisition, construction, and/or renovation of the Project:

| Description of Cost Type | Total Budget Amount |
|---|---------------------|
| Land Acquisition | 6,966,045 |
| Site Work/Demo | 550,000 |
| Building Construction & Renovation | 65,500,000 |
| Furniture, Fixtures & Equipment | 1,460,000 |
| Equipment Subject to NYS Production Sales Tax Exemption (Manufacturing) | |
| Engineering/Architects Fees | 2,030,000 |
| Financial Charges | 4,730,552 |
| Legal Fees | 496,000 |
| Other | 678,000 |
| Management /Developer Fee | 648,046 |
| Total Project Cost (Uses) | 83,058,643 |

2. State the sources reasonably anticipated for the acquisition, construction, and/or renovation of the Project:

| | |
|--|------------|
| Amount of capital the Applicant has invested to date: | 6,641,577 |
| Amount of capital Applicant intends to invest in the Project through completion: | 18,510,466 |
| Total amount of public sector source funds allocated/awarded to the Project: | |
| Amount of the Project to be financed from private sector sources: | 57,906,600 |
| Total Project Sources* *This \$ should match the total Project Costs (Uses) above. | 83,058,643 |

3. Public Sector Sources:

| Identify each public sector source of funding: | Amount of Public Sector Funding* |
|--|----------------------------------|
| N/A | |
| | |
| | |

*The total amount of public sector funding should equal the public sector amount listed in (A)(ii) above.

B. Financial Assistance sought (estimated values):

Applicants requesting exemptions and/or abatements from SIDA must provide the estimated value of the savings they anticipate receiving. New York State regulations require SIDA to recapture any benefit that exceeds the amount listed in this application.

1. Is the Applicant expecting that the financing of the Project will be secured by one or more mortgages: Yes No

If yes, amount requested and name of lender: 57,906,600 (Five Star Bank)

2. Is the Applicant expecting to be appointed agent of the Agency for purposes of abating payments of NYS Sales and Use Tax? Yes No

If yes, what is the TOTAL amount of purchases subject to exemption based on taxable Project costs? 40,320,000

3. Is the Applicant requesting a payment in lieu of tax agreement (PILOT) for the purpose of a real property tax abatement? Yes No

If yes, identify from the Agency's UTEP the category of PILOT requested:

Priority Commercial & Residential

4. Is the Applicant requesting any real property tax abatement that is **inconsistent** with the Agency's UTEP? Yes No

If yes, please contact the Executive Director prior to submission of this Application.

5. Upon acceptance of this Application, the Agency staff will create a PILOT schedule and indicate the estimated amount of PILOT benefit based on anticipated tax rates and assessed valuation. . At such time, the Applicant will affirm, in the form attached hereto at **Exhibit "A"** (the "**Benefit Affirmation**"), that it acknowledges and accepts the PILOT benefit and other benefits set forth therein, agrees to incorporate same herein by reference and requests such benefits be granted by the Agency.

**** This Application will not be deemed complete and final nor will benefits be awarded until Exhibit A hereto has been completed and executed****

C. Type of Exemption/**Abatement** Requested: Amount of Exemption/Abatement Requested:

| | | |
|-------------------------------------|--|-----------|
| <input checked="" type="checkbox"/> | Real Property Tax Abatement (PILOT) | TBD |
| <input checked="" type="checkbox"/> | Mortgage Recording Tax Exemption (.75% of amount mortgaged as listed on page 6 (B)(i)) | 434,300 |
| <input checked="" type="checkbox"/> | Sales and Use Tax Exemption (\$4% Local, 4% State of total amount listed on page 6(b)(ii)) | 3,225,600 |
| <input type="checkbox"/> | Tax Exempt Bond Financing (Amount Requested) | |
| <input type="checkbox"/> | Taxable Bond Financing (Amount Requested) | |

D. Company's average yearly purchases or anticipated yearly purchases from vendors within Onondaga County, subject to sales tax:

50,000

E. Estimated capital investment over the next 5 years, beyond this Project, if available:

0

SECTION IV. EMPLOYMENT AND PAYROLL INFORMATION

***Full Time Equivalent (FTE) is equivalent to 35 hours of work per week or 1,820 hours per year. To convert part-time jobs into FTEs, divide the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year.**

A. In accordance with N.Y. GML Sec. 862(1):

1. Will any other companies or related facilities within the state close or be subjected to reduced activity as a result of this Project? If so please list the town and county of the location(s):

Yes No

2. Will the completion of the Project result in the removal of a plant or facility of the Applicant from one area of the State New York to another area of the State of New York?

Yes No

3. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant located in the State of New York?

Yes No

i. If any answer to questions 1, 2 or 3 above is yes, is the Project reasonably necessary to discourage the Applicant from removing such other plant or facility to a location outside the State of New York?

Yes No

ii. If any answer to questions 1, 2 or 3 above is yes, is the Project reasonably necessary to preserve the competitive position of the Applicant in its respective industry?

Yes No

B. Are there people currently employed by the Company/end user?

Yes No

C. Of those jobs in (B) above, how many will be retained: N/A

| | |
|--|--|
| Estimate the number of full time equivalent (FTE) jobs to be retained as a result of this Project: | N/A |
| Estimate the number of construction jobs to be created by this Project: | 200 +/- |
| Estimate the average length of construction jobs to be created (months): | 24 |
| Current annual payroll of retained jobs: | 0 |
| Average annual growth rate of wages for retained jobs: | N/A |
| Please list, if any, benefits that are available to either full and/or part time employees retained: | Medical, Dental, Basic Life Ins., 401K, vacation, etc. |

| | |
|---|--------|
| Average annual benefit paid by the company (\$ or % salary) per FTE job: | 20-25% |
| Average growth rate of benefit cost: | 3% |
| Amount or percent of wage employees pay for benefits: | 10-20% |
| Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new permanent FTE jobs as well as those filling retained jobs? | 75% |

D. Complete the following chart indicating the number of FTE jobs presently employed by the Company/end user and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth, and fifth years after the Project is completed. Jobs should be listed by title or category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. **Do not include construction workers.**

| Permanent Occupations in Company and/or Tenant of Project | Current Jobs by Occupation (jobs being RETAINED) | Annual Salary range | Annual benefits | Projected NEW FTEs in Years 1-5 by Occupation | | | | | Total Job Information | |
|---|--|---------------------|-----------------|---|-----------------------------|-----------------------------|-----------------------------|-----------------------------|---|--------------------------------------|
| | No. of FTE Employees | | | 1st Year NET of Current RETAINED Employees | 2nd Year NET of Prior Years | 3rd Year NET of Prior years | 4th Year NET of Prior Years | 5th Year NET of Prior Years | Total New Jobs Created in 5 Year Period | Total Jobs Retained in 5 Year Period |
| Professional/ Managerial/ Technical | 1 | 75,000 | | 1 | 0 | 0 | 0 | 0 | 1 | 0 |
| Skilled | 3 | 42,500-55,000 | | 3 | 0 | 0 | 0 | 0 | 3 | 0 |
| Unskilled/ Semi-skilled | 2 | 40,000 | | 2 | 0 | 0 | 0 | 0 | 2 | 0 |

For purposes of completing the chart, refer to the following definitions, in lieu of current titles:

- **Professional/Managerial/Technical** - includes jobs which involve skill or competence of extraordinary degree and may include supervisory responsibilities (examples: architect, engineer, accountant, scientist, medical doctor, financial manager, programmer).
- **Skilled** - includes jobs that require specific skill sets, education, training, and experience and are generally characterized by high education or expertise levels (examples: electrician, computer operator, administrative assistant, carpenter, sales representative).
- **Unskilled or Semi-Skilled** - includes jobs that require little or no prior acquired skills and involve the performance of simple duties that require the exercise of little or no independent judgment (examples: general cleaner, truck driver, typist, gardener, parking lot attendant, line operator, messenger, information desk clerk, crop harvester, retail salesperson, security guard, telephone solicitor, file clerk).

E. Are the employees of your company currently covered by a collective bargaining agreement?

Yes No If yes, provide the name and local:

SECTION V. ENVIRONMENTAL INFORMATION

***An Environmental Assessment Form (EAF) MUST be completed and submitted along with this application. Please visit <https://www.dec.ny.gov/permits/6191.html> for the online EAF Mapper Application and EAF Forms.**

A. Have any environmental issues been identified on the property?

Yes No

If yes, please explain:

B. Has any public body undertaken a State Environmental Quality Review Act ("SEQRA") review?

Yes No


Has any public body issued a SEQRA determination for this Project?


Yes No


If yes to either of the foregoing, please attach to this application all SEQRA forms (e.g. EAF) and any determinations.

SECTION VI. REPRESENTATIONS & AFFIRMATIONS BY THE APPLICANT

I hereby represent and warrant that I am [the CEO of the company/applicant] or [a person authorized to bind the company/applicant] and make the following representations and/or warranties and understand and agrees with the Agency as follows:

A. **Jobs Listings:** Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity of the service delivery area created by the Workforce Investment Act ("WIA") in which the Project is located. 

B. **First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Company shall comply with Section 862-b of the GML. 

C. **Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the Project occupant within the state is ineligible for Agency Financial Assistance, 

SIDA Application

unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the Project in its respective industry.

D. City Human Right Law: The Applicant agrees to endeavor to comply with the provisions of Article XI, Division 2 of the City Code, entitled "The Omnibus Human Rights Law," which prohibits discrimination in employment based upon age, race, sex, creed, color, religion, national origin, sexual orientation, disability or marital status. The Applicant hereby agrees to adhere to this policy or equal opportunity employment in the requirement, hiring, training, promotion, and termination of employees.



E. City of Syracuse and MWBE: The applicant understands and agrees that every Project must commit to incorporate vendors that are minority and/or women-owned business enterprises, as certified by the State or the municipality ("MWBE"), equal to a minimum of 10% of all SIDA abatements during the construction phase. MWBE vendors must be located within Onondaga County in accordance with the Agency's Project Approval Policy, a copy of which is attached hereto at **Exhibit "B"** and made a part hereof.



F. City Resident Hiring. To qualify for any exemptions under the Agency's Uniform Tax-Exempt Policy, every Project must commit to hiring 10% of its construction workforce, on a full-time basis, from residents of the City of Syracuse as set forth in the Agency's Project Approval Policy, a copy of which is attached hereto at **Exhibit "B"** and made a part hereof.



G. Local Labor Policy: The applicant understands and agrees that local labor and contractors will be used for the construction, renovation, reconstruction, equipping of the Project unless a written waiver is received from the Agency. Failure to comply may result in the revocation or recapture of benefits awarded to the Project by the Agency. For the purposes of the policy, "Local" is defined as Onondaga, Cayuga, Cortland, Madison, Oneida, and Oswego Counties.



H. Annual Sales Tax Filings: In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors

I. Annual Employment Reports and Outstanding Bonds: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency on an annual basis, reports regarding the number of FTE at this Project site. The Applicant also understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the Project that is requested by the Comptroller of the State of New York.



J. Absence of Conflicts of Interest: The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Appendix B.



K. Compliance: The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.



L. False or Misleading Information: The Applicant understands and agrees that the submission of knowingly false or knowingly misleading information in this Application may lead to the immediate termination of



SIDA Application

any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

M. GML Compliance: The Applicant certifies that, as of the date of the Application, the proposed project is in substantial compliance with all provisions of NYS General Municipal Law Article 18-A.



N. SIDA's Policies: The Applicant is familiar with all of SIDA's policies posted on its website (http://www.syr.gov.net/Syracuse_Industrial_Development_Agency.aspx) and agrees to comply with all applicable policies.



O. Disclosure: The Applicant has read paragraph 6 of the instructions contained on the cover of this Application and understands that the Applicant must identify in writing to SIDA any information it deems proprietary and seeks to have redacted.



P. Reliance: THE APPLICANT ACKNOWLEDGES THAT ALL ESTIMATES OF PROJECTED FINANCIAL IMPACTS, VALUE OF FINANCIAL ASSISTANCE REQUESTED, AND OTHER INFORMATION CONTAINED IN THIS APPLICATION WILL BE RELIED UPON BY SIDA AND ANY CHANGES IN SUCH INFORMATION MUST BE MADE IN WRITING AND MAY IMPACT THE GRANT OF FINANCIAL ASSISTANCE TO THE PROJECT.



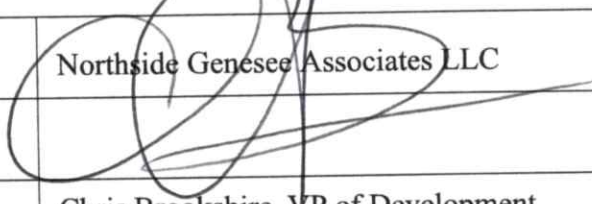

Q. Legal Fees: The Applicant acknowledges that all by submitting this application, they are contractually obligated to pay all of SIDA's legal fees associated with this application, the project and the financial assistance sought regardless of whether any benefits are approved or conferred.



R. Prevailing Wage: The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a "covered project" pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.



I am the CEO or a person authorized to bind the company/applicant, and have read the foregoing and agree to comply with all the terms and conditions contained therein as well as the policies of the City of Syracuse Industrial Development Agency.

| | |
|---|--|
| Name of Applicant Company | Northside Genesee Associates LLC |
| Signature of Officer or Authorized Representative |  |
| Name & Title of Officer or Authorized Representative | Chris Brookshire, VP of Development |
| Date June 6, 2023  | |

SECTION VII. HOLD HARMLESS AGREEMENT

Applicant hereby releases the City of Syracuse Industrial Development Agency and the members, officers, servants, agents and employees thereof (collectively the "Agency" from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, or the inability of the Applicant, for any reason, to proceed with the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of or in connection with the Application, including attorney's fees, if any.

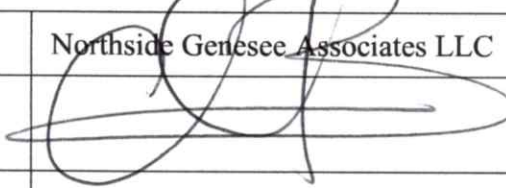
| | |
|---|---|
| Name of Applicant Company | Northside Genesee Associates LLC |
| Signature of CEO or a person authorized to bind the company/applicant |  |
| Name & Title of Officer or Authorized Representative | Chris Brookshire, VP of Development |
| Date June 6, 2023 | 6.6.23 |

EXHIBIT "A"

BENEFIT AFFIRMATION

The undersigned, _____, being the _____ and authorized signatory of _____, (the “**Company**” or “**Applicant**”), does hereby *certify and affirm under the penalty of perjury* the following:

On or about _____ the Company submitted an application for financial assistance (the “**Application**”) to the City of Syracuse Industrial Development Agency (the “**Agency**”) requesting the Agency consider undertaking a project (the “**Project**”) consisting of:

The Agency is governed by the New York State General Municipal Law which, effective June 15, 2016, requires, pursuant to Section 859-a, among other things, that each project applicant affirm, *under penalty of perjury*, the estimated amount of benefits requested from the Agency.

That the following PILOT benefit schedule reflects the estimated real property tax benefits related to the Project, including an estimated savings valuation totaling \$ _____ to be realized by the Company over the _____ (____) year term of the payment in lieu of taxes (“**PILOT**”) agreement requested by the Company:

| PILOT Benefit Schedule | |
|--|---------------|
| Comparison | Amount |
| Estimated ___ year Taxes w/o PILOT benefit | \$ _____ |
| Estimated ___ year PILOT Payments | \$ _____ |
| Estimated ___ year PILOT Savings | \$ _____ |

In addition, as set forth by the Company within its Application: (i) the purchase of goods and services relating to the Project, and subject to New York State and local sales and use taxes, are estimated to cost an amount up to \$ _____ and therefore, the value of the State and local sales and use tax exemption benefits sought from the Agency shall not exceed \$ _____; and (ii) the mortgage recording tax

exemption shall be approximately \$ _____ based upon the Company's estimation in its Application that the principal amount of the mortgage on the Project will be \$ _____.

The undersigned, deposes and says that: (i) (s)he has the authority to bind the Company; (ii) (s)he has read the foregoing affirmation outlining the financial assistance sought by the Company from the Agency for the Project; and (iii) acknowledges same to be true, accurate and complete, as subscribed and affirmed hereby under the penalty of perjury.

[INSERT COMPANY NAME]

By: _____
Title: _____

Sworn to before me this ____ day
of _____, 20__.

Notary Public

EXHIBIT "B"

PROJECT APPROVAL POLICY

City of Syracuse Industrial Development Agency

201 E. Washington Street, 6th Floor
Syracuse, New York 13202
Tel (315) 448-8100 Fax (315) 448-8036

PROJECT APPROVAL POLICY

I. STATEMENT OF PURPOSE

The City of Syracuse Industrial Development Agency ("**Agency**") has adopted this Project Approval Policy (the "**Policy**") in accordance with Section 859-a (5) of the New York State General Municipal Law. This Policy shall be consistent with and in compliance with the provisions of Chapter 1030 of Laws of 1969 of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "**Enabling Act**") and Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (said Chapter and the Enabling Act being hereinafter collectively referred to as the "**Act**"), and any other applicable law.

II. PROJECT APPROVAL

Eligible projects for consideration hereunder shall comply with the Act

A. DEFINITIONS: For purposes of this Policy, the following definitions shall apply:

"**Distressed Census Tract**" shall have the meaning ascribed thereto by the applicable federal, state or local tax credit program applicable to the Qualified Project.

"**FTE**" means one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

"**NRSA**" means the Neighborhood Revitalization Strategy Areas as defined by the City of Syracuse Department of Neighborhood and Business Development Syracuse Consolidated Plan found at the following link: http://www.syr.gov.net/uploadedFiles/Departments/Neighborhood_and_Business_Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf.

B. Each of the following must occur *prior* to the adoption of a resolution approving the grant of financial assistance for a project:

(i) Assessment

The members shall assess **all** material information included in connection with the application for financial assistance (the "**Application**") submitted by or on behalf of the company seeking such financial assistance (the "**Company**") in order to afford a reasonable basis for the decision by the Agency to provide financial assistance for a proposed project

(the "**Assessment**"). As one part of their assessment of a proposed project, the members shall consider the priority industries and/or the North American Industry Classification System ("**NAICS**") sectors, all as set forth in **Exhibit "A"** attached hereto, as well as the number of retained or new FTEs resulting from the Project. No one factor qualifies or guaranties a project for approval or conference of any specific financial assistance. It is up to the Agency, in its sole and absolute discretion, to review, analyze and weigh all factors and policy initiatives when considering projects for approval.

(ii) Cost-Benefit Analysis

The members shall prepare or cause to be prepared a written cost-benefit analysis, including a ratio of abatement to new community investment (the "**Cost-Benefit Analysis**") identifying:

- the extent to which a proposed Project will create and/or retain permanent, private sector jobs;
- the applicable priority industry and/or North American Industry Classification System (**NAICS**) sector as set forth on **Exhibit "A"** attached hereto, if applicable;
- the estimated value of any tax exemptions to be provided;
- the amount of private sector investment generated or likely to be generated by the proposed Project;
- the likelihood of the proposed Project being completed in a timely fashion;
- the extent to which the proposed Project will provide additional sources of revenue for the municipality and school district; and
- other public and community benefits that might occur as a result of the proposed Project.

(C) City Resident Hiring. *To qualify for any exemptions* under the Agency's Uniform Tax-Exempt Policy, every Project must commit to hiring 10% of its construction workforce, on a full-time basis, from residents of the City of Syracuse (the "**City**").

(D) MWBE Requirements. *To qualify for any exemptions* under the Agency's Uniform Tax-Exempt Policy, every Project must commit to incorporate vendors that are minority and/or women-owned business enterprises, as certified by the State or the municipality ("**MWBE**"), equal to a minimum of 10% of all SIDA abatements (exclusive of any enhancement under the Agency's Community Benefit Policy) during the construction phase. MWBE vendors must be located within Onondaga County. Such hiring may be accomplished through CNY Works, Syracuse Build or other existing programs aimed at training and promoting local hiring.

During construction and following completion of construction, evidenced by the earlier of (i) the date a certificate of occupancy is issued for the Project by the City; or (ii) the completion date under the lease documents between the proposed Project owner and the Agency to confer approved benefits, the proposed Project owner must demonstrate to the satisfaction of the Agency compliance with each (c) and (d) above. Failure to do so shall give rise to an event of default under the lease documents and the Agency's ability to recapture benefits under its Recapture Policy.

The proposed Project owner may seek a waiver of either (c) and/or (d) above, if and only if, such owner can demonstrate, to the sole satisfaction of the Agency, that notwithstanding all efforts, the owner was not able to find residents of the City able to fill the requisite number of construction jobs and/or an inability to hire the requisite number of MWBE vendors as set forth above. Any such request must, at a minimum, demonstrate the attempts made by the owner to satisfy the requirement.

Adopted: September 27, 2022

Effective: As of January 1, 2023

EXHIBIT A

SELECTION CRITERIA BY PROJECT TYPE

High Tech, Manufacturing, Warehouse, Distribution

1. Wage rates (as compared to median wage for area)
2. Regional wealth creation (% sales/customers outside five county Central New York Region)
3. Regional purchases (% of overall purchases)
4. Research and development activities
5. Investments in energy efficiency
6. Location, land use, including use of brownfields or locally designated development areas
7. Support of existing local businesses
8. Use of LEED/renewable resources
9. Retention/flight risk
10. North American Industry Classification System (NAICS) Sectors:

| Sector | Description |
|--------|------------------------------|
| 22 | Utilities |
| 31-33 | Manufacturing |
| 42 | Wholesale Trade |
| 48-49 | Transportation & Warehousing |
| 51 | Information |
| 811 | Repair & Maintenance |

Agricultural, Food Processing

1. Wage rates (as compared to median wage for area)
2. Regional wealth creation (% sales/customers outside five county Central New York Region)
3. Regional purchases (% of overall purchases)
4. Research and development activities
5. Investments in energy efficiency
6. Location, land use factors, proximity to local agricultural production
7. Use of LEED/renewable resources
8. Retention/flight risk
9. North American Industry Classification System (NAICS) Sectors:

| Sector | Description |
|--------|---|
| 11 | Agriculture, Forrestry, Fishing & Hunting |
| 311 | Food Manufacturing |
| 312 | Beverage and Tobacco Product Manufacturing |
| 3331 | Agriculture, Construction, and Mining Machinery Manufacturing |

Professional Services, Back Office, Data, Call Centers

1. Wage rates (as compared to median wage for area)
2. Regional wealth creation (% sales/customers outside area)
3. Regional purchases (% of purchases from local vendors)
4. Support of local business
5. Retention/flight risk
6. Use of LEED/renewable resources
7. North American Industry Classification System (NAICS) Sectors:

| Sector | Description |
|--------|--|
| 52 | Finance & Insurance |
| 561 | Administrative and Support Services |
| 54 | Professional, Scientific, & Technical Services |
| 55 | Management of Companies and Enterprises |

Energy Production

1. wage rates (above median wage for area)
2. in region purchases (% of overall purchases, local construction jobs/suppliers)
3. advances renewable energy production/transmission goals
4. provides capacity or transmission to meet local demand or shortage

Adaptive Reuse, Community Development

1. Location within distressed census tract
2. Age of structure
3. Elimination of slum and blight
4. Building or facility vacancy
5. Redevelopment supports local community development plan
6. Environmental or safety issues
7. Use of LEED/renewable resources
8. Building or site has historic designation
9. Site or structure has delinquent property or other local taxes
10. Project developer's return on investment
11. Ability to obtain conventional financing

Tourism

1. Market study (documenting demand and impact on existing tourism and businesses)
2. Regional wealth creation
3. Proximity to and/or support of regional tourism attractions/facilities
4. Support of local official(s), convention visitors bureau
5. Regional purchases, support of local vendors
6. Use of LEED/renewable resources
7. Generation of additional local revenues (such as room occupancy taxes)

Retail

1. Meets all requirements of General Municipal Law Section 862
2. Market study documenting need
3. Goods or services not readily available
4. Impact on existing businesses
5. Regional wealth creation
6. Location within highly distressed census tract
7. Elimination of slum and blight
8. Alignment with local planning and development efforts

Senior Housing/Affordable

1. Market study (documenting unmet need and impact on existing housing facilities)
2. Location within a highly distressed census tract
3. Alignment with local planning and development efforts
4. Local official(s) support
5. Located in areas that provide support for below median income seniors
6. Location promotes walkable community areas
7. Project developer's return on investment
8. Ability to obtain conventional financing
9. Provision of senior-specific amenities (community rooms, health services, etc.)
10. Income level of potential residents (at or below median income)

Affordable Housing

1. Market study (documenting unmet need and impact on existing housing facilities)
2. Location within a highly distressed census tract
3. Alignment with local planning and development efforts
4. Local official(s) support
5. Located in areas that provide support for below median income individuals
6. Location promotes walkable community areas
7. Project developer's return on investment
8. Ability to obtain conventional financing
9. Income level of potential residents (at or below median income)

Miscellaneous Projects

1. Location within a highly distressed census tract
2. Alignment with local planning and development efforts
3. Support from local official(s) and the community
4. Promotion of transit-oriented or walkable community areas

APPENDIX A

City of Syracuse Industrial Development Agency

Agency Fee Schedule

(Revised 1/15/19)

Bond and Straight Lease Transactions:

Application & Processing Fee\$1,000.00

Project Commitment/Legal Fee\$2,500.00

(Due with fully executed Application; Amount applied to SIDA's counsel fee)

Administrative Fee:

Issuance of Bonds1% Project Cost

(Without regard to principal amount of bonds issued.)

Straight Lease/Agency Appointment.....1% Project Cost

(Exemption from one or more mortgage recording, real property or sales and use taxes)

Refunding of Bonds.....1% of Project Cost

New Money/Additional Financing on Existing Project:

Refinancing of project where no additional Financial Assistance is sought (other than MRTE) – ¼ of new money financed (exclusive of original mortgage amount).

Refinancing of project where additional Financial Assistance is sought (in addition to MRTE) – 1% of new money financed.

Post-Closing Items for Bond and Straight Lease Transactions:

Annual Administrative Reporting Fee\$250.00
(Paid at time of closing and annually thereafter for duration of SIDA's interest in Project Facility)

Extension of sales tax exemption.....\$500.00

Modification or Amendment of Closing Documents*\$1,000.00

***including but not limited to refinancing of original mortgage**

Subsequent lender closing\$250.00

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by SIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to SIDA's attorneys, engineers, and consultants. SIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are nonrefundable. Applicants for bond transactions are responsible for payment of Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents. SIDA reserves the right to modify this schedule at any time and to assess fees and charges in connection with other transactions such as grants of easement or lease of SIDA-owned property.

APPENDIX B

CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY APPLICATION

CONFLICT OF INTEREST STATEMENT

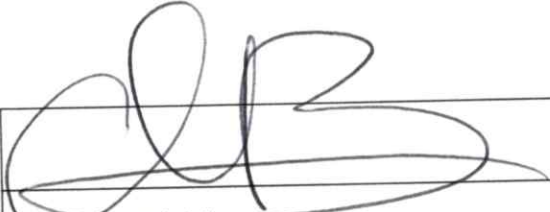
Agency Board Members

1. Kathleen Murphy
2. Steven P. Thompson
3. Rickey T. Brown
4. Kenneth J. Kinsey
5. Dirk Sonneborn

Agency Legal Counsel & Auditor

1. Bousquet Holstein, PLLC
2. Grossman St. Amour, PLLC.

The Applicant has received from the Agency a list of members, officers, and staff of the Agency. To the best of my knowledge, no member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

| | |
|----------------------------|--|
| | |
| Signature: |  |
| Authorized Representative: | Chris Brookshire |
| Title: | VP of Development |
| Date: | 6.6.23 |

APPENDIX C

Go to:

<https://www.dec.ny.gov/permits/6191.html>

to obtain the online EAF Mapper Application and EAF Forms.

APPENDIX B
Verification

STATE OF New York,
COUNTY OF Onondaga) SS.:

Chris Brookshire, deposes and says that s/he is the
(Name of Individual)

Dir. of Business Development of Northside Genesee Associates LLC
(Title) (Applicant Name)

that s/he is the CEO or a person authorized to bind the company/applicant, and has personally completed and read the foregoing Application and knows the contents thereof and that the same is true, accurate, and complete to the best of her/his knowledge, as subscribed and affirmed under the penalties of perjury. The grounds of deponent's beliefs relative to all matters in the said Application which are not stated upon her/his own personal knowledge are investigations which the deponent has caused to be made concerning the subject matter of the Application as well as, if applicable, information acquired by deponent in the course of her/his duties/responsibilities for the Applicant and from the books and papers of the Applicant. The deponent also acknowledges the receipt of the schedules attached to the Application, including but not limited to the Agency's fee schedule and assumes responsibility for payment of any and all applicable fees as described therein. Deponent further acknowledges review and understanding of the Agency's published policies, including but not limited to the Agency's Recapture Policy, and agrees on behalf of the Applicant to be bound by and comply with all such policies.

Applicant Representative's Signature

VP of Development

Title

DEBORAH M. LEO
Notary Public, State of New York
Qualified in Onondaga Co. No. 01LE4778188
Commission Expires January 31, 2027.

Subscribed and sworn to before me this

25th day of January, 2023

Deborah M Leo

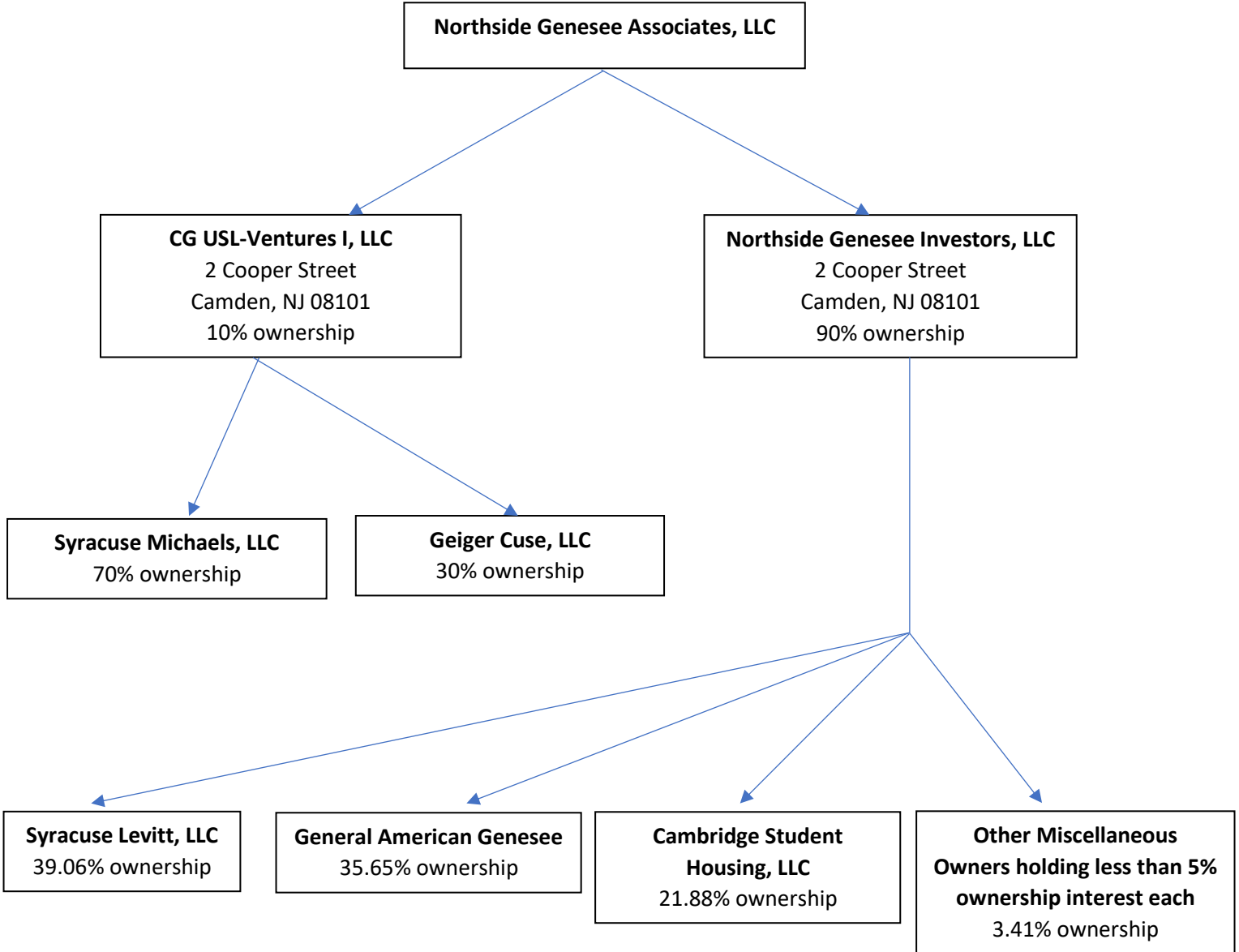
Notary Public

APPENDIX E

Highly Distressed Census Tracts



**Northside Genesee Associates LLC
SIDA Application
Attachment #1
List of Principal Owners**



Northside Genesee Associates LLC
SIDA Application
Attachment #2
Prior SIDA Projects

The following projects are projects in which Members of the Applicant have received SIDA Assistance in the past:

712-714 East Fayette Group, LLC

Address: 712 East Fayette Street
Benefits Received: Sales & Use Tax Exemption, Mortgage Recording Tax Exemption
Year: 2014

900 East Fayette Group, LLC

Address: 900 East Fayette Street
Benefits Received: Sales & Use Tax Exemption, Mortgage Recording Tax Exemption
Year: 2017

CG USL Ventures I, LLC

Address: 505 Walnut Avenue
Benefits Received: Sales & Use Tax Exemption, Mortgage Recording Tax Exemption, PILOT
Year: 2017

Northside Genesee Associates, LLC
 SIDA Application
 Attachment #3
 Parcels Included In Redevelopment
 All addresses, Syracuse, NY 13210

| Tax Map ID | Address | Total Assessment* | Lot Size | Square Footage | Accessory Structures | To be Demolished? |
|--------------|-------------------------|-------------------|-------------|----------------|----------------------|-------------------|
| 048.-09-14.0 | 1219-21 East Genesee St | \$ 215,000.00 | 78x99 | 4,560 | No | Yes |
| 048.-09-13.0 | 1225-27 East Genesee St | \$ 150,000.00 | 45x99 | 4,180 | No | Yes |
| 048.-09-12.0 | 1231 East Genesee St | \$ 100,000.00 | 42x99 | 2,482 | No | Yes |
| 048.-09-11.0 | 1237 East Genesee St | \$ 244,000.00 | 66x99 | 3,010 | No | Yes |
| 048.-09-10.0 | 1301 East Genesee St | \$ 875,000.00 | 99.69x260 | 31,194 | No | Yes |
| 048.-09-09.0 | 1311 East Genesee St | \$ 38,000.00 | 33.23x79.24 | 1,432 | No | Yes |
| 048.-09-08.0 | 1317 East Genesee St | \$ 80,000.00 | 40.46x77.6 | 2,704 | No | Yes |
| 048.-09-07.0 | 1323 East Genesee St | \$ 100,000.00 | 43x75.85 | 3,546 | No | Yes |
| 048.-09-06.0 | 316 Pine St** | \$ 30,000.00 | 50x83 | 1,085 | No | Yes |
| 048.-09-04.0 | 224 Ashworth Pl | \$ 56,000.00 | 49.5x100 | 1,068 | No | Yes |
| 048.-09-03.0 | 212-14 Ashworth Pl | \$ 53,200.00 | 66x99 | 2,232 | No | Yes |
| 048.-09-02.0 | 210 Ashworth Pl** | \$ 5,000.00 | 33x99 | Vacant Land | No | Yes |
| 048.-09-01.0 | 208 Ashworth Pl** | \$ 48,000.00 | 66x99 | 1,588 | Yes-Garage | Yes |
| | | \$ 1,994,200.00 | | | | |

*Assessed values represent 2023 tentative assessments.

**Properties under contract to purchase. Closings will occur after Project approved.

Northside Genesee Associates LLC
SIDA Application
Attachment #4
Description of Project

The applicant is proposing to construct a 286,080 sq. ft. footprint, 5 story mixed use development, with one (1) level of structured parking on the 1200-1300 block of East Genesee Street on approximately 1.3 acres (the “Project”). The proposed Project will consist of approximately 286 apartments. The Project has not yet received Planning Commission approval so the exact number of units are subject to adjustment. Notwithstanding the foregoing, it is currently anticipated that the Project will include 77 studio apartments, 70 one-bedroom apartments and 139 2-bedroom apartments.

In addition to the apartments, the Project will consist of small retail spaces (totaling approximately 1,000 square feet), amenity spaces, and underground parking for the Project. The underground parking garage will include approximately 143 parking spaces and is proposed to be accessed by way of Ashworth Place. Additionally, accommodations for Centro, Uber/Lyft, project deliveries and bicycles will be provided on or adjacent to the project site.

The Project is being developed as a mixed income project with 12% being workforce housing (80% AMI income qualified) and 88% at market rate. The project site includes thirteen (13) tax parcels (delineated on Attachment #3) which will need to be combined into one parcel (City of Syracuse Planning Commission resubdivision approval has not yet been received). The site currently consists of residential and apartment buildings that will be demolished for the construction of the new mixed-use building.

Due to the mixed income project, inflation on building materials and increase in financing costs, the applicant is seeking mortgage recording, sales tax and a PILOT per the standard UTEP for the development of the project. The site is located in the Neighborhood Revitalization Strategy Area (NRSA) an area specifically identified by the City as in need of residential projects. Based upon the foregoing, the Applicant is requesting a 15-year Priority Commercial & Residential PILOT pursuant to SIDA’s UTEP.

A RESOLUTION APPROVING A PROJECT SITE REVIEW
FOR DEMOLITION AND NEW CONSTRUCTION ON PROPERTIES SITUATED AT
206, 216, 218, AND 222 ASHWORTH PLACE AND 1219-1221, 1225-1227, 1231, 1237, 1301,
1311, 1317, AND 1323 EAST GENESEE STREET

We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 24th day of April, 2023, adopt the following resolution:

WHEREAS, the applicant, Northside Genesee Associates, LLC, is requesting a Project Site Review for demolition and new construction of a five-story apartment building with 286 dwelling units, 4,450 square feet of amenity space, and 150 off-street parking spaces on properties situated at 206, 216, 218, and 222 Ashworth Place and 1219-1221, 1225-1227, 1231, 1237, 1301, 1311, 1317, and 1323 East Genesee Street pursuant to Part B, Section I, Article 7, and Part C, Section I, Article 10 of the City of Syracuse Zoning Rules and Regulations, as amended; and

WHEREAS, the City Planning Commission held a Public Hearing on the request on April 24, 2023, at 6:00 p.m. in the Common Council Chambers, City Hall, Syracuse, New York, heard all those desiring to be heard, and duly recorded their testimony; and

WHEREAS, the City Planning Commission has studied the proposal and all submittals by the applicant and all interested parties; and

WHEREAS, the proposal involves the demolition of existing structures and the construction of a five-story, 286-unit apartment building on seventeen properties situated at 206 and 208, 210, 212 (aka 212-214), 216, 218, 222, and 224 Ashworth Place, 316 Pine Street, and 1219-1221, 1225-1227, 1231, 1237, 1301, 1311, 1317, and 1323 East Genesee Street and situated in Residential, Class B and Class C zoning districts;

- 206, 216, 218, and 222 Ashworth Place and 1219-1221, 1225-1227, 1231, 1237, 1301, 1311, 1317, and 1323 East Genesee Street lie within a Residential, Class B zoning district;
- 208, 210, 212 (aka 212-214), and 224 Ashworth Place and 316 Pine Street lie within a Residential, Class C zoning district; and

WHEREAS, due to the multiple properties and zoning districts involved with the project, the following companion applications are under review by the City Planning Commission:

- a Resubdivision (R-23-19) to combine the seventeen properties into one new Lot;
- a Project Site Review (PR-23-05) to review the overall design, as well as the density and parking requirements for that portion of the project situated within the Residential, Class B zoning district; and
- a Special Permit for an Apartment House (SP-23-08) to review the yard, lot coverage, height, density, and parking location requirements for that portion of the project situated within the Residential, Class C zoning district; and

WHEREAS, the City of Syracuse Board of Zoning Appeals is reviewing an Area Variance application (V-23-07) for the Residential, Class B front and side yard, and lot coverage requirements; and

- WHEREAS, the subject property is a proposed 78,826-square foot, irregular-shaped lot with 449.07 feet of frontage on East Genesee Street, 365.3 feet of frontage on Ashworth Place, and 125.85 feet of frontage on Pine Street; and
- WHEREAS, approximately 56,395 square feet of the proposed Lot lies within a Residential, Class B zoning district, and approximately 22,431 square feet of the proposed Lot lies within a Residential, Class C zoning district; and
- WHEREAS, neighboring properties to the north lie within Residential, Class C and Business, Class A zoning districts; neighboring properties to the south lie within Residential, Class B and Office, Class B zoning districts; adjacent and neighboring properties to the east lie within Residential, Class C, Residential, Class B, and Planned Development District zoning districts; adjacent and neighboring properties to the west lie within Residential, Class B, Residential, Class C, and Business, Class A zoning districts; and
- WHEREAS, land use in the area consists primarily of residential and office uses; and
- WHEREAS, the “Syracuse Land Use and Development Plan” designates the character of this site, which lies in the Eastside neighborhood, as Urban Neighborhood along Ashworth Place and Adapted Mansion Corridor along East Genesee Street; and
- WHEREAS, the applicant submitted a layout plan (Sheet C 101) dated April 11, 2023, which illustrates a proposed, five-story apartment building with first and fifth floor terraces, a surface parking lot with seven parking spaces and a 22-foot wide driveway on Pine Street, a 40-foot wide driveway (as measured at the street right-of-way pursuant to Part C, Section III, Article 2 of the City of Syracuse Zoning Rules and Regulations, as amended) on Ashworth Place which widens to 45 feet to provide access to a utility room overhead door and a trash room overhead door, a second, 12-foot wide driveway on Ashworth Place to provide access to a second trash room overhead door, and a proposed concrete patio that encroaches into the East Genesee Street right-of-way; and
- WHEREAS, the layout plan illustrates a 10-foot wide sidewalk in front of the Ashworth Place façade of the building that does not connect with a five-foot wide sidewalk along Ashworth Place; and
- WHEREAS, the layout plan illustrates a transformer pad with solid stockade fencing set back five feet from the Ashworth Place street line; and
- WHEREAS, the layout plan illustrates the proposed apartment building with a two-foot setback from the East Genesee Street street line, a 3.2-foot setback from the Ashworth Place street line, and a 12.4-foot setback from the Pine Street street line; the layout plan illustrates side yard setbacks of 9.2 feet, 8 feet, and 11.6 feet; and
- WHEREAS, the applicant submitted exterior elevation renderings (Sheets 03 and 04), dated April 12, 2023, which illustrate the proposed apartment building with five stories and an overall height of approximately 60 feet facing East Genesee Street and five floors and an overall height of approximately 63 feet facing Ashworth Place; and

- WHEREAS, the elevation renderings illustrate proposed finishing materials consisting of brick, fiber cement panels, fiber cement lap siding, and clear anodized curtain walls; and
- WHEREAS, the applicant submitted floor plans (Sheet 01) dated April 12, 2023, which illustrate a basement-level parking garage with 143 off-street parking spaces, and a total of 286 dwelling units consisting of 87 studio apartments, 60 one-bedroom apartments, and 139 two bedroom apartments; and
- WHEREAS, the Level 1 floor plan illustrates approximately 4,450 square feet of amenity space; and
- WHEREAS, the floor plans illustrate a total of 203 dwelling units and 129 parking spaces within the RB-zoned portions of the site; and
- WHEREAS, the proposal deviates from Part B, Section I, Article 7, paragraph 7 of the City of Syracuse Zoning Rules and Regulations, as amended, in that no multiple-family dwelling shall be erected, altered or used which does not provide a lot area of at least one thousand square feet for each family or dwelling unit. The floor plans illustrate 203 dwelling units within the RB-zoned portions of the project. As such, the proposal requires a lot area at least 203,000 square feet. The proposed Lot has only 56,395 square feet of RB-zoned area; and
- WHEREAS, the proposal deviates from Part B, Section I, Article 7, paragraph 9 of the City of Syracuse Zoning Rules and Regulations, as amended, in that one parking space shall be provided for each dwelling unit. Approximately 203 dwelling units are situated within or substantially within the Residential, Class B-zoned portions of the site, thus requiring 203 off-street parking spaces. The applicant is proposing a total of 150 off-street parking spaces, of which 83 must be designated for the Residential, Class C-zoned portions of the site, thus leaving only 67 off-street parking spaces for the 203 dwelling units; and
- WHEREAS, pursuant to Part C, Section I, Article 10, paragraph VII of the City of Syracuse Zoning Rules and Regulations, as amended, the City Planning Commission shall have the authority to grant waivers of area, number, or design requirements for properties subject to the Project Site Review regulations; and
- WHEREAS, in approving any waiver, the Commission must find that practical difficulties would occur with respect to the economic and functional utilization of the property under consideration and that reasonable alternatives otherwise permitted do not exist; practical difficulties affecting the property under consideration must be weighed against the impact the waiver would have on the character of the surrounding area; and
- WHEREAS, the proposal deviates from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the front yard, side yard, structural coverage, density, building height, and parking number and location regulations, necessitating five variances under consideration by the BZA (V-23-07) and eight waivers under consideration by the Planning Commission; two for density and parking

requirements under the subject Project Site Review (PR-23-05) and six for front and side yard, structural coverage, density, building height, and parking location requirements under the companion Special Permit review (SP-23-08); and

WHEREAS, the proposal necessitates two waivers from Part B, Section I, Article 7 of the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the Residential, Class B density requirements and off-street parking requirements; and

WHEREAS, the proposal was submitted to the City of Syracuse Departments of Engineering and Public Works, and the Division of City Planning for review; and

WHEREAS, pursuant to Article 8 of the State Environmental Conservation Law, as amended and the regulations promulgated thereunder (collectively "SEQRA"), the Commission is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Commission and the consideration of the application constitutes such an action; and

WHEREAS, the Commission reviewed the application and the Environmental Assessment Form dated February 14, 2023 ("EAF") prepared by the applicant, and determined that the proposed action described therein constituted a "Type I" action (as said quoted terms is defined in SEQRA); and

WHEREAS, the Commission declares itself "Lead Agency" (as said quoted term is defined in SEQRA) with respect to an uncoordinated review pursuant to SEQRA, and finds that approval of the Application as set forth herein will not have a significant effect on the environment, and the Commission hereby issues a negative declaration pursuant to SEQRA, a copy of which is attached hereto as Exhibit "A", which shall be filed in the office of the Commission.

NOW THEREFORE BE IT RESOLVED that We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 24th day of April, 2023, APPROVE the request of Northside Genesee Associates, LLC for a Project Site Review for demolition and new construction of a five-story apartment building with 286 dwelling units, 4,450 square feet of amenity space, and 150 off-street parking spaces on properties situated at 206, 216, 218, and 222 Ashworth Place and 1219-1221, 1225-1227, 1231, 1237, 1301, 1311, 1317, and 1323 East Genesee Street pursuant to Part B, Section I, Article 7, and Part C, Section I, Article 10 of the City of Syracuse Zoning Rules and Regulations, as amended;

BE IT FURTHER RESOLVED that said application be approved subject to compliance with the following conditions:

1. The subject premises shall be used, operated and maintained in a neat and orderly condition at all times; all outside storage of junk, bottles, cartons, boxes, debris and the like shall be restricted to appropriately screened enclosures not visible to the general public;
2. All construction, improvements and additions relating to this proposal, including those activities required in order to comply with the conditions of this approval, shall be completed by the applicant or its agents within twelve (12) months of the date of approval of this

resolution by the City of Syracuse or this approval will be considered null and void; administrative extensions to this requirement for up to one year may be obtained from the Zoning Administrator at any time within the first twelve (12) months, after which, any and all extensions require approval from the City Planning Commission;

3. Improvements to the subject property and its use shall be substantially in accordance with the submitted plans on file in the City of Syracuse Office of Zoning Administration entitled:

- Layout Plan (Sheet C-101) Proposed Development, 1301 E. Genesee Street; prepared by: CHA; dated: 4/11/2023; scaled: as shown;
- Syracuse Housing Concept Plan (Sheet 00); prepared by: Passero Associates; dated: April 12, 2023; no scale;
- Syracuse Housing Area Plans (Sheet 01); prepared by: Passero Associates; dated: April 12, 2023; scaled: as shown;
- Syracuse Housing Elevations (Sheets 03 and 04); prepared by: Passero Associates; dated: April 12, 2023; scaled: as shown;

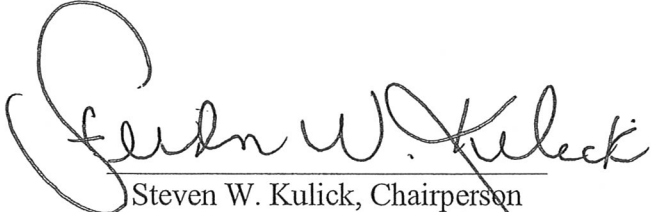
4. No signage was approved as part of this application; proposed signage must be submitted to the City of Syracuse Office of Zoning Administration for review and approval;

5. Any exterior lighting of the subject proposal shall be designed, located and maintained so as to prevent any direct rays of light from shining beyond the boundaries of the subject property;

BE IT FURTHER RESOLVED that this Commission GRANTS the requested waivers from Part B, Section I, Article 7 of the City of Syracuse Zoning Rules and Regulations, as amended, as they pertain to the Residential, Class B density requirements and off-street parking requirements as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that approval of this resolution does not relieve the applicant from compliance with any other regulatory or licensing provisions applicable thereto by the properly constituted Federal, State, County or City authorities to include, but not limited to the City of Syracuse Departments of Engineering and Public Works, and the Division of Code Enforcement;

BE IT FURTHER RESOLVED that if the conditions enumerated above are not complied with, this approval shall be subject to revocation.


Steven W. Kulick, Chairperson
City Planning Commission

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

| | | |
|--|-------------------------|------------------------------------|
| Name of Action or Project: Proposed Apartment Project | | |
| Project Location (describe, and attach a general location map): 1200 & 1300 Block of E Genesee Street, City of Syracuse | | |
| Brief Description of Proposed Action (include purpose or need): The proposed project includes the demolition of existing multifamily residences to construct a new 5 story apartment building with an enclosed parking garage and various amenity spaces for the residents. An access driveway for the parking garage will be located on Ashworth Place, along with a service/maintenance driveway along Pine Street. The project will include a mix of studio, 1-bedroom, and 2-bedrooms apartment units. Numerous existing curb cuts will be removed along E. Genesee Street to reconstruct a pedestrian friendly streetscape, including new concrete sidewalks, landscaping, and street trees. Other site improvements will include a stormwater management system to reduce to overall impact of heavy rain events on the City's existing infrastructure, along with new utility connections for the proposed building. | | |
| Name of Applicant/Sponsor: Northside Genesee Associates, LLC | Telephone: | E-Mail: |
| Address: PO Box 90708 | | |
| City/PO: Camden | State: NJ | Zip Code: 08101 |
| Project Contact (if not same as sponsor; give name and title/role): CHA Consulting (c/o Brian Bouchard) | Telephone: 315-228-0036 | E-Mail: BBouchard@chacompanies.com |
| Address: 300 S. State Street Suite 600 | | |
| City/PO: Syracuse | State: NY | Zip Code: 13202 |
| Property Owner (if not same as sponsor): | Telephone: | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

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

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|--|--|--|
| a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | City of Syracuse Common Council (Sewer mitigation improvements require approval) | February 2023 |
| b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | City of Syracuse Planning Commission (Site Plan & Resubdivision Application) | January 2023 |
| c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | City of Syr. Zoning Board of Appeals (Area Var.) | January 2023 |
| d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | SIDA | January 2023 |
| e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | NYSDEC (DEC Stormwater permit) | February 2023 |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |

C. Planning and Zoning

C.1. Planning and zoning actions.

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

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

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

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Residential District, Class B (RB) & Residential District, Class C (RC)
- b. Is the use permitted or allowed by a special or conditional use permit? Yes No
- c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? City of Syracuse School District
- b. What police or other public protection forces serve the project site?
City of Syracuse Police Department
- c. Which fire protection and emergency medical services serve the project site?
City of Syracuse Fire Department
- d. What parks serve the project site?
Ormand Spencer Park/Thorden Park

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential Apartments
- b. a. Total acreage of the site of the proposed action? _____ 1.8 acres
b. Total acreage to be physically disturbed? _____ 1.8 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.8 acres
- c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____
- d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Combination of existing lots to create a single lot for the project
ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? 1
iv. Minimum and maximum proposed lot sizes? Minimum 1.8 acres +/- Maximum --
- e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ 16 months
ii. If Yes:
 - Total number of phases anticipated _____
 - Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 - Anticipated completion date of final phase _____ month _____ year
 - Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
|--------------------------------|-------------------|-------------------|---------------------|---------------------------------------|
| Initial Phase | _____ | _____ | _____ | 286 |
| At completion of all phases | _____ | _____ | _____ | 286 |

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

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

If Yes, describe: _____

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

If Yes:

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

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

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 46,750 gallons/day

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

If Yes:

- Name of district or service area: City of Syracuse Water District
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

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

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

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

If Yes:

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

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

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

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

If Yes:

i. Total anticipated liquid waste generation per day: _____ 46,750 gallons/day

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

Residential sanitary sewer waste

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

If Yes:

- Name of wastewater treatment plant to be used: Metropolitan Syracuse Wastewater Treatment Plant
- Name of district: City of Syracuse
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

Do existing sewer lines serve the project site?
 Will a line extension within an existing district be necessary to serve the project?
 If Yes:

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

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 1.4 acres (impervious surface)
 _____ Square feet or 1.8 acres (parcel size)
- ii. Describe types of new point sources. Stormwater runoff to city storm sewer, release will be controlled per DEC and City of Syracuse regulations
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
Existing City of Syracuse storm sewer
- If to surface waters, identify receiving water bodies or wetlands: _____
 - Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

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

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

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

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

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

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

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

If Yes:

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

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

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

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

| | |
|--|---|
| <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7am-5pm _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24hrs (residential) _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ |
|--|---|

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
Typical construction noise excavators, dump trucks, fork lifts during normal construction hours 7am-5pm

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

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Building mounted lighting for security, all will be dark sky complaint and compliant with City of Syracuse rules and regulations

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

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

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

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

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

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

 • Operation: _____

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

 • Operation: _____

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

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

b. Land uses and covertypes on the project site.

| Land use or Covertypes | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 1.5 | 1.5 | 0 |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 0.3 | 0.3 | 0 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ _____ | | | |

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

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
Ronald McDonald House of Charities, Planned Parenthood of Central and Western NY, Muslim Student Life of Syracuse University

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

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

iii. Describe any development constraints due to the prior solid waste activities: _____

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

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

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): C734155, B00075
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
C734155 Active Brownfield clean up approximately 1400' from the site, B00075 Active Remediation Site approximately 1600' from the site

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >10 feet

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

c. Predominant soil type(s) present on project site: Urban Land _____ 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ >10 feet

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

f. Approximate proportion of proposed action site with slopes: 0-10%: 95 % of site
 10-15%: _____ % of site
 15% or greater: 5 % of site

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

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

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

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

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

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

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

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

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

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

| | |
|---|--|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Squirrels _____</p> <p>_____</p> | <p>_____</p> <p>_____</p> <p>_____</p> |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p> | |

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

F. Additional Information

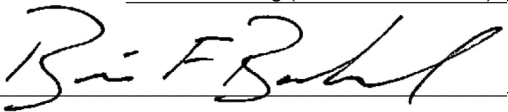
Attach any additional information which may be needed to clarify your project.

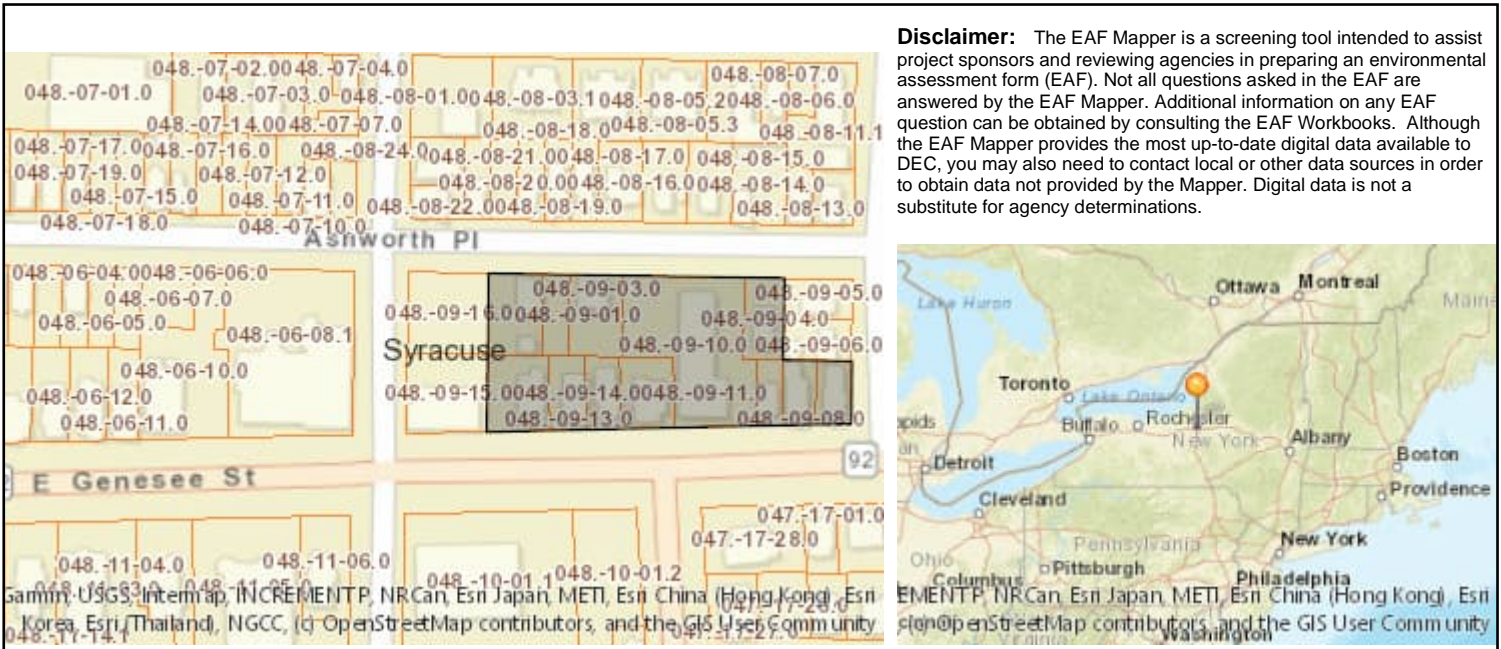
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name CHA Consulting (C/O Brian Bouchard) Date 2/14/2023

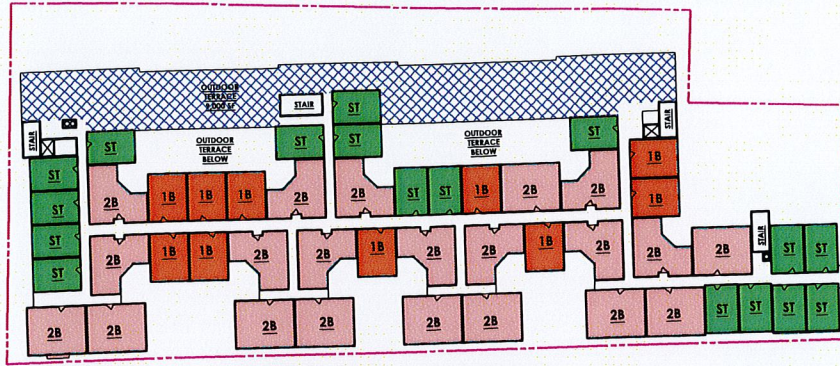
Signature  Title Section Manager



| | |
|--|--|
| B.i.i [Coastal or Waterfront Area] | No |
| B.i.ii [Local Waterfront Revitalization Area] | No |
| C.2.b. [Special Planning District] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | Yes |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID] | C734155, B00075 |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | No |
| E.2.h.ii [Surface Water Features] | No |
| E.2.h.iii [Surface Water Features] | No |
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | No |
| E.2.n. [Natural Communities] | No |
| E.2.o. [Endangered or Threatened Species] | No |

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





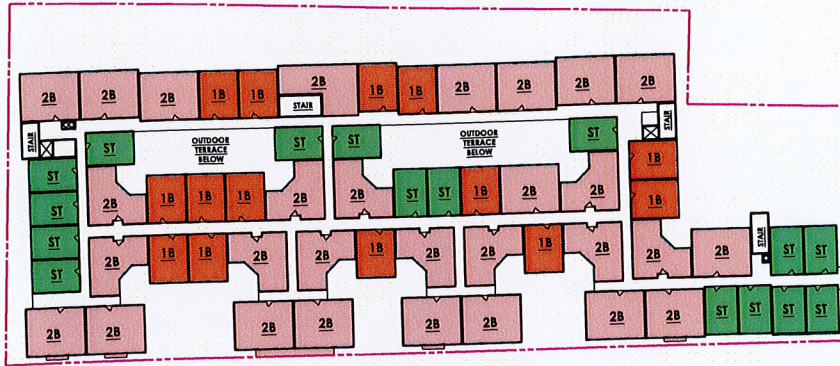
LEVEL 5 - RES. - 37,227 GSF

(17) STUDIO UNITS (17) BEDS
 (10) 1 BED UNITS (10) BEDS
 (21) 2 BED UNITS (42) BEDS
 (48) TOTAL UNITS (69) TOTAL BEDS



LEVEL 2 - RES. - 47,473 GSF

(16) STUDIO UNITS (16) BEDS
 (14) 1 BED UNITS (14) BEDS
 (29) 2 BED UNITS (58) BEDS
 (59) TOTAL UNITS (88) TOTAL BEDS



LEVEL 4 - RES. - 47,473 GSF

(16) STUDIO UNITS (16) BEDS
 (14) 1 BED UNITS (14) BEDS
 (29) 2 BED UNITS (58) BEDS
 (59) TOTAL UNITS (88) TOTAL BEDS



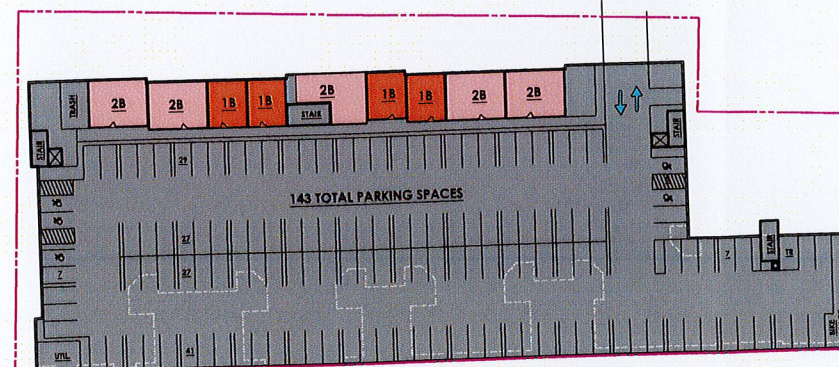
LEVEL 1 - RES. - 47,452 GSF

(12) STUDIO UNITS (12) BEDS
 (14) 1 BED UNITS (14) BEDS
 (26) 2 BED UNITS (52) BEDS
 (52) TOTAL UNITS (78) TOTAL BEDS



LEVEL 3 - RES. - 47,473 GSF

(16) STUDIO UNITS (16) BEDS
 (14) 1 BED UNITS (14) BEDS
 (29) 2 BED UNITS (58) BEDS
 (59) TOTAL UNITS (88) TOTAL BEDS

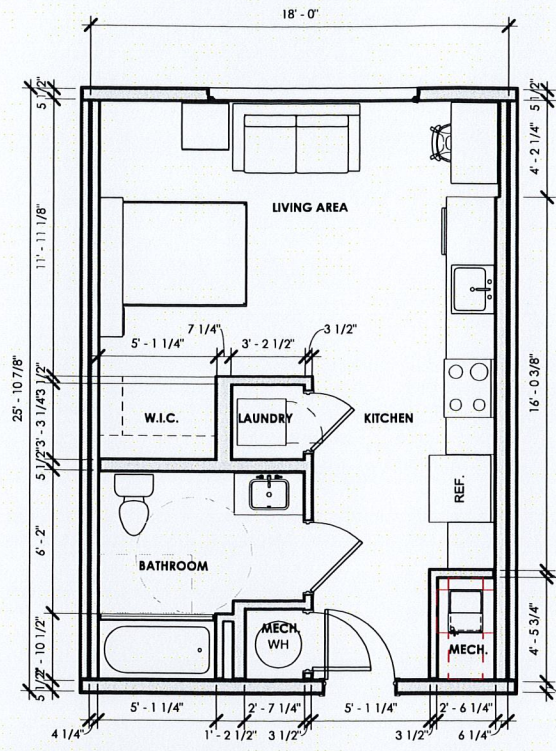


BASEMENT - PARKING - 59,772 GSF

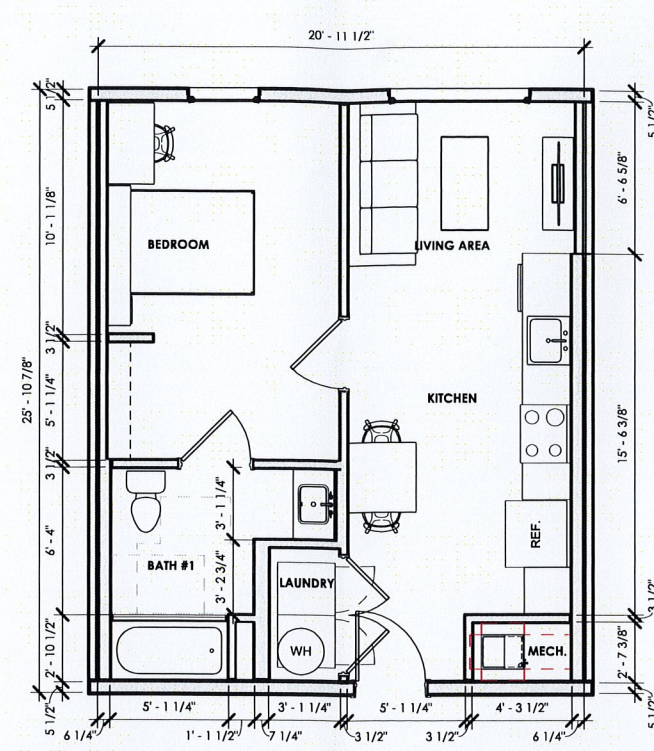
(143) PARKING SPACES
 (4) 1 BED UNITS (4) BEDS
 (5) 2 BED UNITS (10) BEDS
 (9) TOTAL UNITS (14) TOTAL BEDS

**BASEMENT - 59,772 GSF
 LEVEL 1-5 - 227,098 GSF**

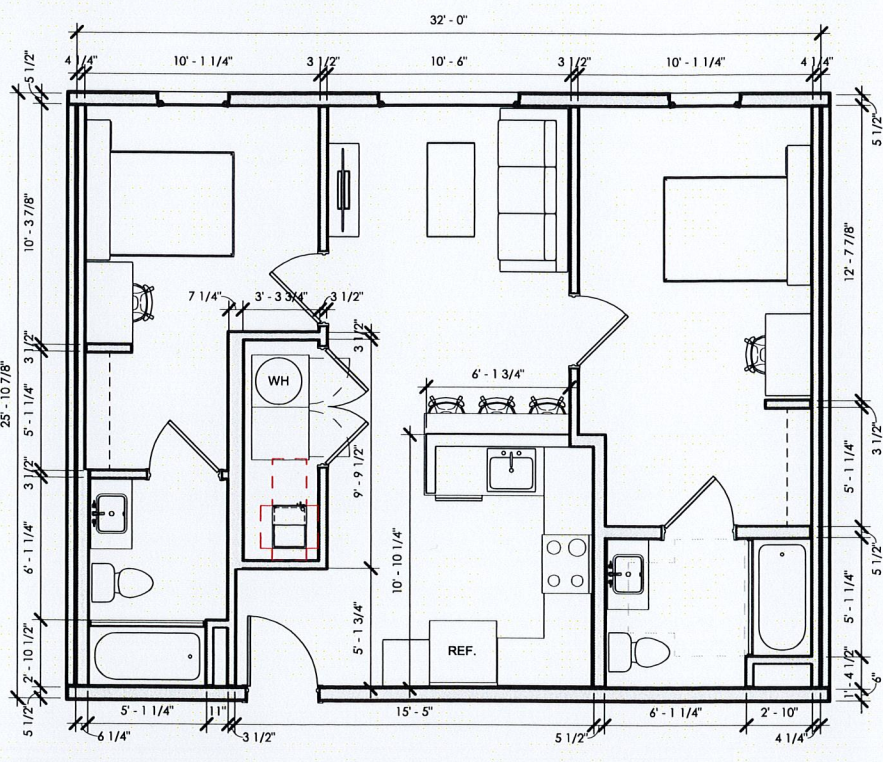
UNIT MIX
 (77) STUDIO UNITS (77) BEDS
 (70) 1 BED UNITS (70) BEDS
 (139) 2 BED UNITS (278) BEDS
 (286) TOTAL UNITS (425) TOTAL BEDS



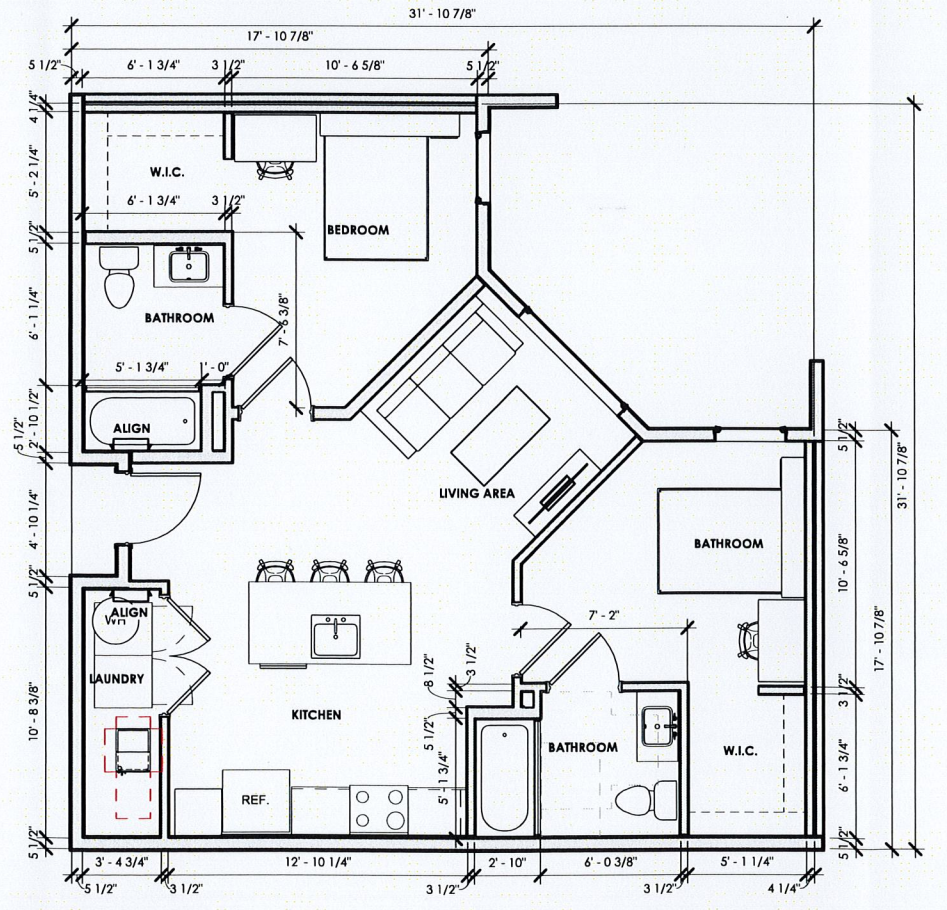
1 S1 - UNIT PLAN 453 S.F.
 0' 1' 2' 4' 8'
 1/4" = 1'-0"



2 A1 - UNIT PLAN 527 S.F.
 0' 1' 2' 4' 8'
 1/4" = 1'-0"



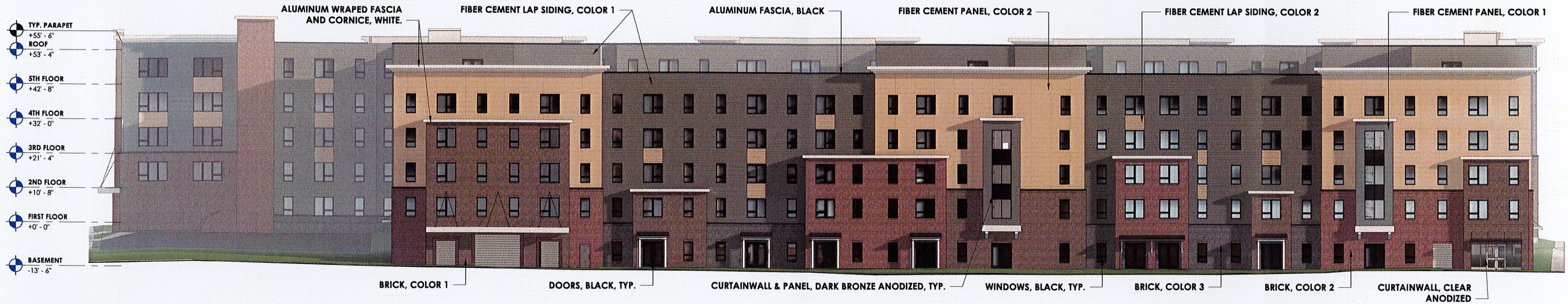
3 B1 - UNIT PLAN 805 S.F.
 0' 1' 2' 4' 8'
 1/4" = 1'-0"



4 B2 - UNIT PLAN 810 S.F.
 0' 1' 2' 4' 8'
 1/4" = 1'-0"



1 SOUTH ELEVATION

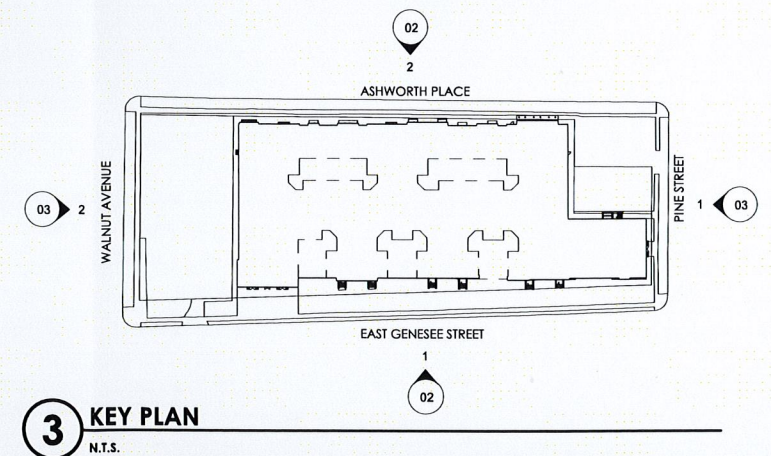


2 NORTH ELEVATION

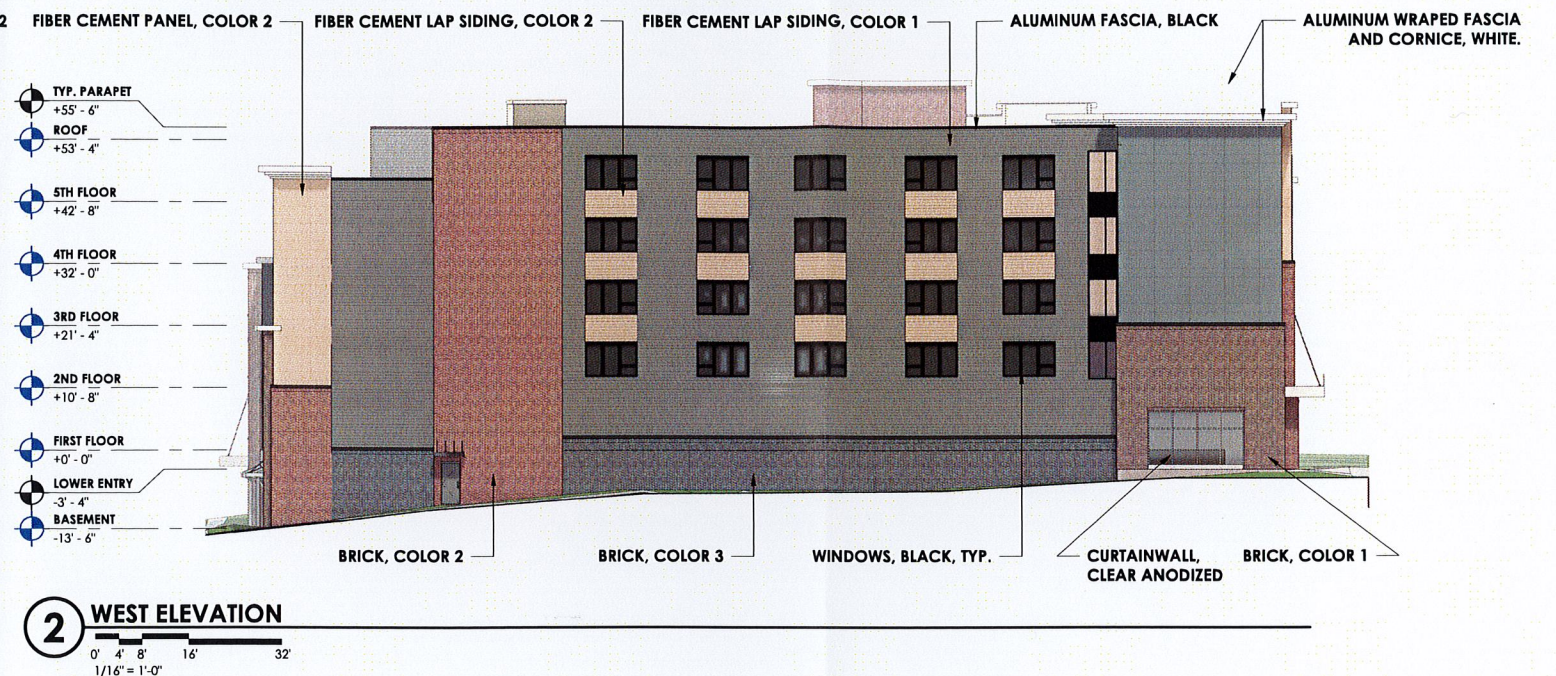
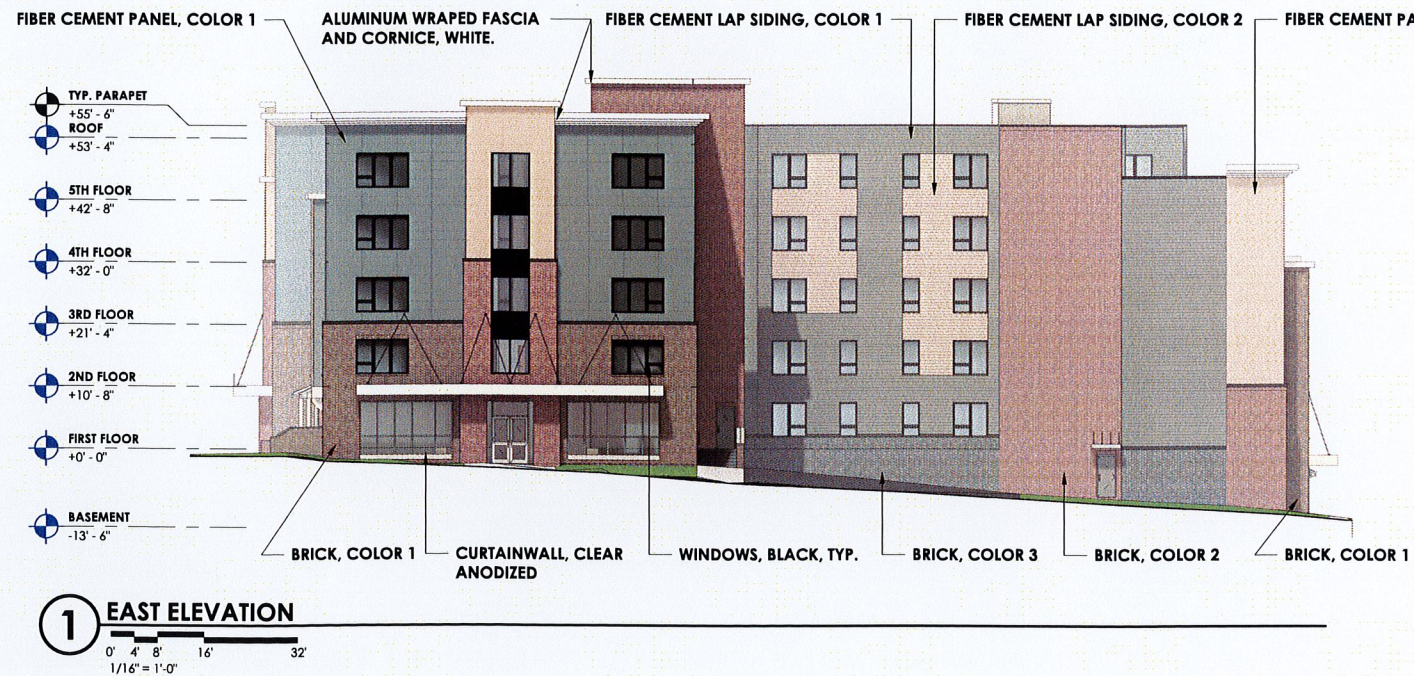
MATERIALS LEGEND

- FIBER CEMENT PANEL, COLOR 1: NICHIIHA, SMOOTH PANEL - WEB GRAY
- FIBER CEMENT PANEL, COLOR 2: NICHIIHA, SMOOTH PANEL - CUSTOM COLOR (GOLDEN BLUFF)
- FIBER CEMENT LAP SIDING, COLOR 1: NICHIIHA, SMOOTH PLANK - WEB GRAY
- FIBER CEMENT LAP SIDING, COLOR 2: NICHIIHA, SMOOTH PLANK - CUSTOM COLOR (GOLDEN BLUFF)
- BRICK, COLOR 1: ENDICOTT BRICK, FACE BRICK - EXECUTIVE IRONSPOT
- BRICK, COLOR 2: ENDICOTT BRICK, FACE BRICK - MEDIUM IRONSPOT #77
- BRICK, COLOR 3: ENDICOTT BRICK, FACE BRICK - MANGANESE IRONSPOT

NOTE: MATERIALS LISTED ABOVE ARE THE BASIS OF DESIGN. PRODUCTS ARE SUBJECT TO AVAILABILITY, OR EQUALS WILL BE CONSIDERED PRIOR TO INSTALLATION.



3 KEY PLAN
N.T.S.



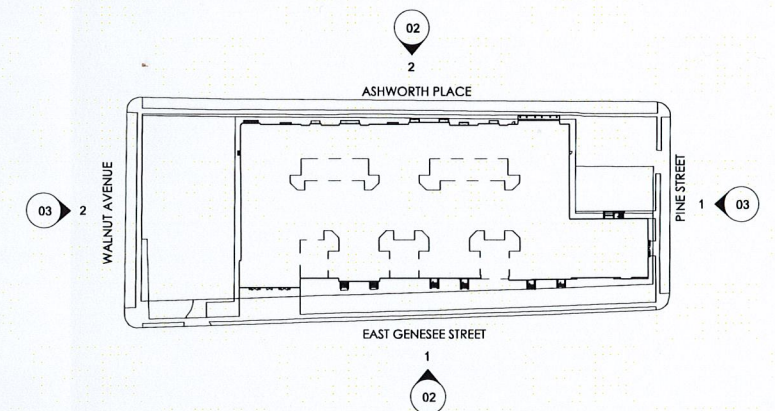
MATERIALS LEGEND

FIBER CEMENT PANEL, COLOR 1: NICHIIHA, SMOOTH PANEL - WEB GRAY
 FIBER CEMENT PANEL, COLOR 2: NICHIIHA, SMOOTH PANEL - CUSTOM COLOR (GOLDEN BLUFF)

FIBER CEMENT LAP SIDING, COLOR 1: NICHIIHA, SMOOTH PLANK - WEB GRAY
 FIBER CEMENT LAP SIDING, COLOR 2: NICHIIHA, SMOOTH PLANK - CUSTOM COLOR (GOLDEN BLUFF)

BRICK, COLOR 1: ENDICOTT BRICK, FACE BRICK - EXECUTIVE IRONSPOT
 BRICK, COLOR 2: ENDICOTT BRICK, FACE BRICK - MEDIUM IRONSPOT #77
 BRICK, COLOR 3: ENDICOTT BRICK, FACE BRICK - MANGANESE IRONSPOT

NOTE: MATERIALS LISTED ABOVE ARE THE BASIS OF DESIGN. PRODUCTS ARE SUBJECT TO AVAILABILITY, OR EQUALS WILL BE CONSIDERED PRIOR TO INSTALLATION.



3 KEY PLAN
 N.T.S.

ZONING REGULATIONS FOR DEVELOPMENT

ZONING: RESIDENTIAL, CLASS B (RB) & RESIDENTIAL, CLASS C (RC)

| EXISTING LOT INFORMATION: | TAX MAP | PARCEL SIZE | ZONING |
|-----------------------------------|-------------|--------------|---------|
| 208 ASHWORTH PLACE | 048-09-01.0 | 0.15 ± ACRES | RB & RC |
| 210 ASHWORTH PLACE | 048-09-02.0 | 0.08 ± ACRES | RC |
| 212-14 ASHWORTH PLACE | 048-09-03.0 | 0.15 ± ACRES | RC |
| 224 ASHWORTH PLACE | 048-09-04.0 | 0.11 ± ACRES | RC |
| 316 PINE STREET | 048-09-06.0 | 0.10 ± ACRES | RC |
| 1219-21 GENESEE STREET | 048-09-14.0 | 0.18 ± ACRES | RB |
| 1225-27 GENESEE STREET | 048-09-13.0 | 0.10 ± ACRES | RB |
| 1231 GENESEE STREET | 048-09-12.0 | 0.10 ± ACRES | RB |
| 1237 GENESEE STREET | 048-09-11.0 | 0.15 ± ACRES | RB |
| 1301 GENESEE STREET E TO ASHWORTH | 048-09-10.0 | 0.60 ± ACRES | RB |
| 1311 GENESEE STREET | 048-09-09.0 | 0.06 ± ACRES | RB |
| 1317 GENESEE STREET | 048-09-08.0 | 0.07 ± ACRES | RB |
| 1323 GENESEE STREET & PINE ST | 048-09-07.0 | 0.07 ± ACRES | RB |

TOTAL LOT AREA = 78,826 SF

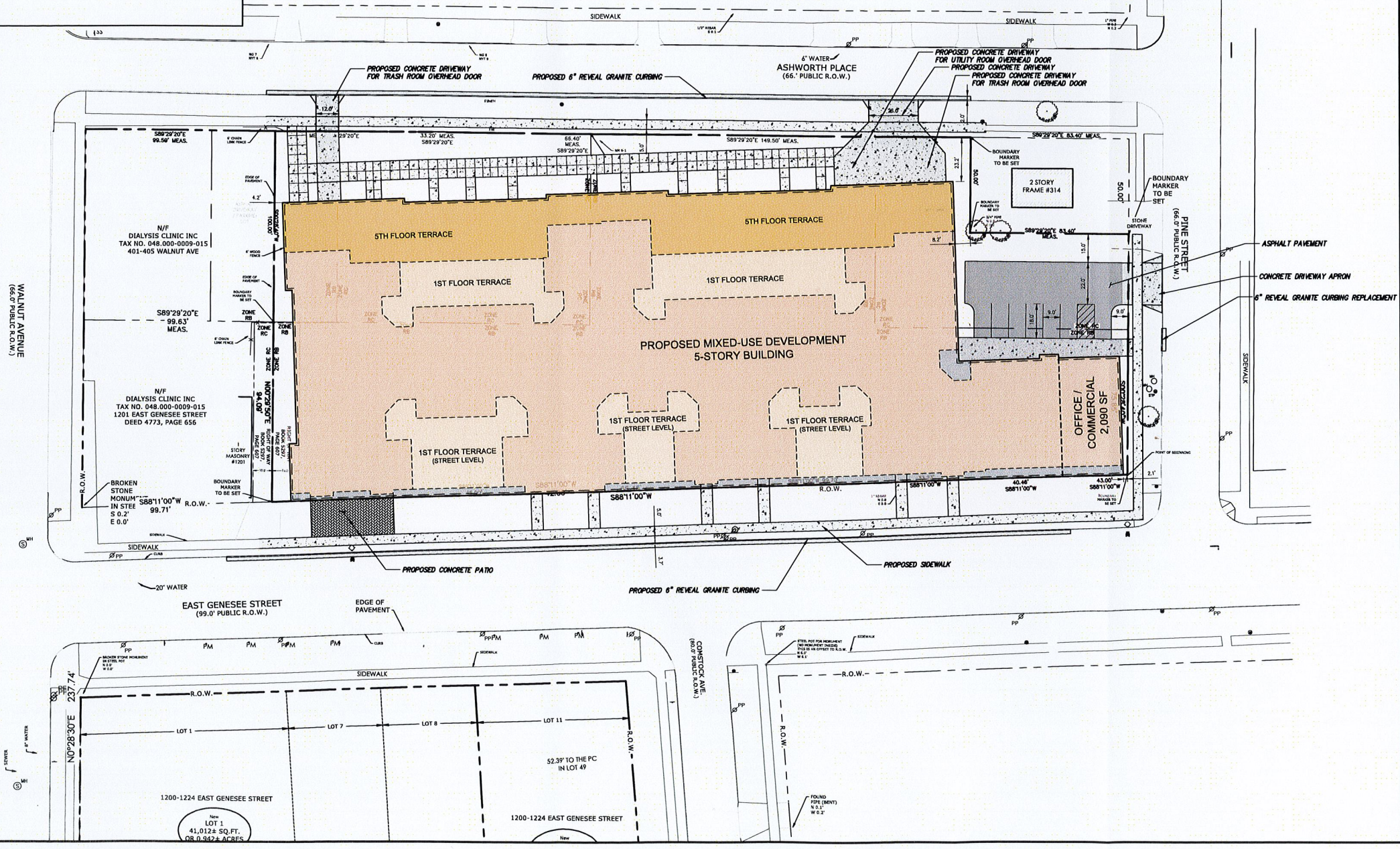
| LOT COVERAGE (MAX.) | RB | RC | PROPOSED | REZONE SYRACUSE (MX-2) |
|------------------------|-----|-----|----------|----------------------------|
| STRUCTURAL (59,772 SF) | 40% | 25% | 76%* | 90% IMPERVIOUS (MIXED-USE) |
| PARKING (3,300 SF) | 40% | 40% | 4% | — |

| DENSITY (MAX.) | RB | RC | PROPOSED | REZONE SYRACUSE (MX-2) |
|------------------------|--------------|--------------|--------------|------------------------|
| APARTMENTS (286 UNITS) | 1000 SF/UNIT | 2500 SF/UNIT | 275 SF/UNIT* | NO MAX. DENSITY (MX-2) |

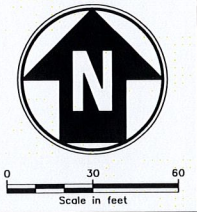
| MINIMUM YARDS: | RB | RC | PROPOSED | REZONE SYRACUSE (MX-2) |
|--|-----|-----|----------|------------------------|
| FRONT YARD: (GENESEE STREET) | 10' | 30' | 0" | 0' |
| FRONT YARD: (ASHWORTH PLACE) | 10' | 30' | 23" | 0' |
| FRONT YARD: (PINE STREET) | 10' | 30' | 2" | 0' |
| SIDE YARD: (EAST = 4FT + 2FT X 3 FLOORS) | 10' | 20' | 8" | 0' |
| SIDE YARD: (WEST = 4FT + 2FT X 3 FLOORS) | 10' | 20' | 4" | 0' |

| PARKING | RB | RC | PROPOSED | REZONE SYRACUSE (MX-2) |
|--------------------------------|------------|------------|------------|----------------------------|
| PARKING SPACE SIZE: | 8.5' X 18' | 8.5' X 18' | 8.5' X 18' | 8.5' X 18' |
| REQUIRED PARKING | | | | |
| RESIDENTIAL | | | | |
| -1 SP. PER UNIT (286 UNITS) = | 286 SP. | 286 SP. | 143 SP.* | 0.5 SP. PER UNIT = 143 SP. |
| OFFICE / COMMERCIAL | | | | |
| -1 SP. PER 300 SF (2,090 SF) = | — | 7 SP. | 7 SP. | 7 SP. |

* DENOTES WAIVER REQUIRED



NORTSIDE GENESEE ASSOCIATES, LLC
 P.O. BOX 90708
 CAMDEN, NJ 08101



IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR SURVEYOR, TO REPRODUCE OR TRANSMIT THIS DRAWING OR ANY PART THEREOF WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER. THE DESIGNER SHALL STAMP THE DOCUMENT AND INCLUDE THE NECESSARY NOTES BY FOLLOWING THE RULES, REGULATIONS, AND DATE OF SUCH A REGULATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

PROPOSED DEVELOPMENT
 1301 E. GENESEE STREET
 SYRACUSE, NY 13210

| No. | Submittal / Revision | App'd | By | Date |
|-----|----------------------|-------|----|------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

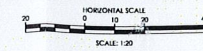
LAYOUT PLAN

| | | |
|--------------|-------------|-------------|
| Designed By: | Drawn By: | Checked By: |
| BGH | BGH | BFB |
| Issue Date: | Project No: | Scale: |
| 1/23/2023 | 079610 | AS SHOWN |

Drawing No.:
C-101

File: V:\PROJECTS\ANY\61079610\000\DESIGN\DRAWINGS\01_SHEETS\079610-C-100_LAYOUT.DWG
 Saved: 1/23/2023 3:37:05 PM Plotted: 1/23/2023 3:38:35 PM Current User: Baughard, Brian LastSavedBy: 3191

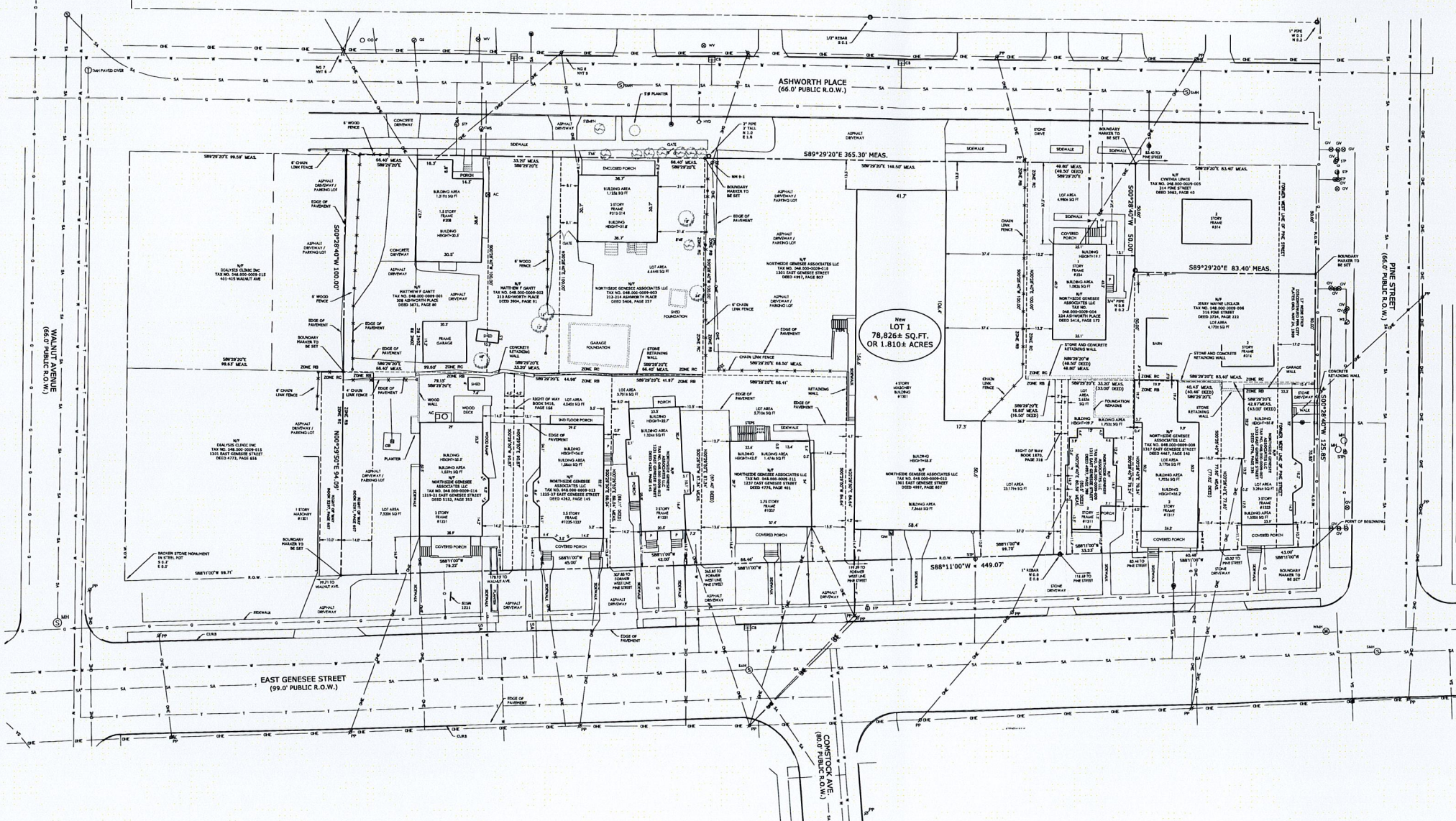
| ZONING ANALYSIS (R8 - RESIDENTIAL DISTRICT, CLASS B) | REQUIRED |
|--|---------------------------------|
| REQUIRED FRONTAGE | N/A |
| BUILDING SEPARATION | N/A |
| MAXIMUM BUILDING HEIGHT | N/A |
| MINIMUM FRONT YARD SETBACK | 10' |
| MINIMUM SIDE YARD SETBACK | 5' |
| REAR YARD SETBACK | 20.25' |
| MAX BUILDING COVERAGE | 40% |
| OPEN AREA REQUIREMENT (GREEN SPACE) | ONE OPEN AND UNSEED |
| MINIMUM PAVING STALLS | 1 PAVING SPOT PER UNIT |
| MINIMUM STALL SIZE | 7' x 10' |
| DENSITY | 1,000 SF PER UNIT 110,000 SF |



Passero Associates
Rochester, NY • Fernandina Beach, FL
www.passero.com

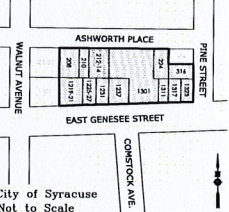
THIS MAP IS THE PROPERTY OF PASSERO ASSOCIATES, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND PARCEL IDENTIFIED HEREON. ANY REUSE OR REPRODUCTION OF THIS MAP WITHOUT THE WRITTEN PERMISSION OF PASSERO ASSOCIATES, LLC IS STRICTLY PROHIBITED.

| LEGEND | |
|--------|--------------------------|
| ■ | City/Block |
| ○ | Closeout |
| ○ | City Valve |
| ○ | Hydrant |
| ○ | Lightpole |
| ○ | Manhole (Standard Type) |
| ○ | Manhole (Electric) |
| ○ | Manhole (Storm Drainage) |
| ○ | Manhole (Storm Drainage) |
| ○ | Manhole (Sanitary Sewer) |
| ○ | Sign Post (Single) |
| ○ | Utility Pole |
| ○ | Utility Pole Anchor Hole |
| ○ | Utility Pole with Light |
| ○ | Water Valve |
| ○ | Water Valve |



| APPROVALS | |
|-----------|---|
| OWNER | MATTHEW F. GANNIT TAX NO. 048-000-0009-001 TAX NO. 048-000-0009-002 |
| DATE | |
| OWNER | JERRY WAYNE LECLAIR TAX NO. 048-000-0009-006 |
| DATE | |
| OWNER | NORTHSIDE GENESEE ASSOCIATES, LLC TAX NO. 048-000-0009-003 TAX NO. 048-000-0009-004 TAX NO. 048-000-0011-007 TAX NO. 048-000-0011-008 TAX NO. 048-000-0011-009 TAX NO. 048-000-0011-011 TAX NO. 048-000-0011-012 TAX NO. 048-000-0011-013 TAX NO. 048-000-0011-014 |
| DATE | |

| Revisions | | | |
|-----------|------|----|-------------|
| No. | Date | By | Description |
| | | | |
| | | | |



Passero Associates
242 West Main Street, (585) 335-1000
Rochester, NY 14614 Fax: (585) 335-1691
Principal-in-Charge: Jess D. Sudol, PE
Project Manager: Robert A. Vento, PLS
Drafted by: R.D.C.

Client:
Northside Genesee Associates, LLC
3 East Stow Road
PO Box 994
Marlton, N.J. 08053

NORTHSIDE GENESEE ASSOCIATES, LLC RESUBDIVISION MAP
COMBINING PARCELS
316 Pine Street
208 Ashworth Place
210 Ashworth Place
212-214 Ashworth Place
224 Ashworth Place
1219-1221 East Genesee Street
1225-1227 East Genesee Street
1231 East Genesee Street
1237 East Genesee Street
1301 East Genesee Street
1311 East Genesee Street
1317 East Genesee Street
1323 East Genesee Street

Being Parts of Lots 150, 166, 167, 194, 195, 196, 198, 199, 200 & 201 in Block 223 & 223B, City of Syracuse, Onondaga County, New York State

| | |
|-------------|----------------|
| Project No. | 20172421.0001 |
| Drawing No. | SUB-1 |
| Sheet No. | 1 OF 1 |
| Scale: | 1" = 20' |
| Date: | NOVEMBER, 2017 |

- NOTES:
- 1231 EAST GENESEE STREET MAY BE SUBJECT TO A DRIVEWAY USE AGREEMENT CONTAINED IN A DEED AT USER 468 PAGE 119
 - 1237 EAST GENESEE STREET MAY BE SUBJECT TO A DRIVEWAY USE AGREEMENT CONTAINED IN A DEED AT USER 468 PAGE 119
- REFERENCES:
- CERTIFICATE OF TITLE PREPARED BY FITCH TITLE AGENCY, INC., FILE NO. FIA-17-210 DATED MARCH 8, 2017
 - OWNER'S POLICY OF TITLE INSURANCE PREPARED BY FITCH TITLE AGENCY, INC., FILE NO. FIA-17-0322C, DATED MARCH 8, 2017
 - ALTA SURVEY MAP PREPARED BY PASSERO ASSOCIATES, PROJECT NO. 20172421.0001, DATED AUGUST 2017.

- NOTE
- PER FIRM MAP NO. 3467C02177, EFFECTIVE DATE NOVEMBER 4, 2016, SUBJECT PARCELS ARE IN ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
 - THERE ARE NO STATE REGULATED WETLANDS ON THIS PARCEL ACCORDING TO NYSDEC WETLAND INVENTORY.

CERTIFICATION:

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED USING PORTIONS OF THE REFERENCE MATERIAL AS LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED JUNE 15, 2017. THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO INFORMATION NOT REFERENCED.

DATE: ROBERT A. VENTO, N.Y.S.P.L.S. NO. 049701
BVENTO@PASSERO.COM

RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023 at 8:15 o'clock a.m., local time, in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

RESOLUTION DETERMINING THAT THE ACQUISITION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A MIXED-USE FACILITY AT THE REQUEST OF THE COMPANY CONSTITUTES A PROJECT; DESCRIBING THE FINANCIAL ASSISTANCE IN CONNECTION THEREWITH; AND AUTHORIZING A PUBLIC HEARING

WHEREAS, the City of Syracuse Industrial Development Agency (the “*Agency*”) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “*State*”), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the “*Act*”), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to grant “financial assistance” (as defined in the Act) in connection with the acquisition, reconstruction and equipping of one or more “projects” (as defined in the Act); and

WHEREAS, Northside Genesee Associates, LLC, or an entity to be formed (the “*Company*”), by application dated June 6, 2023 (the “*Application*”), requested the Agency undertake a project (the “*Project*”) consisting of: (A)(i) the acquisition of an interest in approximately 1.3 acres of improved (unless otherwise noted) real property located at 1219-21 E. Genesee St. (Tax Map No. 048.-09-14.0), 1225-27 E. Genesee St. (Tax Map No. 048.-09-13.0),

1231 E. Genesee St. (Tax Map No. 048.-09.12.0), 1237 E. Genesee St. (Tax Map No. 048.-09-11.0), 1301 E. Genesee St. (Tax Map No. 048.-09-10.0), 1311 E. Genesee St. (Tax Map No. 048.-09-09.0), 1317 E. Genesee St. (048.-09-08.0), 1323 E. Genesee St. (Tax Map No. 048.-09-07.0), 316 Pine St. (Tax Map No. 048.-09-06.0), 224 Ashworth Pl. (Tax Map No. 48.-09-04.0), 212-214 Ashworth Pl. (Tax Map No. 048.-09-03.0), 210 Ashworth Pl. (vacant) (Tax Map No. 048.-09-02.0), 208 Ashworth Pl. (Tax Map No. 048.-09-01.0), all in the City of Syracuse, New York¹ (collectively, the “**Land**”); (ii) the demolition of existing structures located on the Land and the construction of an approximately 286,080 square foot, 5-story building for mixed-use, including approximately 286 apartment units consisting of approximately 77 studio apartments, 70 one-bedroom units and 139 two-bedroom units, twelve (12%) of such units shall be reserved for tenants meeting the 80% area median income limits (the “**AMI**”) with the balance of the units being market rate; approximately 1,000 square feet of retail space; amenity spaces; and an approximately 143 space underground parking garage, all located on the Land (collectively, the “**Facility**”); (iii) the acquisition and installation in and at the Land and Facility of furniture, fixtures and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real property tax, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, the Agency has not approved undertaking the Project or granting the Financial Assistance; and

WHEREAS, the grant of Financial Assistance to the Project is subject to, among other things, the Agency finding after a public hearing pursuant to Section 859-a of the Act that the Project will serve the public purposes of the Act by, among other things, promoting economically sound commerce and industry, to advance the job opportunities, health, general prosperity and economic welfare of the people of the State or increasing the overall number of permanent, private sector jobs in the State.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Based upon the representations made by the Company to the Agency, the Agency makes the following findings and determinations:

- (A) The Project constitutes a “project” within the meaning of the Act;
- (B) The Project is located in a Neighborhood Revitalization Strategy Area

¹ The parcels comprising the Land are being resubdivided into one lot. Such resubdivision has not yet been approved.

(NRSA) an area specifically identified by the City as in need of residential projects.

(C) The Financial Assistance contemplated with respect to the Project consists of assistance in the form of exemptions from real property taxes, State and local sales and use taxation and mortgage recording tax; and

(2) The Agency hereby directs that pursuant to Section 859-a of the Act, a public hearing with respect to the Project and Financial Assistance shall be scheduled with notice thereof published, and such notice, as applicable, shall further be sent to affected tax jurisdictions within which the Project is located.

(3) The Secretary or the Executive Director of the Agency is hereby authorized to and may distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(4) A copy of this Resolution shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file on file in the office of the Agency, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)

BEACON ARMORY, LLC
C/O JEFFREY APPEL
325 SOUTH SALINA STREET, 3RD FLOOR
SYRACUSE, NY 13202

jeff@armoryboys.com

June 20, 2023

SIDA
c/o Susan Katzoff, Esq
110 West Fayette Street, Suite 1000
Syracuse, New York 13202

Re: SIDA Application for Beacon Armory LLC and Spilco Properties LLC-120 Walton Street and
229-37 West Fayette Street, Syracuse, New York

Dear Ms. Katzoff:

Pursuant to my attorney, Scott Lickstein, instructing me to render a letter of explanation to SIDA for the requested modification and subordination in regard to new lending for the project by Solvay Bank for the transaction involving the above-mentioned addresses, we state the following:

We have previously sent to your attention a signed mortgage modification agreement with Solvay Bank which extends the period of time in which the repayment period is an interest only payment. Based on increased costs of construction in regard to materials and required alterations to the repurposing plan, Solvay Bank has also granted additional funds in the maximum amount of \$1,566,938 to fund the additional construction costs. The additional monies will be a new mortgage from Solvay. For the new monies to be advanced by Solvay via a note and mortgage, the SIDA mortgage will be required by Solvay Bank to be subordinated to such. The undersigned also request SIDA's additional financial assistance in the form of an MRTE.

Timing is crucial to this project as the plan is to have the residential apartments completed and leased in the next several months, and the additional monies and interest only payment extension is necessary for us to complete the project timely.

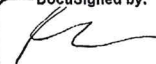
We would greatly appreciate if this request can be placed on the SIDA agenda for the June 30, 2023 meeting.

Sincerely,

DocuSigned by:

95D9B427EB634B1...

Jeffrey Appel, Member of Beacon Armory LLC

DocuSigned by:

16AACA65DA0B4A6...

Spiro Spiliotis, Member of Spilco Properties LLC

cc: Scott A. Lickstein

APPROVING RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023, at 8:15 o'clock a.m. in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

RESOLUTION APPROVING: (1) THE AGENCY'S PARTICIPATION IN A MORTGAGE MODIFICATION REGARDING AN EXISTING PROJECT; (2) THE AGENCY'S PARTICIPATION IN ADDITIONAL FINANCING OF THE PROJECT; (3) AUTHORIZING AN INCREASE IN THE MORTGAGE RECORDING TAX EXEMPTION; AND (4) AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, by resolution dated September 30, 2021, at the request of Beacon Armory LLC and Spilco Properties, LLC (collectively, the "**Company**"), (the "**Inducement Resolution**"), the Agency agreed to undertake a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in approximately .16 acres of land improved by an approximately 41,000 sq.ft., six-story building (the "**Building**") located at 120-24 Walton Street in the City of Syracuse, New York (Tax Map No. 101.-04-09.0) (the "**Land**"); (ii) the reconstruction and renovation of the

Building for mixed-use including: (a) approximately 17,000 sq.ft. on the sub-terranean level and first floor for commercial use; (b) approximately 25,000 sq.ft. on floors 2-5 to be divided into 30 loft-style residences consisting of approximately five approximately 850 sq.ft. 2-bedroom units and twenty-five approximately 575-650 sq.ft. 1-bedroom units; and (c) upgrades to all building mechanicals and façade improvements (collectively, the “**Facility**”); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively, the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in December 2021, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Project and the conference of the approved Financial Assistance (the “**Lease Transaction**”) and executed the necessary lease transactional documents (the “**Lease Documents**”); and

WHEREAS, in conjunction with Lease Transaction, the Company and the Agency entered into a mortgage dated December 22, 2021, in the amount of \$6,562,500 (the “**Initial Mortgage**”) in favor of Solvay Bank to secure the Company's obligation under a corresponding note in a like amount (the “**Initial Note**”); and

WHEREAS, by correspondence dated on or about June 1, 2023 and June 20, 2023, the Company requested the Agency: (A) participate in (i) a mortgage modification agreement (the “**Mortgage Modification**”) with respect to the Initial Mortgage and Initial Note; and (ii) all other documents reasonably necessary, upon advice of Agency's counsel, to effectuate the Mortgage Modification (collectively with the Mortgage Modification, the “**Modification Documents**”); (B) participate in an additional construction mortgage on the Project by executing and delivering: (i) one or more mortgages and an assignment of leases and rents, in an aggregate amount not to exceed \$1,566,938 (the “**New Mortgage**”); and (ii) all other documents reasonably necessary, upon advice of Agency's counsel, to effectuate the Financing (collectively, with the New Mortgage, the “**Financing Documents**”, and collectively with the Modification Documents, the “**Mortgage Documents**”); and (C) authorize an increase in mortgage recording tax exemption in an amount not to exceed \$11,753 (the “**Additional Financial Assistance**”); and

WHEREAS, the Lease Documents anticipated the Agency's participation in such Mortgage Documents; and

WHEREAS, the Additional Financial Assistance and the Mortgage Documents are in furtherance of the Project previously approved, which underwent an environmental review by the Agency pursuant to the State Environmental Quality Review Act (“**SEQRA**”), and the present

request for additional financing is insubstantial and does not require reconsideration or further review by the Agency under SEQRA; and

WHEREAS, the requested Additional Financial Assistance does not exceed \$100,000 and therefore does not require a new public hearing.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

(1) It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

(2) Based upon the representations made by the Company to the Agency, the Agency hereby makes the following findings and determinations:

- (a) The Mortgage Documents and the Additional Financial Assistance do not amount to a significant change in the Project from what was originally approved by the Agency, and therefore no further review under SEQRA is required;
- (b) Subject to receipt and review by the Agency and their counsel of all financing documents they deem relevant, which may include but not be limited to the mortgage and an assignment of leases and rents, and provided there is no event of default existing under the current Lease Documents, the Agency authorizes the Agency's participation in the Mortgage Documents and to provide the Additional Financial Assistance; and
- (c) The Chair, Vice Chair and/or the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the Mortgage Documents any and all other documents and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

(3) No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(4) As conditions precedent to the participation in the Mortgage Documents and the provision of Additional Financial Assistance, the Company shall: (i) pay all fees associated with the Project, the Mortgage Modification and all related amendments, including but not limited to any Agency fee, administrative fees and legal fees; (ii) provide proof of required insurance; (iii) confirm they are up to date on all required reporting to the Agency under the Lease Documents; and (iv) confirm there is no event of default under the existing Lease Documents.

(5) The Secretary of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(6) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file in the office of the Agency, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

**CITY OF SYRACUSE INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Rickey T. Brown, Secretary

(S E A L)



June 6, 2023

VIA ELECTRONIC MAIL

Judith DeLaney, Executive Director
jdelaney@syr.gov.net
City of Syracuse Industrial Development Agency
201 East Washington Street, Sixth Floor
Syracuse, New York 13202

Re: Request for Extension of our Sales Tax Exemption Date

Dear Judy:

1970 W. Fayette, LLC (the "Company") hereby requests that the City of Syracuse Industrial Development Agency ("SIDA") extend our appointment from the current date of 07/01/2023 until 07/01/2024.


To date, we have used roughly \$34,000 of the total \$293,518.80 sales tax exemption. Again, we are not requesting an expansion of this amount but only the time in which to use it.

Our request for this extension is due to contractor and material delays combined with significant price increases. These issues combined have caused the project to miss certain milestones where we expected to use a large portion of those funds. Those items include heavy building mechanical, roof, site work, and materials for Tenant build-outs.

Please let me know if you have any questions or need further information. Thank you for considering this request.

Very truly yours,

1970 W. FAYETTE, LLC

By: 
Scott Dumas, Manager

APPROVING RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023, at 8:15 o'clock a.m. in the Common Council Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by _____ and upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____:

RESOLUTION APPROVING AN EXTENSION OF THE APPOINTMENT OF THE COMPANY AS AGENT OF THE AGENCY UNTIL JULY 1, 2024; AND AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS

WHEREAS, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, at the request of 1970 W. Fayette, LLC (the "**Company**"), by resolution dated June 15, 2021 (the "**Inducement Resolution**"), the Agency agreed to undertake a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in approximately 1.39 acres of land consisting of five (5) separate parcels located at 1970 West Fayette Street (Tax Map No. 112.-25-04.0), 1499 Erie Boulevard West (Tax Map No. 112.-25-03.0), 1501 Erie Boulevard West (Tax Map No. 112.-25-02.0), 1515 Erie Boulevard West (Tax Map No. 112.-25-01.0) and 1950 West Fayette Street (Tax Map No. 111.-10-04.2) which parcels will be re-subdivided into one parcel (collectively, the "**Land**"); , (ii) the reconstruction and renovation of a three-story approximately 36,000 sq. ft. building located on the Land ("**Building 1**") for commercial use consisting of: (a) approximately 6,222 sq. ft. to be occupied by a food co-op/grocery with

warehousing and distribution, approximately 3,000 sq .ft. of restaurant space, approximately 600 sq. ft. for a hair salon and approximately 4,778 of additional commercial space all located on the first floor; (b) approximately 4,300 sq. ft. of co-working space, approximately 480 sq. ft. of office space, approximately 4,000 sq. ft. for a dental office and brain center and approximately 720 sq. ft. of additional commercial space all located on the second floor; and (c) approximately 9,500 sq. ft. for commercial tenants on the third floor; (iii) the relocation and reskinning of an approximately 2,400 sq. ft. building located on the Land ("**Building 2**" and together with Building 1, the "**Buildings**") to serve as an outdoor seating area for the proposed restaurant; and (iv) upgrades to the Land and Buildings including but not limited to, site design, new sidewalks, streetscape, 51 space parking lot, façade improvements, upgraded lighting, utilities and HVAC, new windows and doors, hardscape improvements for accessibility and truck loading, green space improvements and storm water management system (collectively, the "**Facility**"); (v) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the "**Equipment**" and together with the Land and the Facility, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

WHEREAS, in November 2021, the Company and Agency entered into a lease transaction to effectuate the undertaking of the Project and the conference of the approved Financial Assistance (the "**Lease Transaction**"). As part of the Lease Transaction for purposes of undertaking and completing the Project Facility, the Company was appointed as the agent of the Agency through December 15, 2022 (the "**Original Appointment**"), and was awarded State and local sales and use tax exemptions in an amount not to exceed \$293,518.80 (the "**Exemption**"); and

WHEREAS, the Company previously requested, and by resolution adopted November 18, 2022, the Agency approved an extension of their Original Appointment from December 15, 2022 to July 1, 2023 to provide them an opportunity to complete the Project; and

WHEREAS, by letter dated June 6, 2023, the Company advised that due to contractor and material delays combined with significant price increases, they are requesting the Agency approve an additional extension of their Appointment from July 1, 2023 to July 1, 2024 to provide them an opportunity to complete the Project (the "**Extension**"); and

WHEREAS, the Company indicated that to date, they have used approximately \$34,000 of the \$293,518.80 sales tax exemption granted. The Company reports that approximately 25% of the Project is complete. The Company anticipates the balance of the space buildout to be completed within the requested extension period; and

WHEREAS, the Company represents that there are no events of default under the leases or any other documents executed and delivered by the Company in conjunction with the Lease Transaction; and

WHEREAS, the Extension is in furtherance of the Project previously approved, which underwent an environmental review by the Agency pursuant to the State Environmental Quality Review Act (“*SEQRA*”), the present sales tax appointment is insubstantial and does not require reconsideration or further review by the Agency under *SEQRA*.

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

(1) Based upon the representations made by the Company to the Agency, as set forth in the recitals hereof and which are incorporated herein by reference, the Agency hereby makes the following findings and determinations:

(a) The granting of the Extension does not require reconsideration or further review by the Agency under *SEQRA*.

(b) The Agency authorizes the Extension for purposes of completing the Project through and including July 1, 2024, conditioned upon: (i) written confirmation from the Company that there are no events of default under any of the documents executed and delivered by the Company in conjunction with the Lease Transaction, including but not limited to a company lease, an agency lease, a project agreement, a payment in lieu of tax agreement and an environmental compliance and indemnification agreement, each dated as of November 1, 2021 (collectively, the “*Lease Documents*”); (ii) proof that all insurance executed and delivered in conjunction with the Project and the Lease Transaction remains in full force and effect all in accordance with the Lease Documents; (iii) Company's submission to the Agency of any applicable information requested by the Agency with respect to the Extension so that they can accurately track and report Project and Financial Assistance information as required under the Act; (iv) Company's submission of any applicable administrative fees and all legal fees incurred by the Agency in exchange for the Agency’s grant of the Extension; and (v) submitting any proof required by the Agency demonstrating that the Company has not realized State and local sales and use tax exemptions in excess of what was authorized for the Project.

(2) Subject to the foregoing, the Agency is authorized to execute all documents necessary to effectuate the Extension (collectively, the “*Extension Documents*”) including but not limited to revisions or amendments of the Lease Documents, issuance of a new sales tax appointment letter, if any, and an amendment or extension of the appropriate “IDA Appointment of Project Operator or Agent for Sales Tax Purposes” (Form ST-60) for each of the Company and any sub-agents in accordance with the Lease Documents; and each the Chair, the Vice Chair and/or the Executive Director of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the documents, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein as the (Vice) Chair deems appropriate. The execution thereof by the Chair, the Vice Chair and/or the Executive Director constitutes conclusive evidence of such approval; and

(3) The Company shall execute and deliver any and all documents required by the Agency in connection with the Extension and to carry out the intent of this Resolution.

(4) The Company shall provide or cause its Additional Agents to provide, and the Agency shall maintain, records of the amount of State and local sales and use tax exemption benefits provided to the Project and the Company shall, and cause each Additional Agent, to make such records available to the Agency and the State Commissioner of Taxation and Finance (the "**Commissioner**") upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company or Project's receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its Additional Agents to make, all records and information regarding State and local sales and use tax exemption benefits realized by the Project available to the Agency or its designee upon request.

(5) No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(6) Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare, for submission to the (Vice)Chair and/or the Executive Director, all documents necessary to carry out the intent of this Resolution and to finalize the Extension Documents.

(7) The Secretary of the Agency is hereby authorized and may distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(8) This Resolution shall take effect immediately. A copy of this Resolution, together with any attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) **SS.:**
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file in the office of the Agency, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that: (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

**CITY OF SYRACUSE INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Rickey T. Brown, Secretary

(S E A L)



DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

June 16, 2023

Ms. Kathleen Murphy
Chair, Syracuse Industrial Development Agency (SIDA)
201 E Washington St, 6th Floor
Syracuse, NY 13202

Commissioner
Michael Collins

**Deputy Commissioner of
Neighborhood Development**
Michelle Sczpanski

**Deputy Commissioner of
Business Development**
Eric Ennis

Re: Request to authorize \$137,500 to for professional services to complete a citywide housing strategy plan

Chairwoman Murphy:

The City of Syracuse Department of Neighborhood & Business Development (NBD) respectfully requests that the Syracuse Industrial Development Agency (SIDA) consider allocating \$137,500 to support the completion of a citywide housing strategy plan.

Following the completion of an initial citywide housing market study with the firm czb, LLC using funds from the City's American Rescue Plan Act (ARPA), NBD intends to enter into a subsequent agreement with czb, llc to complete a second phase strategy development. The goal of this work would be to develop more comprehensive, prescriptive recommendations for housing strategy and investment planning that help to advance the market-based and affordability-based outcomes identified in the initial study. NBD has submitted a legislative request for the July 3rd agenda of the Syracuse Common Council to authorize the City to enter into agreement with czb to complete this work. Should SIDA authorize spending for \$137,500, the City would be covering the remaining portion at a 1:1 match subject to council approval.

I've attached a proposal for the project, including scope, and budget depicting all anticipated expenses. A key component of the phase two proposal is the convening of a Mayor-appointed steering committee that would be tasked with co-creating an implementable housing strategy for the City. Understanding that the health of the city's housing market is inextricably connected to that of its overall economic development health, our intention would be for SIDA to be involved as part of that process to ensure that the outcomes of the strategy help to advance our mutual aims.

I am happy to speak to the SIDA Board about this request and the outcomes of the phase one work, should that be of interest to the board. I am also available to answer any questions at 315.448.8743 or via email at msczpanski@syrgov.net.

Sincerely,

Michelle Sczpanski
Deputy Commissioner of Neighborhood Development

cc: Sharon Owens, Deputy Mayor
Michael Collins, NBD Commissioner

**Department of Neighborhood
& Business Development**
201 E Washington Street
Suite 600
Syracuse, NY 13202

Office 315 448 8100
Fax 315 448 8036

www.syrgov.net

FOREWORD

By unambiguously showing that the Syracuse NY housing market has two interrelated problems - a willingness to pay gap where too few households in the region want to live in Syracuse (thus depressing prices), and an ability to pay problem, where despite low prices a great many Syracuse households still cannot afford housing in the city - the recently completed Syracuse Housing Study (czb, 2023) laid bare the even larger real problem at hand: that the fix for the former often worsens the latter and vice versa.

As the Syracuse Housing Study (SHS) notes, by itself, the ability to pay problem is severe, will be very expensive (in dollars) to address, cannot be addressed without incurring other costs manifest in the creation of new problems, and is, at its root, a derivative not of the expense of bricks and mortar and building operations, but, rather, high rates of poverty and very low incomes. To make matters more complex, the ability to pay problem is more a moral dilemma than anything else. To turn the city's back on the problem of housing affordability is to fail to do the right thing, but it is not an existential problem for the city, itself. Indeed the concentration of low income households in the city as compared to the county is a prima facie case of this, illustrating that the problem under the problem is a free rider dilemma ultimately (and properly) addressed at the regional level. This makes the ability to pay problem not just expensive in dollars and cents, but an inherently political one, as well. Moreover, while there are swatches of success elsewhere across the country that, if stitched together, might theoretically show a way to *cure* an ability to pay problem, in fact, there is no housing solution to an income problem other than one form or another of subsidy, and once subsidized the problem does not go away so much as it is managed. As long as the sheet metal worker and the cardiologist are paid differently by society, one will be able to afford housing the other cannot, unless the difference is subsidized.

Likewise, by itself, Syracuse's willingness to pay problem, owing to decades of both disinvestment and a failure to think about the local market as having a growing demand deficit, will be very costly to address. Inasmuch as any cake can ever be completely baked in a dynamic market economy, Syracuse's willingness to pay problem, unlike its affordability dilemma, is actually quite fixable. With sufficient resources - and a very strong stomach - Syracuse could very much *fix* its willingness to pay problem. However, since the city's willingness to pay problem very much is an existential matter - for as long as a sizable market gap persists, Syracuse will remain fiscally weak - it is a problem that cannot be ignored except at great cost.

The ability to pay problem in Syracuse - less a function of the housing cost burdens faced by two-income working households than by single earners only partly in the labor market - cries out for a proper response on moral grounds. The willingness to pay problem demands attention as a matter of municipal self-preservation. Make real progress on the former, and persistently soft values will result, undermining the city's tax base. Make real progress on the latter, which would be manifest in rising prices, and the cost burdens faced by many will only worsen.

The larger problem is that neither of these two dilemmas exist in a vacuum. A new LIHTC project in Syracuse will reduce rents and increase quality of housing for some, but will - in continuing to concentrate low income households - push away the very working and middle class households Syracuse so separately needs. Obtain lower housing costs through density or more modest construction, and poverty is soon concentrated not as a function of choice in a market economy but by policy. And to the extent that to be poor in Syracuse is to not be white, affordability gains obtained by density become racial segregation by proxy.

Alternatively, improving neighborhood conditions to the point where working and middle-income families would choose to live in Syracuse rather than its suburbs will serve to strengthen Syracuse's tax base. But, owing to increased quality, gains on the city's willingness to pay problems will stimulate demand and, thus, price increases, leaving low and working households worse off unless additionally subsidized.

In focusing on determining the city's baseline housing conditions, the Syracuse Housing Study did not provide a strategy for how to respond to these complex, interconnected challenges. Nevertheless, it did outline key elements of what a successful strategy would entail.

- First, sizable geographies of work - as opposed to one-off development of a housing project here disconnected from a housing project there - will be needed. Projects would need to be sizable and comprehensive enough to change market trajectories. They would need to be sufficiently scaled to allow for mixed-income development to occur, disrupting norms across the board.
- Second, the city's diverse patchwork of conditions on the ground means that different kinds of submarkets are going to require different kinds of interventions aimed at producing different kinds of results. Some blocks in Syracuse are ready to pop right now; on the verge of self-sufficient vibrancy where just a slight push is needed. Other blocks are in greater need of assistance to stimulate the private sector. And still other blocks are so distressed that they first require stabilization before genuine market health can be plausibly envisaged.
- Third, a suite a tools would likely be needed, and a shift from measuring success in outputs to measuring it by outcomes would be required. Some tools for subsidizing affordability are going to be needed, as will be tools for stimulating demand (subsidizing willingness), requiring skill orchestration for decades.

Underneath these three elements - sizable interventions, submarket precision, and the skillful use of a variety of outcome-oriented tools - is the meta problem of resource scarcity and resource appropriateness. Virtually none of the State of NY's vast array of housing tools are going to be very helpful, unless rendered flexibly changeable by participating jurisdictions. The same is true with nearly all federal resources. State and federal resources almost always privilege the moral problem of affordability over the existential problem of unwillingness. And in any event, even if modified to suit the specific needs of Central NY, still constitute fewer dollars that Syracuse will need. This means that not only must good strategy work account for the divergent challenges of unaffordability and unwillingness, it must also do so with fewer resources than needed, thereby creating significant opportunity cost challenges for Syracuse.

In sum, the Syracuse housing market, as noted in the SHS, has these challenges to address:

1. Ability to Pay problem (too few homes are affordable to a large number of residents)
2. Willingness to Pay problem (too few households with the ability to afford to live elsewhere in the region want to live in Syracuse)
3. Fixes to the ability to pay problem tend to worsen the willingness to pay problem, and vice versa.
4. Opportunity Cost problem of too many problems with too high price tags and too few dollars

Because addressing the first three challenges is complex and because the fourth involves making tradeoffs, it is recommended that the work of strategy development be participatory and highly facilitated. It must involve members of the Syracuse community able to work together over a period to develop a group understanding of the city's baseline housing conditions outlined in the SHS, the nature of these challenges, the kinds of remedies that are available, the costs and benefits of those remedies, and the inevitable opportunity costs that come with the territory of operating in a resource short environment.

STRATEGY DEVELOPMENT SCOPE OF WORK

There are three components to the strategy work for this project, as follows:

Part 1: Outreach and Education with the Syracuse Community

- Present findings of the 2023 strategy to the general public in a manner that "teaches" the subject material through a presentation of findings in the context of "housing 101" education

- As the project steering committee performs its task of developing first an initial draft, then revised and subsequent final drafts, draft strategy work will be presented to the general public in open houses and through online surveys. Feedback on both will be energetically sought and tabulated and incorporated into draft revision
- Present final strategy work to the general public in a manner that “teaches” the subject material through a presentation of findings in the context of additional “housing 101” education as appropriate

Deliverables:

- Schedule for OHs
- Educational Materials for OHs
- Content for 3 online surveys
- Summary of feedback from surveys

Part 2: Steering Committee Work

- Present findings of the 2023 strategy to a Mayor-appointed/CC impaneled, representative steering committee
- Design and facilitate six work 2-2.5 hr work sessions with the steering committee that will co-create with constant team an implementable housing strategy for the City of Syracuse. In this context “implementable” means a) politically feasibly, b) publicly understood, acknowledged, and supported, and c) financially feasible within the means of the city
 - Meeting 1: Problem Definition, Core Values, Operating Principles
 - Meeting 2: Priorities, Preliminary Tradeoff Choices
 - Meeting 3: Tradeoff Decisions, Typology Interventions, Outcomes
 - Meeting 4: Discussion of 1st draft; Revisions
 - Meeting 5: Discussion of 2nd Draft, Revisions
 - Meeting 6: Discussion of Final Draft and Preparation for Public Presentation

Deliverables:

- Schedule for SC
- Elaborated design for each session
- Six facilitated sessions
- Co-created initial, revised, final draft, and final strategy

Part 3: Interactive Work w Syracuse Common Council

- Present findings of the 2023 strategy to the Common Council, and work interactively w the council to raise the council’s understanding of housing finance, land development and economics, policies, and related matters they will need to weigh in subsequent years when considering funding housing strategies
- Present work of Steering Committee to the CC, and obtain feedback on a continual basis so the final product has been genuinely informed by council.

Deliverables:

- Meetings w CC

Syracuse Housing Strategy 2 - Proposed Timeline

| | 2023 | | 2024 | | | | | | | | |
|---|------|-----|------|------|-----|-----|-----|-----|-----|-----|-----|
| | Jun | Jul | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr |
| | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Scoping and Contracting and Preparation | | | | | | | | | | | |
| Contracting | | | | | | | | | | | |
| Calendar Development for Steering Committee | | | | | | | | | | | |
| Steering Committee Work | | | | | | | | | | | |
| Preliminary Approach | | | | X | X | X | X | X | X | | |
| Revised Approach | | | | | | | | | | | |
| Final Approach | | | | | | | | | | | |
| Revised Final Strategy Document | | | | | | | | | | | |
| Community Education and Outreach | | | | | | | | | | | |
| Public Open Houses on Conditions and Problems to Solve | | | | | | | | | | | |
| ONLINE Survey Regarding Baselines | | | | | | | | | | | |
| Open Houses on Preliminary Approach Being Developed by Steering Committee | | | | | | | | | | | |
| ONLINE Survey Regarding Preliminary Approach | | | | | | | | | | | |
| Open Houses on Revised Approach Being Developed by Steering Committee | | | | | | | | | | | |
| ONLINE Survey Regarding Revised Approach | | | | | | | | | | | |
| Open Houses on Final Approach Being Developed by Steering Committee | | | | | | | | | | | |
| ONLINE Survey Regarding Final Approach | | | | | | | | | | | |
| City Council Work Sessions | | | | | | | | | | | |
| Presentation/Discussion on Conditions and Problems to Solve | | | | | | | | | | | |
| Presentation/Discussion on Preliminary Approach | | | | | | | | | | | |
| Presentation/Discussion on Revised Approach | | | | | | | | | | | |
| Presentation/Discussion on Final Approach (Recommendations) | | | | | | | | | | | |
| Mayor Presentation | | | | | | | | | | | |
| FINAL PRESENTATION TO MAYOR BY STEERING COMMITTEE | | | | | | | | | | | |

Syracuse Phase 2 - Strategy Budget

| | Charles Buki | Peter Lombardi | Karen Beck Pooley | Eric Ameigh | Larry Weston | Alan Mallach | Subtotals | |
|---|--------------|----------------|-------------------|-------------|--------------|--------------|-----------|--------|
| | 210 | 175 | 175 | 175 | 175 | 200 | | |
| Conceptual Strategy Development and Continual Refinement Work | 100 | 100 | 100 | 80 | 20 | 40 | 440 | 35.48% |
| Outreach and Community Education | 80 | 80 | | 80 | 80 | | 320 | 25.81% |
| Steering Committee Work | 80 | 80 | | 80 | 80 | | 320 | 25.81% |
| Interactive Work w Syracuse Common Council | 40 | 40 | | 40 | 40 | | 160 | 12.90% |
| Hours | 300 | 300 | 100 | 280 | 220 | 40 | 1,240 | |
| Personnel Costs | 63,000 | 52,500 | 17,500 | 49,000 | 38,500 | 8,000 | 228,500 | 83.39% |
| | 27.57% | 22.98% | 7.66% | 21.44% | 16.85% | 3.50% | | |
| Trips | 7 | 7 | | 2 | 4 | 1 | | |
| Per Person Costs | 2,500 | 1,500 | 2,500 | 2,500 | 2,500 | 2,500 | | |
| Personnel Trip Costs | 17,500 | 10,500 | 0 | 5,000 | 10,000 | 2,500 | 45,500 | 16.61% |
| Total Cost | 80,500 | 63,000 | 17,500 | 54,000 | 48,500 | 10,500 | 274,000 | |
| Months | | | | | | | 10 | |
| Monthly Invoice to City of Syracuse | | | | | | | 27,400 | |

RESOLUTION

A regular meeting of the City of Syracuse Industrial Development Agency was convened in public session on June 30, 2023 at 8:15 a.m. in the Common Council's Chambers, City Hall, 233 East Washington Street, Syracuse, New York.

The meeting was called to order by the _____ and, upon the roll being duly called, the following members were:

PRESENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following Resolution was offered by _____ and seconded by _____:

RESOLUTION AUTHORIZING THE AGENCY TO PARTNER WITH THE CITY TO COMPELTE A SECOND PHASE HOUSING STRATEGY STUDY AT A COST NOT TO EXCEED \$137,500

WHEREAS, the policy of the State of New York (the "*State*") set forth in Title 1 of Article 18-A of the General Municipal Law of the State, as amended (the "*IDA Act*"), is to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation, economically sound commerce and industry through governmental action for the purpose of preventing unemployment and economic deterioration by the creation of industrial development agencies and to protect and promote the health of the inhabitants of the State and to increase trade through promoting the development of facilities to provide recreation for the citizens of the State and to attract tourists from other states; and

WHEREAS, City of Syracuse Industrial Development Agency (the "*Agency*") constitutes an industrial development agency established under the IDA Act and Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (together with the IDA Act, the "*Act*") and is thereby authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, educational or cultural facilities, railroad facilities and certain horse racing facilities, thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and improve their recreation opportunities, prosperity and standard of living; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to do all things necessary or convenient to carry out its purposes and exercise the

powers expressly given in the IDA Act, including but not limited to entering contracts and agreements; and

WHEREAS, by letter dated June 16, 2023, the City of Syracuse's (the "**City**") Department of Neighborhood & Business Development ("**NBD**") advised the Agency, that using funds allocated to the City from the American Rescue Plan Act, the City previously engaged czb, LLC (the "**Company**") to undertake the first phase of a City wide housing study ("**First Phase Study**"); and

WHEREAS, based upon the completed First Phase Study, the City wishes to further engage the Company to undertake the second phase of the study to develop more comprehensive and prescriptive recommendations for a housing strategy and investment plan that advances the market-based and affordability-based outcomes identified in the First Phase Study (the "**Second Phase Study**"); and

WHEREAS, the City has requested the Agency partner with the City to undertake the Second Phase Study which will cost, in the aggregate, \$270,000; and

WHEREAS, the City has requested the Agency enter into a memorandum of understanding with the City (the "**MOU**") to undertake the Second Phase Study and allocate \$137,500 of the total cost of the Second Phase Study (the "**Agency's Allocable Share**") with the City allocating the balance of the costs; and

WHEREAS, a member of the Agency would be invited to sit on the Mayor-appointed steering committee that would be tasked with making recommendations for the implementation of the housing strategy. Understanding that the health of the City's housing market is inextricably connected to that of its overall economic development health, the Agency's involvement with the process will help ensure that the outcomes of the strategy help to advance their mutual goals (hereinafter the "**Agency's Participation**"); and

WHEREAS, the Agency recognizes the lack of affordable housing options within the City and that increasing the housing stock in general will advance the general prosperity and standard of living of the residents of the City; and

WHEREAS, the First Phase Study supports the need for more affordable housing within the City; and

WHEREAS, NBD has submitted a legislative request for the July 3rd agenda of the Syracuse Common Council to authorize the City to enter into an agreement with the Company to undertake and complete the Second Phase Study; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "**SEQRA**"), the Agency is required to make a determination as to whether the "action" (as said quoted term is defined in SEQRA) to be taken by the Agency may have a "significant impact on the environment" (as said quoted term is utilized in SEQRA). The Agency has classified the execution and delivery

of the MOU and the allocation of the Agency's Allocable Share as a "Type II" action as that term is defined under SEQRA, and therefore no further review is required; and

NOW, THEREFORE, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

Section 1. Based upon the representations made to the Agency, the Agency makes the following findings and determinations:

- (a) The Agency has determined that the Second Phase Study will provide a unique benefit, offered at a reasonable cost; and
- (b) The Agency has the statutory authority to enter into the MOU with the City for the Second Phase Study, grant the Agency's Allocable Share and engage in the Agency's Participation; and
- (c) The Chair, Vice Chair and/or Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to: (i) negotiate, execute and deliver the MOU with the City on terms acceptable to the Agency upon advice of counsel; and (ii) undertake the Agency's Participation, all as presented at this meeting. The Chair, Vice Chair and/or the Executive Director of the Agency are further authorized to do all such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution. The execution thereof by the Chair, the Vice Chair and/or the Executive Director shall constitute conclusive evidence of such approval; and
- (d) The Agency authorizes the expenditure of the Agency's Allocable Share conditioned upon: (i) the execution and delivery of the MOU by all parties providing for an amount not to exceed \$137,500 as the Agency's Allocable Share, which sum shall be paid solely from the Agency's unencumbered funds; (ii) NBD obtaining all necessary approvals from the Common Council or otherwise to allocate the City's portion of the cost of the Second Phase Study and to execute and deliver the MOU, if any; and (iii) the Agency's Allocable Share shall only be advanced after the City has obtained and advanced their portion of the costs associated with the Second Phase Study; and
- (e) The execution and delivery of the MOU and the undertaking of the Second Phase Study is in furtherance of the Agency's corporate purposes and promotes economic development and advances the general prosperity and economic welfare of the people of the City in furtherance of the purposes of the Act.

Section 2. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to advance the Agency's Allocable Share or participate in the MOU to undertake the Second Phase Study, this Resolution shall automatically become null, void and of

no further force and effect with respect thereto, and the Agency shall have no liability to the Company hereunder or otherwise.

Section 3. No covenant, stipulation, obligation or agreement contained in this Resolution or any other document referred to above shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. None of the members or officers of the Agency shall be liable or be subject to any personal liability or accountability by reason of the execution of any document referred to above.

Section 4. The Secretary and/or staff of the Agency is hereby authorized and directed to distribute copies of this Resolution to and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 5. A copy of this Resolution shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

AYE

NAY

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on June 30, 2023, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency on _____.

City of Syracuse Industrial Development Agency

Rickey T. Brown, Secretary

(S E A L)