

# City of Albany Industrial Development Agency

21 Lodge Street  
Albany, New York 12207  
Telephone: (518) 434-2532  
Fax: (518) 434-9846

Tracy Metzger, *Chair*  
Susan Pado, *Vice Chair*  
Darius Shahinfar, *Treasurer*  
C. Anthony Owens, *Secretary*  
Lee Eck  
Dominick Calsolaro  
Robert Schofield

Sarah Reginelli, *Chief Executive Officer*  
Mark Opalka, *Chief Financial Officer*  
John Reilly, *Agency Counsel*

To: Anthony Owens  
Darius Shahinfar  
Susan Pado  
Tracy Metzger  
Lee Eck

Cc: Robert Schofield  
Dominick Calsolaro

Sarah Reginelli  
Mark Opalka  
John Reilly  
Joe Scott  
Brad Chevalier  
Sabina Mora  
Andy Corcione  
Chantel Burnash

Date: March 4, 2016

## FINANCE COMMITTEE AGENDA

A meeting of the Finance Committee of the City of Albany Industrial Development Agency will be held on **Wednesday, March 9<sup>th</sup> at 12:15 PM** at 21 Lodge Street, Albany, NY 12207 (Large Conference Room).

### Roll Call

### Reading of Minutes of the Finance Committee Meeting of January 21, 2016

### Approval of Minutes of the Finance Committee Meeting of January 21, 2016

### Unfinished Business

### New Business

- A. 1385 Washington Avenue Property Associates, LLC
  - Project Introduction
- B. 99 Pine of Albany, LLC (99 Pine Street)
  - Project Introduction

### Other Business

### Adjournment

The next regularly scheduled Finance Committee meeting will be held Wednesday, April 13, 2016 at 21 Lodge Street, Albany, NY. Please check the website [www.albanyida.com](http://www.albanyida.com) for updated meeting information.

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John Reilly, *Agency Counsel*

## IDA MINUTES OF FINANCE COMMITTEE MEETING Thursday, January 21, 2016

Attending: C. Anthony Owens, Tracy Metzger, Lee Eck, Susan Pedo and Darius Shahinfar

Also Present: Dominick Calsolaro, Robert Schofield, Joseph Scott, John Reilly, Sarah Reginelli, Brad Chevalier, Mark Opalka, Sabina Mora, Andy Corcione, Mike Bohne, and Chantel Burnash

Chair C. Anthony Owens called the Finance Committee meeting of the IDA to order at 12:17 PM.

### Roll Call

Chair C. Anthony Owens reported that all Committee members were present, except Susan Pedo (Susan Pedo joined the meeting during the discussion of the Property Acquisition/Disposition Report).

### Reading of Minutes of the December 9, 2015 Finance Committee Meeting

Since the minutes of the previous meeting had been distributed to Committee members in advance for review, Chair C. Anthony Owens made a proposal to dispense with the reading of the minutes.

### Approval of Minutes of the December 9, 2015 Finance Committee Meeting

Chair C. Anthony Owens proposed to approve the minutes of the Finance Committee meeting of December 9, 2015. Darius Shahinfar moved, seconded by Lee Eck, to accept the minutes as presented. The Members voted unanimously in favor and the motion carried.

### Unfinished Business

None.

### New Business

#### Property Acquisition/Disposition Report

Staff advised the Committee that the Agency must prepare an annual report of the Agency's real property, in order to be compliant with Public Authority Law. While this statement is already posted to the State and the Agency's website as part of the annual PARIS reporting, recent ABO guidance suggests a duplicative report be generated and posted separately. Staff reviewed the annual report with the Committee, which states that the Agency does not own any real property as of December 31, 2015.

### Annual Investment Report

Staff advised the Committee that the Agency must prepare an annual report of the Agency's investments, in order to be compliant with Public Authority Law. Staff reviewed the annual investment report with the Committee.

### **Other Business**

Staff informed the Committee that the ABO has chosen a select group of IDA's throughout the State to audit their websites. The Agency was selected as one of these groups. The Agency performed extremely well and is currently working on posting items to ensure the Agency is fully compliant. Staff will give a full report to the Board.

There being no further business, Chair C. Anthony Owens adjourned the meeting at 12:21 PM.

Respectfully submitted,

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C. Anthony Owens, Secretary

1385 Washington Ave Property Associates, LLC  
c/o Corporation Service Company  
2711 Centerville Rd, Suite 400  
Wilmington, Delaware 19808

February 24, 2016

Tracy Metzger  
Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

RE: Request for IDA Assistance for 1385 Washington Avenue – University Suites Project

Dear Ms. Metzger:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for the consideration of financial assistance associated with this University Suites project located at 1385 Washington Avenue.

The proposed University Suites project is a modern four-story student housing complex consisting of approximately 314 to 322 beds (101 - 110 units) over a partially underground 146-space parking podium. University Suites represents the next-generation of privatized student housing, offering prospective residents enhanced student life and safety, all within walking distance of campus.

1385 Washington Ave Property Associates LLC seeks assistance from the IDA in the form of sales tax exemption, mortgage recording tax exemption, and real property tax exemption.

Without the requested assistance from the IDA, the proposed project fails to meet the risk-adjusted return thresholds of our investors. The subject property, as zoned and subject to approved special use permits, has a use restriction limiting the occupants to enrolled students only. This use restriction significantly narrows the market for prospective residents and commensurately increases the risk associated with the investment. The assistance requested from the IDA (i) effectively reduces the capitalized development costs, thus increasing the project returns to acceptable risk-adjusted levels, and (ii) alleviates the lease-up risk through real property tax exemption in the early operating years. With the assistance of the IDA, this project will transform 1385 Washington Avenue from an older property to a vibrant stand-out student community that will have positive fiscal and economic impact on the local community through job creation, substantial incremental real property taxes, and economic output. This privatized, tax-generating student housing development seeks to maximize value for all community stakeholders.

Please do not hesitate to contact me if you should have any questions or find additional information is needed. I look forward to working with the Agency on this project. Thank you.

Sincerely,

Jon M. Grant  
President, GSX Solutions, LLC, Managing Member

**CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION**

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IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.  
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TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
21 Lodge Street  
Albany, New York 12207

This application by applicant respectfully states:

APPLICANT: 1385 Washington Avenue Property Associates, LLC

APPLICANT'S ADDRESS: c/o Corporation Service Company – 2711 Centerville Rd, Suite 400

CITY: Wilmington STATE: Delaware ZIP CODE: 19808

PHONE NO.: 410.230.0003 FAX NO.: 443.782.0653 E-MAIL: jgrant@grantarchitects.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: Donald Zee, Jon Grant, Patrick Rhodes, Cheryl Henry-Fawcett

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: Donald Zee

ATTORNEY'S ADDRESS: 1 Winners Circle, Suite 140

CITY: Albany STATE: New York ZIP CODE: 12205

PHONE NO.: 518-489-9423 FAX NO.: 518-489-9428 E-MAIL: donaldzeepc@msn.com

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NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT THIS FORM.

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## INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
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 one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (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 or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany

each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.

10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency's Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

FOR AGENCY USE ONLY

1. Project Number	_____
2. Date application Received by Agency	_____, 20____
3. Date application referred to attorney for review	_____, 20____
4. Date copy of application mailed to members	_____, 20____
5. Date notice of Agency meeting on application posted	_____, 20____
6. Date notice of Agency meeting on application mailed	_____, 20____
7. Date of Agency meeting on application	_____, 20____
8. Date Agency conditionally approved application	_____, 20____
9. Date scheduled for public hearing	_____, 20____
10. Date Environmental Assessment Form ("EAF") received	_____, 20____
11. Date Agency completed environmental review	_____, 20____
12. Date of final approval of application	_____, 20____



## SUMMARY OF PROJECT

Applicant: 1385 Washington Ave Property Associates, LLC

Contact Person: Jon M. Grant

Phone Number: 410-230-0003

Occupant: Owned and operated by Applicant

Project Location: 1385 Washington Avenue, Albany, NY

Approximate Size of Project Site: 4.3 AC

### Description of Project:

A to-be-constructed four-story student housing complex consisting of approximately 322 student housing beds (101 units) over a partial underground parking level of 146 parking spaces, with total parking spaces of 170-178.

Type of Project:

☐ Manufacturing

☐ Warehouse/Distribution

☐ Commercial ☒ X

☐ Not-For-Profit

Other-Specify  
[student housing]

Employment Impact: Existing Jobs 3 FTE + 4 P/T Seasonally

New Jobs 90 construction jobs  
7 ongoing FTE Jobs Associated  
(5 during lease-up period)

Project Cost: \$ 30,535,000 est.

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ X Straight Lease

Amount of Bonds Requested: \$ N/A

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$ 820,000 (est)
Mortgage Recording Taxes:	\$ 267,185 (est)
Real Property Tax Exemptions:	\$ 1,400,597 (aggregate, non-discounted)
Other (please specify):	\$ _____

Provide estimates for the following:

Number of Full Time Employees at the Project Site before IDA Status:	3
Estimate of Jobs to be Created:	7
Estimate of Jobs to be Retained:	0
Average Estimated Annual Salary of Jobs to be Created:	\$ 43,965
Annualized Salary Range of Jobs to be Created:	\$20,000-\$60,000
Estimated Average Annual Salary of Jobs to be Retained:	N/A

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: 1385 Washington Ave Property Associates, LLC  
  
Present Address: 2711 Centerville Rd, Ste 400 Wilmington, DE  
  
Zip Code: 19808  
  
Employer's ID No.: 81-1582431
2. If the Company differs from the Applicant, give details of relationship: N/A
3. Indicate type of business organization of Company:
  - a. \_\_\_\_\_ Corporation (If so, incorporated in what country?  
What State? \_\_\_\_\_ Date Incorporated? Type of  
Corporation? \_\_\_\_\_ Authorized to do business in New York?  
Yes \_\_\_\_; No \_\_\_\_).
  - b. Partnership (if so, indicate type of partnership \_\_\_\_\_, Number  
of general partners \_\_\_\_\_, Number of limited partners \_\_\_\_).
  - c. ☒ Limited liability company,  
Date created? 02/16/2016
  - d. \_\_\_\_\_ Sole proprietorship
4. Is the Company a subsidiary or direct or indirect affiliate of any other  
organization(s)? If so, indicate name of related organization(s) and relationship:  
No.

B. Management of Company:

1. List all owners, officers, members, directors and partners (complete all columns  
for each person):

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
GSX Solutions, LLC 7 Old Solomon's Island Rd Suite 200 Annapolis, MD 21401	Sole Member	Real Estate Development

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No **X**.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No **X**..
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No **X**... (If yes to any of the foregoing, furnish details in a separate attachment).
5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal Owners of Company:

1. Principal owners of Company: Is Company publicly held? Yes \_\_\_\_; No **X**  
If yes, list exchanges where stock traded:
2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
1385 Washington Ave Partners LLC	c/o Corporation Service Company 2711 Centerville Rd, Suite 400 Wilmington, Delaware 19808	100%

- D. Company's Principal Bank(s) of account:  
To Be Determined

## II. DATA REGARDING PROPOSED PROJECT

- A. Summary: (Please provide a brief narrative description of the Project.)

A to-be-constructed four-story student housing complex consisting of approximately 322 student housing beds (101 units) over a partial underground parking level of 146 parking spaces, with total parking spaces of 170-178.

See attached narrative for more information.

- B. Location of Proposed Project:

1. Street Address 1385 Washington Avenue
2. City of Albany
3. Town of N/A
4. Village of N/A
5. County of Albany

- C. Project Site:

1. Approximate size (in acres or square feet) of Project site: 4.3 AC

Is a map, survey, or sketch of the project site attached? Yes ☒ ; No \_\_\_\_.

2. Are there existing buildings on project site? Yes ☒ ; No \_\_\_\_.

a. If yes, indicate number and approximate size (in square feet) of each existing building: 10,092 SF

b. Are existing buildings in operation? Yes ☒ ; No \_\_\_\_\_. If yes, describe present use of present buildings: Red Carpet Inn – Hotel

c. Are existing buildings abandoned? Yes \_\_\_\_; No ☒. About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

d. Attach photograph of present buildings. Attached

3. Utilities serving project site:

4. Water-Municipal: Yes

Other (describe)

Sewer-Municipal: Yes

Other (describe)

Electric-Utility: Yes

Other (describe)

Heat-Utility: N/A

Other (describe)

5. Present legal owner of project site:

a. If the Company owns project site, indicate date of purchase: \_\_\_\_\_, 20\_\_\_\_; Purchase price: \$\_\_\_\_\_. N/A

b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes ☒ ; No \_\_\_\_\_. If yes, indicate date option signed with owner: February 12, 2016; and the date the option expires: February 1, 2017.

c. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? Yes ☒ ; No \_\_\_\_\_. If yes, describe: Signed Purchase and Sale agreement with extension option.

5. a. Zoning District in which the project site is located: **C-2 Highway Commercial**

b. Are there any variances or special permits affecting the site? Yes **X** ; No \_\_\_\_\_.  
If yes, list below and attach copies of all such variances or special permits:

Seeking Special Use Permit (§375-73C), Area Variances (§375-73D) and a Parking Lot Permit (§375-174) to allow for construction of a four (4) story, 314-bed student housing structure (SRO) to a height of +/- 55 feet, with project lot coverage of +/- 75.1% (structure lot coverage of 19.6%), a front yard setback of +/- 47.63 feet, a rear yard setback of +/- 27.19 feet, and parking spaces of 170-178.

BZA Public Hearing scheduled for March 9<sup>th</sup>, 2016.

D. Buildings:

1. Does part of the Project consist of a new building or buildings? Yes **X** ; No \_\_\_\_\_.  
If yes, indicate number and size of new buildings:

One (1) new building with a total floor area of approximately 142,000 Square Feet with a partially-underground parking garage area of approximately 48,000 Square Feet

2. Does part of the Project consist of additions and/or renovations to the existing buildings? Yes \_\_\_\_; No **X** . If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded: **Ownership and operations of a rental student housing complex.**

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes **X** ; No \_\_\_\_\_. If yes, describe the Equipment:

**Furniture, fixtures and equipment related to the common areas of the building and individual units.**

2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes\_\_\_\_; No **X** . If yes, please provide detail:
3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

Building décor and everyday utilization by rental residents.

F. Project Use:

1. What are the principal products to be produced at the Project?  
  
Student rental housing
2. What are the principal activities to be conducted at the Project?  
  
Student rental housing
3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes **X** ; No \_\_\_\_ . If yes, please provide detail:  
  
Student rental housing
4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? 100%
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
  - a. Will the Project be operated by a not-for-profit corporation? Yes\_\_\_\_; No **X** ;. If yes, please explain:
  - b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes\_\_\_\_; No **X** ;. If yes, please explain:



- c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes\_\_\_\_; No **X** ;. If yes, please explain:
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes\_\_\_\_; No **X** ;. If yes, please provide detail:
- e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes **X**; No\_\_\_\_. If yes, please explain: \_\_\_\_\_  
Contiguous to census tract 7

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes **X** ; No\_\_\_\_. If yes, please explain:

The project is expected to generate 7 new FTEs working on-site at stabilization. This is an increase of 4 FTEs from the previous business in operation.

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes\_\_\_\_; No **X**. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes\_\_\_\_; No **X**. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project: **N/A**

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide detail:
  
- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide detail:

G. Other Involved Agencies:

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

City of Albany Planning Board, City of Albany Board of Zoning Appeals, City of Albany Water Board, New York State Department of Transportation, City of Albany Department of Buildings and Regulatory Compliance

2. Describe the nature of the involvement of the federal, state, or local agencies described above:

Municipal zoning and planning board approval; local building permit approval; adequate public facilities.

H. Construction Status:

1. Has construction work on this Project begun? Yes \_\_\_\_; No ☒. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures: Project has spent and/or committed to approximately \$357,000 to date, and includes land deposits, letters of credit, architectural fees, MEP and structural engineering, travel expenses, surveys, civil engineering, traffic engineering, site assessment, environmental testing, economic analysis, etc.

2. Please indicate the date the applicant estimates the Project will be completed:

July 2017.

I. Method of Construction After Agency Approval:

1. If the Agency approves the Project which is the subject of this application, there are two methods that may be used to construct the Project. The applicant can construct the Project privately and sell the Project to the Agency upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Agency, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Agency for purposes of constructing the Project? Yes ☒; No \_\_\_\_.

2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No ☒.

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes ☒; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

Individual units and/or bedrooms will be leased to students on an annual or 9-month basis.

1. Sublessee name: N/A

Present Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Employer's ID No.:

Sublessee is: \_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship  
Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:  
Term of lease or sublease to Sublessee:  
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?  
Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name: N/A

Present Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Employer's ID No.: Sublessee

is:

\_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?  
Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name: N/A

Present Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Employer's ID No.:

Sublessee is: \_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?  
Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? None.

IV. Employment Impact

- A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors.  
(Do not include construction workers). Also indicate below the number of workers

employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

<b>TYPE OF EMPLOYMENT</b> <b>Employees of Applicant</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	2 (Full-Time)			1(FTE)	3
Present Part Time					
Present Seasonal				4 (Part-Time)	4
First Year Full Time	2 (Full-Time)	1(FTE)	1(FTE)	3 (FTEs)	7
First Year Part Time					
First Year Seasonal					
Second Year Full Time	2 (Full-Time)	1 (Full-Time)	1(FTE)	3 (FTEs)	7
Second Year Part Time					
Second Year Seasonal					

<b>TYPE OF EMPLOYMENT</b> <b>Independent Contractors - N/A</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time					
Present Seasonal					
First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

<b>TYPE OF EMPLOYMENT</b> <b>Employees of Independent Contractors – N/A</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time					
Present Seasonal					

First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Capital District Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

RELATED EMPLOYMENT INFORMATION				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	\$40,000 - \$60,000 Up to \$7,000	\$30,000 - \$45,000 Up to \$4,000	\$25,000 - \$35,000 Up to \$4,000	\$25,000 Up to \$2,000
Estimated Number of Employees Residing in the Capital District Economic Development Region <sup>1</sup>	1			1

- C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

Upon commencement of construction project will contract temporary lease-up/marketing staff to market and pre-lease units. Three to six (3-6) months prior to opening project will hire a full-time employee (FTE) to assist with the pre-leasing and marketing, and this employee will continue with company on an on-going basis. Two to four (2-4) months prior to opening company will hire a Location Manager, who will oversee all operations, an on-going position. End of July/Early August 2017 a Lead Maintenance, accountant/bookkeeper will be hired as well as three (3) employees for the Concierge Desk/Security.

<sup>1</sup> The Capital District Economic Development Region consists of the following counties: Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren and Washington.

- D. Description of activities and/or work performed is included in Schedule A – Description Included in Schedule A

V. Project Cost and Financing Sources

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ 2,850,000 (est)
Buildings	\$ 20,500,000 (est)
Machinery and equipment costs	\$ 992,000 (est)
Utilities, roads and appurtenant costs	\$ N/A
Architects and engineering fees	\$ 1,125,000 (est)
Costs of Bond Issue (legal, financial and printing)	\$ N/A
Construction loan fees and interest (if applicable)	\$ 892,000 (est)
Other (specify)	
Contingency (Hard & Soft)	\$ 1,462,000 (est)
Admin, Indirect Costs & Taxes during Construction	\$ 1,552,000 (est)
Other Soft Costs	\$ 1,162,000 (est)
<b>TOTAL PROJECT COSTS</b>	<b>\$ 30,535,000 (est)</b>

- B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:



<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ 21,375,000 (est)
Public Sector	\$ 0
Federal Programs	\$ 0
State Programs	\$ 0
Local Programs	\$ 0
Applicant Equity	\$ 9,160,000 (est)
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL AMOUNT OF PROJECT FINANCING SOURCES</b>	<b>\$ 30,535,000 (est)</b>

- C. Have any of the above expenditures already been made by the applicant?  
Yes ☒ ; No \_\_\_\_\_. If yes, indicate particulars.

Funds have been spent and/or committed on land deposits, due diligence, legal fees, surveys, traffic studies, market studies, environmental studies, architecture, engineering approvals, fees and other predevelopment expenses.

- D. Amount of loan requested: \$; **Not requested yet.**

Maturity requested: **30** years.

- E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes \_\_\_\_; No ☒ . Institution Name: \_\_\_\_\_

Provide name and telephone number of the person we may contact.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 0 %
- G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$ 21,375,000

VI. BENEFITS EXPECTED FROM THE AGENCY

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the Project?  
Yes \_\_\_\_; No **X**. If yes, indicate:
  - a. Amount of loan requested: \_\_\_\_ Dollars;
  - b. Maturity requested: \_\_\_\_ Years.
2. Is the interest on such bonds intended to be exempt from federal income taxation?  
N/A Yes \_\_\_\_; No \_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes: N/A
  - a. retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_
  - b. automobile sales or service: Yes \_\_\_\_; No \_\_\_\_
  - c. recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_
  - d. golf course: Yes \_\_\_\_; No \_\_\_\_
  - e. country club: Yes \_\_\_\_; No \_\_\_\_
  - f. massage parlor: Yes \_\_\_\_; No \_\_\_\_
  - g. tennis club: Yes \_\_\_\_; No \_\_\_\_
  - h. skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_
  - i. racquet sports facility (including handball and racquetball court): Yes \_\_\_\_; No \_\_\_\_
  - j. hot tub facility: Yes \_\_\_\_; No \_\_\_\_
  - k. suntan facility: Yes \_\_\_\_; No \_\_\_\_
  - l. racetrack: Yes \_\_\_\_; No \_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment. N/A
5. Is the Project located in the City's federally designated Enterprise Zone? Yes \_\_\_\_; No **X**.
6. Is the applicant requesting the Agency to issue federally tax-exempt Enterprise Zone bonds? Yes \_\_\_\_; No **X**.

B. Tax Benefits

1. Is the applicant requesting any real property tax exemption that would not be available to a project that did not involve the Agency? Yes ☒ ; No ☐

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes ☒ ; No ☐. If yes, what is the approximate amount of financing to be secured by mortgages? \$21,375,000.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes ☒ .No ☐. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ 10,250,000 est.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

a.	N.Y.S. Sales and Compensating Use Taxes:	\$820,000
b.	Mortgage Recording Taxes:	\$267,185
c.	Real Property Tax Exemptions:	\$1,400,597 (aggregate, non-discounted)
d.	Other (please specify):	
		\$ _____
		\$ _____

*The present value of the requested real property tax exemption is \$1,110,000 (rounded) based on a 9.0% discount rate, which is the unlevered discount rate typically utilized to calculate the value of real property tax abatements that occur over multiple periods.*

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes ☒ ; No ☐. If yes, please explain.

*The applicant is seeking deviation from the Agency's Uniform Tax Exemption Policy.*

6. Is the Project located in the City's state designated Empire Zone? Yes ☐ ; No ☒.

C. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

- A. Job 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 “DOC”) and with the administrative entity (collectively with the DOC, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.
- B. First Consideration for Employment. In accordance with Section 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, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled “The Omnibus Human Rights Law” and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.
- D. Annual Sales Tax Filings. In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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 retained by the applicant.
- E. Annual Employment Reports. 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 people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the “NYS-45”), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.
- F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company’s contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a “Construction

Completion Report” listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

- G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.
- H. Project Benefits Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the “Public Benefits”) and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.
- I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.
- J. Post Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.
- K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

- L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:
- M. Relocation or Abandonment . The provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.
- N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- O. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of 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.
- P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. 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:
- Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at [www.albanyida.com](http://www.albanyida.com).

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.



By:

Applicant  
Jon M. Grant

Title:

Managing Member

-----  
NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING  
ON PAGES 26 THROUGH 29 HEREOF BEFORE A NOTARY PUBLIC AND MUST  
SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 30  
-----

VERIFICATION

STATE OF \_\_\_\_\_

(If Applicant is a Corporation)

\_\_\_\_\_) ) SS.:  
COUNTY OF \_\_\_\_\_ )

Jon M. Grant deposes and says that he is the

Managing Member of 1385 Washington Ave Property Associates, LLC,  
the corporation named in the attached application; that he has read the foregoing application and knows the  
contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent  
further says that the reason this verification is made by the deponent and not by said company is because  
the said company is a corporation. The grounds of deponent's belief relative to all matters in the said  
application which are not stated upon his own personal knowledge are investigations which deponent has  
caused to be made concerning the subject matter of this application as well as information acquired by  
deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(officer of applicant)

Sworn to before me this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

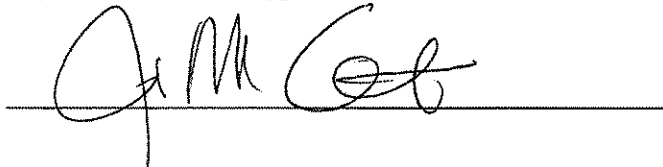
(If applicant is sole proprietor)




VERIFICATION

STATE OF MD )  
 ) SS.:  
COUNTY OF AA )

Jon M. Grant, deposes and says  
that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.




Sworn to before me this 24 day  
of February, 2016

  
(Notary Public)

MICHAEL DOUGLAS STEINHICE JR  
NOTARY PUBLIC  
QUEEN ANNES COUNTY  
MARYLAND  
My Commission Expires 01-14-2020

(If applicant is limited liability company)

  
Jon M Grant, deposes and says

that he is one of the members of the firm of 1385 Washington Ave Property Associates LLC,

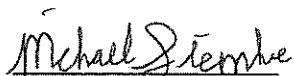
VERIFICATION

STATE OF Maryland )  
 ) SS.:  
COUNTY OF Anne Arundel )

1385 Washington Ave Property Associates LLC the partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.



Sworn to before me this 24 day  
of February, 2016

  
(Notary Public)

MICHAEL DOUGLAS STEINHICE JR  
NOTARY PUBLIC  
QUEEN ANNES COUNTY  
MARYLAND  
My Commission Expires 01-14-2020

-----  
NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD  
HARMLESS AGREEMENT APPEARING ON PAGE 30 IS SIGNED BY THE APPLICANT.  
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## HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as 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 (i) 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 issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions 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 find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Jon M Grant/1385 Washington Ave Property Associates LLC

BY: \_\_\_\_\_

Sworn to before me this 24 day  
of February, 2016

Michael Steinhice  
(Notary Public)

MICHAEL DOUGLAS STEINHICE JR  
NOTARY PUBLIC  
QUEEN ANNES COUNTY  
MARYLAND  
My Commission Expires 01-14-2020

TO: Project Applicants  
FROM: City of Albany Industrial Development Agency  
RE: Cost/Benefit Analysis

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In order for the City of Albany Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

VERIFICATION

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

1385 Washington Ave Property Associates LLC  
the limited liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

\_\_\_\_\_

Sworn to before me this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

(If applicant is partnership)

\_\_\_\_\_, deposes and says  
Jon M Grant  
that he is one of the members of the firm of 1385 Washington Ave Property Associates LLC,

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	1385 Washington Ave Property Associates, LLC
2. Brief Identification of the Project:	322 bed student housing development
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	N/A
B. Value of Sales Tax Exemption Sought	\$820,000
C. Value of Real Property Tax Exemption Sought	(aggregate, non-discounted) \$1,400,597
D. Value of Mortgage Recording Tax Exemption Sought	\$267,185

### **PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	<b>\$ 2,850,000</b>
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
<b>B. Building-Related Costs</b>	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	<b>\$ 20,500,000 (est)</b>
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____
<b>C. Machinery and Equipment Costs</b>	
1. Production and process equipment	\$ _____
2. Packaging equipment	\$ _____
3. Warehousing equipment	\$ _____
4. Installation costs for various equipment	\$ _____

5. Other equipment-related costs (describe)	\$ _____
D. Furniture and Fixture Costs	
1. Office furniture	\$ _____
2. Office equipment	\$ _____
3. Computers	\$ _____
4. Other furniture-related costs (common area and units)	\$ 992,000 (est)
E. Working Capital Costs	
1. Operation costs	\$108,500 (est)
2. Production costs	\$ _____
3. Raw materials	\$ _____
4. Debt service	\$ _____
5. Relocation costs	\$ _____
6. Skills training	\$ _____
7. Other working capital-related costs (describe)	\$ _____
F. Professional Service Costs	
1. Architecture and engineering	\$ 1,125,000 (est)
2. Accounting/legal	\$ 231,500 (est)
3. Other service-related costs (studies and surveys)	\$ 103,000 (est)
G. Other Costs	
1. Construction Loan Fees & Interest Reserve	\$ 892,000 (est)
2. Permits & Impact Fees	\$ 394,000 (est)
3. Hard and Soft Contingency	\$ 1,462,000 (est)
4. Start-up Marketing Costs	\$ 325,000 (est)
5. Administrative, Indirect costs & Taxes during Construction	\$1,552,000 (est)
H. Summary of Expenditures	
1. Total Land-Related Costs	\$2,850,000
2. Total Building-Related Costs	\$20,500,000 (est)
3. Total Machinery and Equipment Costs	\$ _____
4. Total Furniture and Fixture Costs	\$992,000 (est)
5. Total Working Capital Costs	\$108,500 (est)
6. Total Professional Service Costs	\$1,462,000 (est)
7. Total Other Costs	\$4,622,500 (est)

### **PROJECTED PROFIT**

I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization:

YEAR	Without IDA benefits*	With IDA benefits*
1	\$ 477,794	\$ 708,272
2	\$ 618,055	\$ 854,016
3	\$ 641,926	\$ 762,704
4	\$ 666,161	\$ 765,066
5	\$ 690,753	\$ 766,678

\* Includes accrued losses carried forward

### **PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	45	\$ 3,199,117	\$ 206,343
Year 1	45	\$ 3,199,117	\$ 206,343
Year 2		\$ _____	\$ _____
Year 3		\$ _____	\$ _____
Year 4		\$ _____	\$ _____
Year 5		\$ _____	\$ _____

*1. Includes only direct construction jobs. However, it should be noted that the project is expected to generate a significant amount of indirect and induced jobs and economic output.*

*2. Estimated \$32.9 million in one-time direct, indirect and induced economic output*

### **PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application.

II. Estimates of the total new permanent jobs to be created at the Project are described in the tables in Section IV of the Application.

III. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

IV. Provide the projected percentage of employment that would be filled by City of Albany residents:  
30% (est)

A. Provide a brief description of how the project expects to meet this percentage:

1385 Washington Ave Property Associates is currently working with a local general contractor and all local professionals to advance the project. In all of our projects, we make a conscious effort to work with local labor and professionals to the extent possible.

### **PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ 78,500 (Repairs and Maintenance - est.)
Additional Sales Tax Paid on Additional Purchases	\$ 6,280
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	N/A
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	N/A

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"):



Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$72,922	\$72,922	0
Year 1	\$457,051	\$72,922	\$384,129
Year 2	\$466,192	\$72,922	\$393,270
Year 3	\$475,516	\$274,219	\$201,297
Year 4	\$485,026	\$320,184	\$164,842
Year 5	\$494,726	\$368,185	\$126,541
Year 6	\$504,621	\$418,281	\$86,340
Year 7	\$514,713	\$470,534	\$44,179
Year 8	\$535,008	-	
Year 9	\$546,218	-	
Year 10	\$557,142	-	

The proposed PILOT structure consists of a payment equal to the existing real estate taxes for the construction period (estimated to be 12–16 months) and the first two operating years before commencement of the prototypical abatement beginning at 50% of the incremental taxes amortizing over a five year period at 10% per year. This structure is a critically important risk mitigant that offsets the lease-up risk associated with the limited target market, which is a result of the subject site’s use restriction.

An important aspect of the proposed PILOT structure is establishing a firm PILOT payment schedule in lieu of a schedule of percentages of assessed real property taxes. Based on all assessment information available, the full annual real estate taxes for the stabilized project are estimated to be \$1,419 per bed (est). 1385 Washington Ave Property Associates, LLC seeks to establish this assessment within the framework of the PILOT agreement with the IDA by way of fixing the full assessment based on guidance received from the assessor.

**III. Please provide a brief description for the impact of other economic benefits expected to be produced as a result of the Project:**

The subject is an older property and currently only generates approximately \$72,922 in annual real estate taxes. With the proposed improvements, the project will generate additional income of \$274,219 in year three with the PILOT program in place and escalate to a total tax income total of \$525,008 est in its first year of full assessment, an increase of approximately 85%. With the assistance of the Albany IDA, the proposed project, based on estimates to be confirmed, will be an economically impactful development solution with the benefit of supporting an estimated 190 jobs during its construction phase (direct, indirect and induced FTEs) and 7 new ongoing F/T jobs at stabilization. Those estimated 190 new jobs would be associated with more than \$10.6 million in employee compensation equating to over \$50,000 per position. Beyond the cost of purchasing the necessary materials for the project, a cost of approximately \$14 million, total Albany regional business sales are estimated to be augmented by almost \$33 million.

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

**Date Signed:** February 24, 2016.

**Name of Person Completing Project Questionnaire on behalf of the Company.**

Name: Cheryl Henry-Fawcett  
Title: Executive Project Manager  
Phone Number: 410.230.0003 ext 3  
Address: 7 Old Solomon's Island Road, #200  
Annapolis, Maryland 21401

**Signature:**



## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

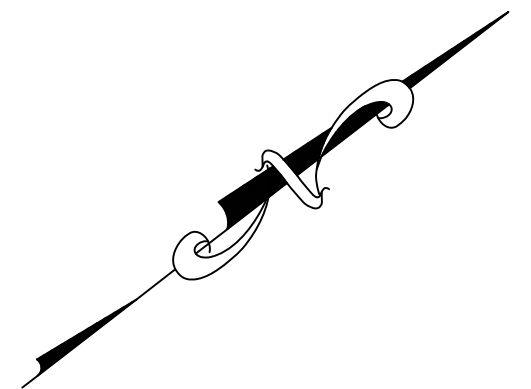
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INTERSTATE

1 - 90

(EAST BOUND)



20' SEWER EASEMENT LIBER  
1485 PAGE 319 LIBER 1483  
PAGE 5 (SHOWN FROM  
RECORD DATA)

TAX MAP No.  
53.14-1-1.42

PORTION OF TAX MAP No.  
101,764 S.F. 53.14-1-1.41  
2.33 Acres LANDS N/F OF  
1110 WESTERN ALBANY  
MANAGEMENT COMPANY, INC.  
L.2845 P.185

TAX MAP No.  
53.14-1-1.13

TAX MAP No.  
53.14-1-1.12

TAX MAP No.  
53.14-1-1.41  
LANDS N/F OF  
ALBANY HOTEL  
ASSOCIATES  
L.2853 P.518

PROPOSED FOUR STORY  
STUDENT HOUSING  
FF=256.50  
GF=244.50

PROPOSED PROPERTY LINE

PROPOSED PROPERTY LINE

stockade fence

segmented block wall

8" DIP in 20" steel casing

8" DIP in 20" steel casing

8" DIP in 20" steel casing

8" DIP in 20" steel casing

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8" DIP in 20" steel casing

8" DIP in 20" steel casing

EXISTING SITE COVERAGE STATISTICS

DESCRIPTION	S.F.	ACRES	%
BUILDING COVERAGE	10,092	0.23	5.4
PAVEMENT/SIDEWALK COVERAGE	41,619	0.96	22.2
IMPERVIOUS AREA	51,711	1.19	27.5
PERVIOUS AREA	136,068	3.12	72.5
GROSS SITE AREA	187,779	4.31	100.00%

PROPOSED SITE COVERAGE STATISTICS

DESCRIPTION	S.F.	ACRES	%
BUILDING COVERAGE	36,798	0.84	19.6
PAVEMENT/SIDEWALK COVERAGE	33,760	0.78	18.0
IMPERVIOUS AREA	70,558	1.62	37.5
PERVIOUS AREA	117,228	2.69	62.4
GROSS SITE AREA	187,779	4.31	100.00%

LEGEND

- MH MANHOLE
- WV WATER VALVE
- CATCHBASIN
- HYDRANT
- SV GAS VALVE
- BOLLARD
- LIGHT POLE
- FENCE LINE
- YARD LIGHT
- GUARD RAIL
- FLOOD LIGHT
- OVERHEAD WIRE, UTILITY POLE & GUY WIRE
- TRAFFIC FLOW ACCESS AREA
- WATER SHUT OFF
- CONCRETE
- PAYEMENT
- RETAINING WALL
- CURB
- HANDICAPPED PARKING

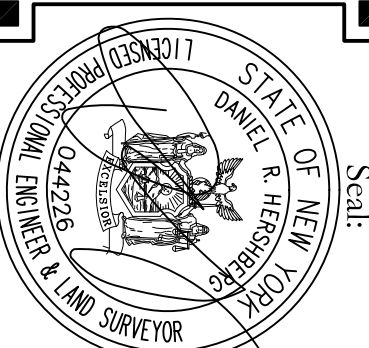
WASHINGTON AVENUE  
(PUBLIC R.O.W. WIDTH VARIES)

FOR MUNICIPAL APPROVAL ONLY-NOT INTENDED FOR CONSTRUCTION

UNIVERSITY SUITES II  
1385 WASHINGTON AVENUE  
Albany, NY

18 Local Street  
Albany, New York 12203  
Phone: (518) 459-3586

GrantArchitects  
Architecture  
Planning  
Interior Design  
7 Old Solomon Island Road  
Slate 200  
Amagansett, Maryland 21401  
Phone: (410) 290-0003  
www.grantarchitects.com



SITE  
PLAN

Project Number:	2014
Released For:	
Primary Date:	02/02/16
Secondary Date:	
Design Development:	
Permit:	
Construction:	
As-Built:	



160205-2.DWG



Washington Ave

New York

Street View - Sep 2015



Hide

RED  
CARPET  
INN & SUITES

385





# **The Economic and Fiscal Impacts of the 1385 Washington Avenue Student Housing Project in Albany, NY**

Submitted by:  
Sage Policy Group, Inc.

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Prepared For:  
  
GSX Solutions LLC &  
the Greater Albany Community

February 2016

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# **The Economic and Fiscal Impacts of the 1385 Washington Avenue Student Housing Project in Albany, NY**

## **Executive Summary**

SUNY Albany's 2020 Master Plan proposes to increase the university's enrollment to 20,000 students (it was 17,280 in the fall of 2014). This report estimates the economic and fiscal impacts associated with the proposed 1385 Washington Avenue student-housing complex to be constructed in Albany, New York. The complex will consist of 314 beds sitting atop a parking podium of approximately 146 parking spaces. In order to conduct the analysis, the Sage Policy Group, Inc. (Sage) study team used IMPLAN modeling software, which embodies economic and fiscal multipliers specific to the regional economies of the State of New York and Albany.

- **Principal Analytical Findings**

The Albany regional economy is already in decent shape, with regional unemployment presently below statewide and national averages. Additionally, the pace of job growth recently has exceeded the statewide level. Labor force growth, however, has been slow, in part because of overall slow population growth.

The proposed new housing would accommodate additional population while triggering positive economic and fiscal impacts. Our model has determined that the project:

- Will support 190 jobs during its construction phase and 30 permanent jobs once the project is tenanted;
- Is \$20.5 million in construction costs, but once multiplier effects are fully considered, total Albany regional business sales will be augmented by almost \$33 million during the construction period;
- Will support a mix of incomes ranging from middle-level managerial positions to entry-level retail jobs;
- Will contribute to local business sales during both construction and post-construction phases, expanding local business profitability;
- Will generate an estimated \$408,732 in sales tax revenue during its construction phase for State and local governments, all of which comes from indirect and induced impacts due to a sales tax exemption;
- Will produce \$36,297 annually in State income taxes once the property is tenanted;
- Will supply more than \$3.5 million in property tax receipts over its original 10 years of operations even with a PILOT agreement in place, greatly exceeding the \$72,922/year the local governments presently collects on the land.

In the final analysis, the proposed 1385 Washington Avenue project will: 1) address emerging housing needs; 2) expand local spending power and support for employment; and 3) generate positive net fiscal impacts. Societal costs of accommodating the project are low. The project requires no roadways be built, garbage removal will be privately contracted, and owners of the housing complex, as opposed to the City of Albany, will pay for water/sewer infrastructure. Additionally, student tenants are unlikely to utilize the services of the local school district.

## Introduction

This report addresses the economic and fiscal impacts associated with the proposed 1385 Washington Avenue student-housing complex to be constructed in Albany, NY. The complex will consist of 322 beds sitting atop a parking structure with approximately 146 parking spaces. In addition to the economic benefits of the new housing complex and associated construction, the complex will generate significant net fiscal benefits for State and local governments.

The Monthly Bed Rates will be as follows:

Beds	Baths	Monthly Rates	Per Unit Monthly Rates	Total Units	Total Beds
1	1	\$1,150	\$1,150	8	8
2	2	\$1,050	\$2,100	21	42
3	3	\$1,000	\$3,000	16	48
4	4	<b>\$950</b>	<b>\$3,800</b>	56	224
<b>Totals</b>		<b>-</b>	<b>-</b>	<b>101</b>	<b>322</b>

SUNY Albany's 2020 Master Plan proposes to increase the university's enrollment to 20,000 students (it was 17,280 in the fall of 2014). Discussions with University administrators indicate that an increase to enrollment of 18,000 may be more likely given current demographic and other relevant trends. In either circumstance, this proposed housing complex would help to augment the supply of student housing while increasing average housing quality.

## Measuring Economic Impacts

- Study Team Utilized IMPLAN Modeling Software Incorporating Multipliers Specific to the Albany Area

IMPLAN is an economic impact assessment software system. The system was originally developed and is now maintained by the Minnesota IMPLAN Group (MIG). It combines a set of extensive databases concerning economic factors, multipliers, and demographic statistics with a highly refined and detailed system of modeling software. IMPLAN allows the user to develop local-level input-output models that can estimate the economic impact of construction projects and new residential developments as well as other new firms moving into an area, the impacts of professional sports teams, and recreation and tourism. The model accomplishes this by identifying direct impacts by sector, then developing a set of indirect and induced impacts by sector through the use of region (in this case, Albany) and industry-specific multipliers, local purchase coefficients, income-to-output ratios, and other factors and relationships.

In addition to the jobs, income, and business sales supported directly by the 1385 Washington Avenue project, there is other economic activity supported through multiplier effects. Secondary benefits can be segmented into two types of impacts, indirect and

induced. Indirect benefits stem from the input purchases required to run and maintain (or build) the housing project. Induced impacts emerge from enhanced consumer spending power (i.e., household spending).

## Construction Phase

The 1385 Washington Avenue student housing construction project will generate significant employment impacts. In total, the construction phase will support 199 jobs measured in job-years. More specifically, the construction phase will generate 90 direct jobs, 70 indirect jobs, and 29 induced jobs. Those 190 new jobs will be associated with more than \$10.6 million in employee compensation, or over \$50,000 per position. See Exhibit 1 for a detailed breakdown of construction phase employment impacts.

Exhibit 1: Construction Phase Employment Impacts, Albany Region

	Employment	Employee Compensation
Direct	90	\$6,398,233
Indirect	70	\$2,863,076
Induced	29	\$1,409,951
<b>Total</b>	<b>190</b>	<b>\$10,671,260</b>

Source: Sage

In addition to employment impacts, the construction phase will generate significant economic value for the surrounding community. The total value added—a measure of an industry's or event's value of production above and beyond the cost of its purchasing necessary materials—is approximately \$14 million. The construction project is \$20.5 million in size, but once multiplier effects are fully considered, total Albany region business sales will be augmented by more than \$32.9 million.

Exhibit 2: Construction Phase Economic Impacts (2015 Dollars), Albany Region

	Value Added	Output
Direct	\$6,445,981	\$20,500,001
Indirect	\$5,186,382	\$8,307,140
Induced	\$2,591,330	\$4,092,175
<b>Total</b>	<b>\$14,223,694</b>	<b>\$32,899,316</b>

Source: Sage, IMPLAN, GSX Solutions

## Operational Phase

Once construction is complete and the project becomes operational/tenanted, there will be a set of ongoing, essentially permanent impacts generated. Not all benefits of the project can be fully modeled. For instance, students that would have lived in inferior housing will be able to live in more modern accommodations. While some of that additional benefit will be captured in rent, some will not be. The value that is not captured in any transaction is termed consumer surplus.

As shown in Exhibit 3, the project will directly support nearly 9 jobs once tenanted. These jobs vary from mid-level (i.e., property manager, accounting staff) to entry level. Based on Albany regional wages, the study team estimates that these positions will support \$275,000 in total employee compensation, or about \$32,350/employee measured in 2015 dollars.

Exhibit 3: 1385 Washington Avenue Direct Employment Associated with Operations (excluding benefits)

	Employment	Compensation/ Employee
Property Manager	1	\$50,000
Leasing Representatives	1.5	\$30,000
Accounting Staff	1	\$30,000
Concierge and Security	3	\$25,000
Building Engineer	1	\$50,000
Grounds Staff	1	\$25,000
<b>Total</b>	<b>8.5</b>	<b>\$275,000</b>

Source: Sage, IMPLAN

While the 1385 Washington Avenue will directly support 8.5 jobs, additional employment will be generated by resident spending power. Intuitively, these induced impacts will be larger. Of course, in the absence of the proposed project, some students will end up living on campus. One might therefore think that there is no additional spending taking place because of the addition of 1385 Washington Avenue. This is not true for two reasons. First, additional housing is needed to accommodate a growing student body. Secondly, students living off-campus tend to spend more in the regional economy than students living on-campus.

A 2011 study by Brown University estimated that their off-campus students spend \$8,100 *more* in the local economy per year.<sup>1</sup> Adjusting this figure for the difference in the cost of living between Providence, RI and Albany, we estimate that off-campus students at the University of Albany-SUNY will spend approximately \$9,952 in the local economy while on-campus students will spend \$2,880, a net difference of \$7,072

Exhibit 4 provides summary detail regarding the analytical findings attached to this portion of the analysis. Nearly 30 additional permanent jobs would be created. These jobs would be associated with approximately \$1.37 million in annual employee compensation, which translates into slightly more than \$46,000/position (in 2016 dollars). Total regional value-added would be augmented by nearly \$2.5 million/year. Total business sales (output) will be buoyed by over \$3.3 million per year as a result of the project. Additional disaggregation of the economic impact estimates can be found in the appendices at the end of this report.

Exhibit 4: Employment Impacts Stemming from Operations and Enhanced Local Spending

	Employment	Employee Compensation	Value Added	Output
Direct	21.6	\$988,979	\$1,727,888	\$2,164,905
Indirect	4	\$192,279	\$382,556	\$605,788
Induced	4	\$190,751	\$350,443	\$553,468
<b>Total</b>	<b>29.6</b>	<b>\$1,372,009</b>	<b>\$2,460,887</b>	<b>\$3,324,160</b>

Source: Sage, IMPLAN

## Fiscal Impacts

In addition to support for local employment, incomes, and business sales, the proposed investment would also create new streams of tax revenue. Importantly, upfront and ongoing societal costs are low. The project requires no roadways to be built, garbage removal will be privately contracted (a positive economic impact), and owners of the housing complex, as opposed to the City of Albany, will pay for water/sewer infrastructure. Additionally, because this is student housing, residents are unlikely to utilize the services of local school districts.

The sections that follow specifically address the income, sales, and property tax implications of the proposed investment. These estimated fiscal impacts were generated using a customized IMPLAN model that makes use of government published tax rates and local fiscal multipliers. Note that the property tax revenue estimates presented below do not reflect any PILOT (payment in lieu of taxes) agreements that may ultimately be forged.

---

<sup>1</sup> Building Rhode Island's Knowledge Economy: The Economic Impact of Brown University. Brown University, November 2012.

## Income Taxes

New York State-level income tax collections resulting from the construction phase of the 1385 Washington Avenue student housing project will total \$467,014. This translates into an effective State income tax rate of 4.0 percent. Albany County is one of a handful of New York communities that does not charge an income tax. Sage calculated New York State's effective income tax rate using 2014 data sourced from the U.S. Bureau of Economic Analysis (2015 data are not yet available). In 2014, the most recent year for which data is available, the effective state-level income tax rate within New York was 4.0 percent. Given estimated incomes associated with the construction phase, the 4.0 percent effective tax rate calculated using IMPLAN software is right in line with what was derived from State data.

For the occupancy/operational phase of the proposed 1385 Washington Avenue project, State-level income tax collections will total \$36,297 annually. This equates to an effective tax rate of 3.1 percent, lower than that attached to the construction phase due to differences in compensation. For instance, many of the induced jobs associated with the operational phase will fall within the retail sales category. Exhibit 5 provides relevant statistical detail.

Exhibit 5: Income Tax Revenues, State of New York

	Employee Compensation	Income Tax Revenue	Effective Tax Rate
Construction Phase	\$10,671,260	\$425,031	4.0%
Operational Phase	\$1,372,009	\$36,297	2.6%

Source: Sage, IMPLAN, U.S. Bureau of Economic Analysis

## Sales Taxes

Purchases in Albany County are subject to an 8 percent sales tax, half of which goes to the State. The County receives the other half and, in turn, distributes 40 percent of those revenues to local governments within the County. This 40 percent is distributed to cities based on their population as recorded in the 2010 census. Accordingly, the City of Albany receives roughly one-third of the County's sales tax revenue.

The 1385 Washington Avenue project will generate an estimated \$515,600 in sales tax revenue during its construction phase. Note that the construction phase will be exempt from sales tax under the PILOT agreement. Thus, the stated sales tax data for the construction phase reflect only indirect and induced impacts, which are \$353,830 and \$161,770, respectively. Once operational, the complex will produce \$100,845 in sales taxes per year. The distribution of taxes between the State, the County, and the City of Albany is presented in Exhibit 6.

Exhibit 6: Sales Tax Revenues

	Sales Tax Revenue	State	Albany County	City of Albany
Construction Phase	\$408,732	\$204,368	\$122,622	\$40,830
Operational Phase	\$100,845	\$50,423	\$30,254	\$10,074

Source: Sage, IMPLAN, U.S. Bureau of Economic Analysis

## Property Taxes

An application for a Payment In Lieu of Taxes (PILOT) agreement will be issued to the City of Albany Industrial Development Agency. The structure of the PILOT consists of an initial payment equal to existing property taxes at the location (\$72,922/year) for the construction period and during the initial two years of operations. Tax payments will begin to incrementally edge higher thereafter. Exhibit 7 provides estimates of the project's fiscal impacts both in terms of PILOT payments and on real property taxes. Over its initial 10 years, the complex will account for more than \$3.5 million in property tax receipts, far greater than the \$72,922/year the City currently collects on the land. Additional fiscal impact disaggregation can be viewed in the appendices at the end of this report.

Exhibit 7: Property Taxes and PILOT Payment Assessment

	Full Real Property Taxes (Without IDA Involvement)	Structure	Abatement	New Pilot Payments (With IDA)	Incremental Tax Receipts
Year 1	\$457,051	100%	\$384,129	\$72,922	\$0
Year 2	\$466,192	100%	\$393,270	\$72,922	\$0
Year 3	\$475,516	50%	\$201,297	\$274,219	\$201,297
Year 4	\$485,026	40%	\$164,842	\$320,184	\$247,262
Year 5	\$494,726	30%	\$126,541	\$368,185	\$295,263
Year 6	\$504,621	20%	\$86,340	\$418,281	\$345,359
Year 7	\$514,713	10%	\$44,179	\$470,534	\$397,612
Year 8	\$525,008	0%	\$0	\$525,008	\$452,086
Year 9	\$535,508	-	\$0	\$535,508	\$462,586
Year 10	\$546,218	-	\$0	\$546,218	\$473,296

Source: GSX Solutions, LLC

## Current Economic Situation in Albany

- Project Would Contribute to an Already Expanding Regional Economy

Albany's economy is already stable. The project above would simply improve existing economic and fiscal circumstances. As of December 2015, the Albany metropolitan area recorded an unemployment rate of 4.0 percent, second only to Ithaca among New York's eleven metropolitan areas.<sup>2</sup> As of this writing, Albany's regional unemployment rate is significantly better than the statewide average (4.8 percent) and the national average (5.0 percent). The current rate of unemployment is also the region's lowest since November 2007.

The Albany area typically ranks among New York's best metropolitan areas in terms of job growth. That said, Albany's employment level increased by only 0.7 percent on a year-over-year basis in December 2015, a disappointing figure in comparison to the statewide growth of 1.7 percent. This is largely explained by the 1.7 percent growth in New York City, which skews the statewide figure.

The long term outlook for Albany remains strong. Albany has posted year-over-year employment gains in each of the previous 54 months. Albany's largest growth sectors over the past year are professional business services (+6,000), education and health services (+2,500), information (+2,400), and manufacturing (+2,000 jobs).

Exhibit 8: Albany MSA Labor Force Statistical Overview

	Labor Force	Employment	Unemployment	Unemployment Rate
2003	445,502	426,348	19,154	4.3%
2004	449,918	430,702	19,216	4.3%
2005	454,311	436,270	18,041	4.0%
2006	455,677	438,094	17,583	3.9%
2007	452,537	434,438	18,099	4.0%
2008	459,723	436,999	22,724	4.9%
2009	457,262	425,586	31,676	6.9%
2010	459,082	425,677	33,405	7.3%
2011	449,676	417,508	32,168	7.2%
2012	455,236	421,907	33,329	7.3%
2013	454,114	425,504	28,610	6.3%
2014	445,519	422,997	22,522	5.1%
2015	447,968	427,801	20,167	4.5%

Source: United States Bureau of Labor Statistics

<sup>2</sup> United States Bureau of Labor Statistics, Local Area Unemployment Statistics survey, accessed 2/22/2016.



## Conclusion

In accordance with its 2020 Master Plan, SUNY-Albany continues to expand its student population. Correspondingly, the demand for student housing continues to expand. The proposed student housing project at 1385 Washington Avenue would help address this need while producing significant positive economic and fiscal impacts for the community. Additionally, the expanding student population means that the new housing complex will not have adverse effects on existing property owners.

Based on our analysis, we conclude that the project would support 190 jobs during its construction phase and 30 permanent jobs once the project is tenanted. The construction project is \$20.5 million in size, but once multiplier effects are fully considered, total Albany region business sales will be augmented by roughly \$33 million during the development/construction period.

After construction, the project will support a mix of incomes ranging from middle-level managerial positions to entry-level retail jobs. Local business sales would be augmented during both construction and post-construction phases, expanding local business profitability.

Fiscal impacts would also be positive. The 1385 Washington Avenue project will generate an estimated \$408,732 in sales tax revenue during its construction phase for State and local governments. State-level income tax collections will total \$36,297/year once the property is tenanted. Over its initial 10 years of operations, the complex will account for more than \$3.5 million in property tax receipts, far greater than the \$72,922/year the City currently collects on the land.

## Appendix

Exhibit 9: Total Fiscal Impacts

<b>Construction Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$2,290
Social Ins Tax- Employee Contribution	\$16,071			
Social Ins Tax- Employer Contribution	\$31,070			
Tax on Production and Imports: Sales Tax		\$424,924		
Tax on Production and Imports: Property Tax		\$487,449		
Tax on Production and Imports: Motor Vehicle		\$6,377		
Tax on Production and Imports: Other Taxes		\$57,223		
Tax on Production and Imports: S/L NonTaxes		\$2,388		
Corporate Profits Tax				\$72,481
Personal Tax: Income Tax			\$425,031	
Personal Tax: Property Taxes			\$4,097	
Personal Tax: Other			\$45,396	
<b>Total State and Local Tax</b>	<b>\$47,141</b>	<b>\$978,361</b>	<b>\$474,524</b>	<b>\$74,771</b>
<b>Operational Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$776
Social Ins Tax- Employee Contribution	\$1,890			
Social Ins Tax- Employer Contribution	\$3,654			
Tax on Production and Imports: Sales Tax		\$100,845		
Tax on Production and Imports: Property Tax		\$115,684		
Tax on Production and Imports: Motor Vehicle Lic		\$1,513		
Tax on Production and Imports: Other Taxes		\$13,580		
Tax on Production and Imports: S/L NonTaxes		\$567		
Corporate Profits Tax				\$24,574
Personal Tax: Income Tax			\$36,297	
Personal Tax: Property Taxes			\$559	
Personal Tax: Other			\$6,195	
<b>Total State and Local Tax</b>	<b>\$5,544</b>	<b>\$232,189</b>	<b>\$43,052</b>	<b>\$25,350</b>

Source: Sage, IMPLAN

Exhibit 10: Direct Fiscal Impacts

<b>Construction Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$4
Social Ins Tax- Employee Contribution	\$10,313			
Social Ins Tax- Employer Contribution	\$19,938			
Tax on Production and Imports: Sales Tax		\$16,192		
Tax on Production and Imports: Property Tax		\$18,574		
Tax on Production and Imports: Motor Vehicle Lic		\$243		
Tax on Production and Imports: Other Taxes		\$2,180		
Tax on Production and Imports: S/L NonTaxes		\$91		
Corporate Profits Tax				\$134
Personal Tax: Income Tax			\$277,381	
Personal Tax: Property Taxes			\$2,332	
Personal Tax: Other			\$25,839	
<b>Total State and Local Tax</b>	<b>\$30,251</b>	<b>\$37,281</b>	<b>\$305,552</b>	<b>\$138</b>
<b>Operational Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$511
Social Ins Tax- Employee Contribution	\$1,359			
Social Ins Tax- Employer Contribution	\$2,628			
Tax on Production and Imports: Sales Tax		\$74,650		
Tax on Production and Imports: Property Tax		\$85,635		
Tax on Production and Imports: Motor Vehicle		\$1,120		
Tax on Production and Imports: Other Taxes		\$10,053		
Tax on Production and Imports: S/L NonTaxes		\$420		
Corporate Profits Tax				\$16,177
Personal Tax: Income Tax			\$26,204	
Personal Tax: Property Taxes			\$404	
Personal Tax: Other			\$4,473	
<b>Total State and Local Tax</b>	<b>\$3,987</b>	<b>\$171,877</b>	<b>\$31,080</b>	<b>\$16,688</b>

Source: Sage, IMPLAN

Exhibit 11: Indirect Fiscal Impacts

<b>Construction Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$1,428
Social Ins Tax- Employee Contribution	\$3,775			
Social Ins Tax- Employer Contribution	\$7,299			
Tax on Production and Imports: Sales Tax		\$305,351		
Tax on Production and Imports: Property Tax		\$350,282		
Tax on Production and Imports: Motor Vehicle		\$4,583		
Tax on Production and Imports: Other Taxes		\$41,120		
Tax on Production and Imports: S/L NonTaxes		\$1,716		
Corporate Profits Tax				\$45,202
Personal Tax: Income Tax			\$90,106	
Personal Tax: Property Taxes			\$1,198	
Personal Tax: Other			\$13,271	
<b>Total State and Local Tax</b>	<b>\$11,074</b>	<b>\$703,053</b>	<b>\$104,575</b>	<b>\$46,631</b>
<b>Operational Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$149
Social Ins Tax- Employee Contribution	\$263			
Social Ins Tax- Employer Contribution	\$508			
Tax on Production and Imports: Sales Tax		\$12,203		
Tax on Production and Imports: Property Tax		\$13,999		
Tax on Production and Imports: Motor Vehicle		\$183		
Tax on Production and Imports: Other Taxes		\$1,643		
Tax on Production and Imports: S/L NonTaxes		\$69		
Corporate Profits Tax				\$4,729
Personal Tax: Income Tax			\$5,113	
Personal Tax: Property Taxes			\$79	
Personal Tax: Other			\$873	
<b>Total State and Local Tax</b>	<b>\$771</b>	<b>\$28,097</b>	<b>\$6,064</b>	<b>\$4,878</b>

Source: Sage, IMPLAN

Exhibit 12: Induced Fiscal Impacts

<b>Construction Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$858
Social Ins Tax- Employee Contribution	\$1,983			
Social Ins Tax- Employer Contribution	\$3,833			
Tax on Production and Imports: Sales Tax		\$103,380		
Tax on Production and Imports: Property Tax		\$118,592		
Tax on Production and Imports: Motor Vehicle		\$1,552		
Tax on Production and Imports: Other Taxes		\$13,922		
Tax on Production and Imports: S/L NonTaxes		\$581		
Corporate Profits Tax				\$27,145
Personal Tax: Income Tax			\$57,544	
Personal Tax: Property Taxes			\$567	
Personal Tax: Other			\$6,285	
<b>Total State and Local Tax</b>	<b>\$5,815</b>	<b>\$238,027</b>	<b>\$64,396</b>	<b>\$28,002</b>
<b>Operational Phase</b>	Employee Compensation	Tax on Production and Imports	Households	Corporations
Dividends				\$116
Social Ins Tax- Employee Contribution	\$268			
Social Ins Tax- Employer Contribution	\$519			
Tax on Production and Imports: Sales Tax		\$13,991		
Tax on Production and Imports: Property Tax		\$16,050		
Tax on Production and Imports: Motor Vehicle		\$210		
Tax on Production and Imports: Other Taxes		\$1,884		
Tax on Production and Imports: S/L NonTaxes		\$79		
Corporate Profits Tax				\$3,668
Personal Tax: Income Tax			\$4,981	
Personal Tax: Property Taxes			\$77	
Personal Tax: Other			\$850	
<b>Total State and Local Tax</b>	<b>\$787</b>	<b>\$32,214</b>	<b>\$5,908</b>	<b>\$3,784</b>

Source: Sage, IMPLAN

## Corporate Capabilities

**Sage Policy Group, Inc.** is an economic and policy consulting firm specializing in economic, fiscal and legislative analysis, program evaluation, and organizational and strategic development. The firm's clients include public agencies, private corporations, and nonprofit organizations.

**Anirban Basu**, the company's Chairman and CEO, is trained as an economist, educator, and attorney with extensive experience in economic and community development. His clients have included Fortune 500 companies such as BGE, the St. Paul Companies, and BP, as well as numerous public and nonprofit agencies. Mr. Basu holds a J.D. from the University of Maryland School of Law, an M.S. in mathematical economics from the University of Maryland, and a Master of Public Policy (M.P.P.) from Harvard.

We conceived **Sage Policy Group, Inc.** in 2004 because of our collective fascination with and commitment to our democracy. Our staff commits itself to the development and refinement of public policies and strategies that strengthen our communities and unite our people. The firm is committed to supporting the organizational objectives of our clients while pursuing the betterment of our society.

## Business Status

**Sage Policy Group, Inc.** is a minority-owned, certified small business operating in a historically underutilized business zone (HUBZone) in Baltimore, Maryland, near The Johns Hopkins University Medical Center and the Kennedy Krieger Institute for pediatric care. The company is located in Federal Hill, Baltimore.

## Our Philosophy

**Sage Policy Group, Inc.** is passionate about supporting our clients' needs and objectives, and we have established a reputation for satisfying our clients with high-quality products delivered on time and within budget. Our core philosophy:

- We operate to have a positive impact on people, communities, and organizations.
- We strive to generate objective and impartial information and analysis.
- We choose to work with clients in whose missions and objectives we believe.
- We labor tirelessly to ensure the success of each and every opportunity bestowed to us.

As experts in research methods, our corporate focus is to utilize sound, widely accepted analytical techniques that provide our clients and their stakeholders with valid and reliable knowledge and information to support critical organization and decision-making requirements.

## Core Practice Areas

The firm specializes in the following core practice areas: Economic, Fiscal and Legislative Analysis, Program Development and Evaluation, Organizational Development, and Research Methods.

### **Economic/Fiscal/Legislative Analysis**

- Forecasting
- Expert Witness Testimony
- Fiscal Policy/Budgeting
- Bill/Policy Analysis
- Community Development
- Market Analysis
- Strategic Economic Development
- Workforce/Skills Analysis
- Regulatory Analysis

### **Program Development & Evaluation**

- Evaluation Design
- Implementation/Process Analysis
- Impact/Outcome Analysis
- Cost-Effectiveness/Benefit-Cost Analysis

### **Organizational Development**

- Benchmarking
- Performance Measurement
- Site Selection
- Business Process Reengineering
- Needs Assessment
- Strategic Planning

### **Research Methods**

- Data Collection
- Instrument Design
- Survey Research
- Large Database Analysis/SAS
- Econometric Modeling
- Microsimulation
- Operations Research
- Management Information Systems

## Public Policy Experience

Over the course of his lengthy careers, Mr. Basu has worked on numerous projects encompassing a broad spectrum of social and economic policy issues and concerns. These include:

### **Economic Development**

- Strategic Development for States, Regions and Cities
- Employment, Income, Gross Regional Product Forecasting
- Workforce Development
- Land-Use Analysis

### **Health & Human Services**

- Health Workforce Analysis
- Medical Liability Insurance Analysis
- Welfare to Work
- Child Support Enforcement
- Child Abuse/Domestic Violence
- Aging/Gerontology
- Food Assistance/Income Support
- Substance Abuse
- Criminal/Juvenile Justice

### **Housing**

- Fiscal Impacts
- Economic Impacts
- Workforce Housing
- Housing Assistance

### **Education**

- Enrollment Forecasting
- Curriculum Development Support
- Performance Measurement
- Education Fina

99 Pine Street of Albany LLC  
525 Union Street, Suite 101  
Schenectady, NY 12305

February 2, 2016

Tracy Metzger  
Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

RE: Request for IDA Assistance for 99 Pine Street of Albany LLC Project

Dear Ms. Metzger:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for the consideration of financial assistance associated with the 99 Pine Street of Albany LLC Project.

99 PINE STREET OF ALBANY, LLC has been formed for the purposes of acquiring a commercial office building known as the Capital Center located at 99 Pine Street, Albany, New York and redeveloping and operating the Property as a mixed-use building by adding thirty-eight (38) residential units on floors 3-5. The property is comprised of six separate buildings that have been combined internally over the past 50 years.

Please do not hesitate to contact me if you should have any questions or find additional information is needed. I look forward to working with the Agency on this project. Thank you.

Sincerely,

Seth Meltzer  
VP of Marketing & Sales

Enclosure



CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION

-----  
IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.  
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TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
21 Lodge Street  
Albany, New York 12207

This application by applicant respectfully states:

APPLICANT: 99 PINE STREET OF ALBANY LLC

APPLICANT'S ADDRESS: 525 UNION STREET, SUITE 101

CITY: SCHENECTADY STATE: NY ZIP CODE: 12305

PHONE NO.: 518-346-8600 FAX NO.: 518-346-8800 E-MAIL: SETH@MADDALONE.NET

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: SETH MELTZER

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: CHARLES B. ROSENSTEIN

ATTORNEY'S ADDRESS: 440 NEW KARNER RD.

CITY: ALBANY STATE: NY ZIP CODE: 12205

PHONE NO.: 518-452-6979 FAX NO.: 518-452-6873 E-MAIL: CROSENSTEIN@CBLAW.NET

-----  
NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT THIS FORM.  
-----

### INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
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 one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (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 or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease

Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency's Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

FOR AGENCY USE ONLY

1. Project Number	
2. Date application Received by Agency	_____, 20____
3. Date application referred to attorney for review	_____, 20____
4. Date copy of application mailed to members	_____, 20____
5. Date notice of Agency meeting on application posted	_____, 20____
6. Date notice of Agency meeting on application mailed	_____, 20____
7. Date of Agency meeting on application	_____, 20____
8. Date Agency conditionally approved application	_____, 20____
9. Date scheduled for public hearing	_____, 20____
10. Date Environmental Assessment Form ("EAF") received	_____, 20____
11. Date Agency completed environmental review	_____, 20____
12. Date of final approval of application	_____, 20____

SUMMARY OF PROJECT

Applicant: 99 PINE STREET OF ALBANY LLC

Contact Person: SETH MELTZER

Phone Number: 518-275-5699

Occupant: 99 PINE STREET OF ALBANY LLC

Project Location: 99 PINE STREET, ALBANY, NY 12207

Approximate Size of Project Site: 100,000 sq ft.

Description of Project: PURCHASE AND RENOVATE, TO DEVELOP  
38 APARTMENTS IN THE BUILDING. WE WILL BE SEEKING  
THE AS-OF-RIGHT-485a TAX EXEMPTION

Type of Project: ☐ Manufacturing ☐ Warehouse/Distribution  
☐ Commercial ☐ Not-For-Profit  
☒ Other-Specify : MIXED USE

Employment Impact: Existing Jobs: 0

New Jobs : 0

Project Cost: \$ 6,239,893.00

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: \$ 0.00

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$ 129,743.06
Mortgage Recording Taxes:	\$ 74,465.77
Real Property Tax Exemptions:	\$ 0
Other (please specify):	\$ 0

Provide estimates for the following:

Number of Full Time Employees at the Project Site before IDA Status: 0  
Estimate of Jobs to be Created: 0

Estimate of Jobs to be Retained:

0

Average Estimated Annual Salary of Jobs to be Created:

0

Annualized Salary Range of Jobs to be Created:

0

Estimated Average Annual Salary of Jobs to be Retained:

0

I.

A.

- 19

## B.

- 1.

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
CHRISTOPHER MADDALONE	MEMBER	MADDALONE & ASSOCIATES, INC.
SETH MELTZER	MANAGING MEMBER	PROPERTY MANAGER

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No X.

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No X.

4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No X.  
(If yes to any of the foregoing, furnish details in a separate attachment).

5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal Owners of Company:

1. Principal owners of Company: Is Company publicly held? Yes \_\_\_\_; No X.  
If yes, list exchanges where stock traded:

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
CHRISTOPHER MADDALONE	525 UNION ST., STE. 101 SCHENECTADY, NY 12305	70%
SETH MELTZER	525 UNION ST., STE 101 SCHENECTADY, NY 12305	30%



D. Company's Principal Bank(s) of account:

SEFCU

II. DATA REGARDING PROPOSED PROJECT

A. Summary: (Please provide a brief narrative description of the Project.)

PURCHASE AND PARTIALLY RENOVATE THE 100,000 SQFT OFFICE BUILDING AT 99 PINE STREET. CONVERT TO APPROXIMATELY 38 UNITS OF RESIDENTIAL HOUSING ON EL 3-5

B. Location of Proposed Project:

1. Street Address 99 PINE STREET
2. City of ALBANY
3. Town of
4. Village of
5. County of ALBANY

C. Project Site:

1. Approximate size (in acres or square feet) of Project site: 0.53 ACRES  
Is a map, survey, or sketch of the project site attached? Yes ☒; No ☐.
2. Are there existing buildings on project site? Yes ☒; No ☐.
- a. If yes, indicate number and approximate size (in square feet) of each existing building:  
100,000 sqft
- b. Are existing buildings in operation? Yes ☒; No ☐.
- If yes, describe present use of present buildings:  
RETAIL + COMMERCIAL OFFICE USE
- c. Are existing buildings abandoned? Yes ☐; No ☒. About to be abandoned? Yes ☐; No ☐. If yes, describe:
- d. Attach photograph of present buildings.

3. Utilities serving project site: CITY OF ALBANY  
Water-Municipal:  
Other (describe)  
Sewer-Municipal: CITY OF ALBANY  
Other (describe)  
Electric-Utility:  
Other (describe) NATIONAL GRID  
Heat-Utility:  
Other (describe) NATIONAL GRID
4. Present legal owner of project site: 99 PINE LLC

- a. If the Company owns project site, indicate date of purchase:  
NA, 20\_\_\_; Purchase price: \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes ☒; No \_\_\_\_\_. If yes, indicate date option signed with owner: DEC 24, 2015; and the date the option expires: April 24, 2016.
- c. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? Yes \_\_\_\_; No ☒. If yes, describe:

5. a. Zoning District in which the project site is located:  
C-3 CENTRAL BUSINESS DISTRICT
- b. Are there any variances or special permits affecting the site? Yes \_\_\_\_; No ☒. If yes, list below and attach copies of all such variances or special permits:

D. Buildings:

1. Does part of the Project consist of a new building or buildings? Yes \_\_\_\_; No ☒. If yes, indicate number and size of new buildings:

2. Does part of the Project consist of additions and/or renovations to the existing buildings? Yes ☒; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

34,000 sqft will be converted to residential housing

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded:

RESIDENTIAL HOUSING

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No ~~X~~. If yes, describe the Equipment:
2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

NA

NA

F. Project Use:

1. What are the principal products to be produced at the Project?  
RESIDENTIAL HOUSING
2. What are the principal activities to be conducted at the Project?  
RENTING RESIDENTIAL HOUSING
3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes ~~X~~; No \_\_\_\_\_. If yes, please provide detail:  
MULTI-FAMILY APARTMENTS
4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? 100 %
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No X. If yes, please explain:
  
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No X. If yes, please explain:
  
- c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes \_\_\_\_; No X. If yes, please explain:
  
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No X. If yes, please provide detail:
  
- e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes X; No \_\_\_\_\_. If yes, please explain: \_\_\_\_\_

CENSUS TRACT 11

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No X. If yes, please explain:
  
7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No X. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No X. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

NA

- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

NA

G. Other Involved Agencies:

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

CAPITALIZE ALBANY CORPORATION

CITY OF ALBANY

CITY OF ALBANY PLANNING BOARD

TAXATION OFFICE BUILDING  
AND ENFORCEMENT

2. Describe the nature of the involvement of the federal, state, or local agencies described above:

CAPITALIZE ALBANY LOAN APPLICATION TAX OBATEMENT 485A  
PERMITS, SITE PLAN APPROVAL

H. Construction Status:

1. Has construction work on this Project begun? Yes \_\_\_\_; No X. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

2. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:

50,000 deposit on property

3. Please indicate the date the applicant estimates the Project will be completed:  
JUNE 2017.

I. Method of Construction After Agency Approval:

1. If the Agency approves the Project which is the subject of this application, there are two methods that may be used to construct the Project. The applicant can construct the Project privately and sell the Project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the Project? Yes ☒; No \_\_\_\_.

2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes ☒; No \_\_\_\_.

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes ☒; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

THE PROJECT IS LIMITED  
TO RESIDENTIAL LEASES.

1. Sublessee name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee is: \_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name:  
Present Address:  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee is: \_\_\_\_\_  
\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.
3. Sublessee name:  
Present Address:  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee is: \_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? 45%

#### IV. Employment Impact

- A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers

employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT Employees of Applicant <i>tenants</i> <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">SM</span>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	0	0	0	0	0
Present Part Time	0	0	0	0	0
Present Seasonal	0	0	0	0	0
First Year Full Time	0	0	0	0	0
First Year Part Time	0	0	0	0	0
First Year Seasonal	0	0	0	0	0
Second Year Full Time	0	0	0	0	0
Second Year Part Time	0	0	0	0	0
Second Year Seasonal	0	0	0	0	0

TYPE OF EMPLOYMENT Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	NA 0	0	0	0	0



Present Part Time					
Present Seasonal					
First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

<b>TYPE OF EMPLOYMENT</b> <b>Employees of Independent Contractors</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time					
Present Seasonal					
First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					

Second Year Part Time					
Second Year Seasonal					

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Capital District Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

RELATED EMPLOYMENT INFORMATION				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	0	0	0	0
Estimated Number of Employees Residing in the Capital District Economic Development Region <sup>1</sup>	0	0	0	0

- C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

within the first two years following the end of the construction period.

- D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

<sup>1</sup> The Capital District Economic Development Region consists of the following counties: Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren and Washington.

V. Project Cost and Financing Sources

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ <u>2,121,000.00</u>
Buildings	\$ <u>/</u>
Machinery and equipment costs	\$ <u>/</u>
Utilities, roads and appurtenant costs	\$ <u>/</u>
Architects and engineering fees	\$ <u>505,615.00</u>
Costs of Bond Issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
<u>HARD DEVELOPMENT COSTS</u>	\$ <u>3,613,278.00</u>
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ <u>6,239,893.00</u>

- B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

FIRST position LENDER TBD  
CAPITALIZE ALBANY CORPORATION

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ <u>5,557,262.00</u>
Public Sector	
Federal Programs	\$ _____
State Programs	\$ _____
Local Programs	\$ <u>400,000.00</u>
Applicant Equity	\$ <u>282,631.00</u>
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL AMOUNT OF PROJECT FINANCING SOURCES</b>	\$ <u>6,239,893.00</u>

- C. Have any of the above expenditures already been made by the applicant?  
Yes ☒; No \_\_\_\_\_. If yes, indicate particulars.

\$ 50,000 DEPOSIT ON THE PROPERTY

- D. Amount of loan requested: \$ 5,957,262.00

Maturity requested: 30 years.

- E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes \_\_\_\_; No ☒. Institution Name: \_\_\_\_\_

Provide name and telephone number of the person we may contact.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 6.4 %

- G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$ 5,957,262.00

VI. BENEFITS EXPECTED FROM THE AGENCY

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the Project? Yes \_\_\_\_; No X. If yes, indicate:
  - a. Amount of loan requested: \_\_\_\_ Dollars;
  - b. Maturity requested: \_\_\_\_ Years.
2. Is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_ NA
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_
  - b. automobile sales or service: Yes \_\_\_\_; No \_\_\_\_
  - c. recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_
  - d. golf course: Yes \_\_\_\_; No \_\_\_\_
  - e. country club: Yes \_\_\_\_; No \_\_\_\_
  - f. massage parlor: Yes \_\_\_\_; No \_\_\_\_
  - g. tennis club: Yes \_\_\_\_; No \_\_\_\_
  - h. skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_
  - i. racquet sports facility (including handball and racquetball court): Yes \_\_\_\_; No \_\_\_\_
  - j. hot tub facility: Yes \_\_\_\_; No \_\_\_\_
  - k. suntan facility: Yes \_\_\_\_; No \_\_\_\_
  - l. racetrack: Yes \_\_\_\_; No \_\_\_\_

NA
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment. NA
5. Is the Project located in the City's federally designated Enterprise Zone? Yes \_\_\_\_; No X.
6. Is the applicant requesting the Agency to issue federally tax-exempt Enterprise Zone bonds? Yes \_\_\_\_; No X.

B. Tax Benefits

1. Is the applicant requesting any real property tax exemption that would not be available to a project that did not involve the Agency? Yes \_\_\_\_; No X.

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes X; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ 5,957,262.00

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes X; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ 1,621,789

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

a.	N.Y.S. Sales and Compensating Use Taxes:	\$ <u>129,743.00</u>
b.	Mortgage Recording Taxes:	\$ <u>74,465.77</u>
c.	Real Property Tax Exemptions:	\$ <u>0</u>
d.	Other (please specify):	\$ <u>NA</u>
		\$ <u>NA</u>

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes \_\_\_\_; No X. If yes, please explain.

6. Is the Project located in the City's state designated Empire Zone? Yes X; No \_\_\_\_.

C. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

A. Job 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 "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. In accordance with Section 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, except as otherwise provided by collective bargaining

agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled "The Omnibus Human Rights Law" and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.

D. Annual Sales Tax Filings. In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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 retained by the applicant.

E. Annual Employment Reports. 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 people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company's contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.

H. Project Benefits Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial

Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

J. Post Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:



M. Relocation or Abandonment. The provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

O. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of 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.

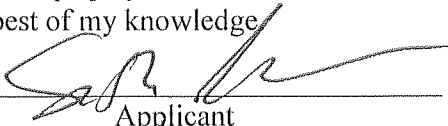
P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at [www.albanyida.com](http://www.albanyida.com).

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

By:

Title:

  
Applicant  
Seth Meltzer  
Managing Member

-----  
NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION  
APPEARING ON PAGES 26 THROUGH 29 HEREOF BEFORE A NOTARY PUBLIC AND MUST  
SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 30  
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## HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as 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 (i) 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 issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions 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 find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: 

Sworn to before me this  
25 day of FEB, 2016

  
(Notary Public)

PAUL W. REVEAL  
No. 078276010  
Notary Public, State of New York  
Qualified in Albany County  
My Comm. Expires 07/11/2017

VERIFICATION

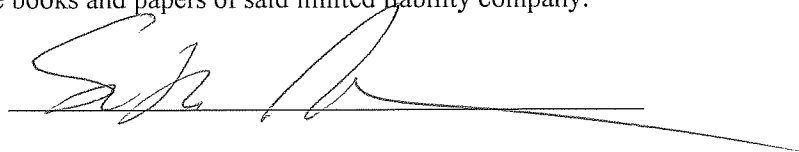
(If applicant is limited liability company)

STATE OF NEW YORK  
) SS.:  
COUNTY OF SCHENECTADY


Seán Meltzer, deposes and says  
(Name of Individual)

that he is one of the members of the firm of 99 Pine Street of Albany LLC  
(Limited Liability Company)

the limited liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.



Sworn to before me this  
25 day of FEB, 2016

  
(Notary Public)

PAUL W. REVEAL  
No. 01523160810  
Notary Public, State of New York  
Qualified in Schenectady County  
My Commission Expires 07/11/2017

TO: Project Applicants  
FROM: City of Albany Industrial Development Agency  
RE: Cost/Benefit Analysis

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In order for the City of Albany Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary ("Company"):	99 PINE STREET OF ALBANY LLC
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ 0
B. Value of Sales Tax Exemption Sought	\$ 129,743.00
C. Value of Real Property Tax Exemption Sought	\$ 0
D. Value of Mortgage Recording Tax Exemption Sought	\$ 74,465.77

### PROJECTED PROJECT INVESTMENT

A. Land-Related Costs	
1. Land acquisition	\$ 2,121,000.00
2. Site preparation	\$ 0
3. Landscaping	\$ 0
4. Utilities and infrastructure development	\$ 0
5. Access roads and parking development	\$ 0
6. Other land-related costs (describe)	\$ 0
B. Building-Related Costs	
1. Acquisition of existing structures	\$ 0
2. Renovation of existing structures	\$ 1,981,386.00
3. New construction costs	\$ 0
4. Electrical systems	\$ 196,852.00
5. Heating, ventilation and air conditioning	\$ 380,952.00
6. Plumbing	\$ 431,170.00
7. Other building-related costs (describe)	\$ 280,000.00

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$0
2.	Packaging equipment	\$0
3.	Warehousing equipment	\$0
4.	Installation costs for various equipment	\$0
5.	Other equipment-related costs (describe)	\$0
D.	Furniture and Fixture Costs	
1.	Office furniture	\$0
2.	Office equipment	\$0
3.	Computers	\$0
4.	Other furniture-related costs (describe)	\$0
E.	Working Capital Costs	
1.	Operation costs	\$0
2.	Production costs	\$0
3.	Raw materials	\$0
4.	Debt service	\$0
5.	Relocation costs	\$0
6.	Skills training	\$0
7.	Other working capital-related costs (describe)	\$0
F.	Professional Service Costs	
1.	Architecture and engineering	\$ 39,500.00
2.	Accounting/legal	\$ 207,900.00
3.	Other service-related costs (describe)	\$ 234,500.00
G.	Other Costs	
1.	Permits	\$ 51,715.00
2.	Legal Fees and Misc.	\$ 314,918.00
H.	Summary of Expenditures	
1.	Total Land-Related Costs	\$ 2,121,000.00
2.	Total Building-Related Costs	\$ 3,270,360.00
3.	Total Machinery and Equipment Costs	\$ 0
4.	Total Furniture and Fixture Costs	\$ 0
5.	Total Working Capital Costs	\$ 0
6.	Total Professional Service Costs	\$ 481,900.00
7.	Total Other Costs	\$ 366,633.00

### PROJECTED PROFIT

- I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 518,677.50	\$ 518,677.50
2	\$ 529,051.30	\$ 529,051.30
3	\$ 539,632.33	\$ 539,632.33
4	\$ 550,424.98	\$ 550,424.98
5	\$ 561,433.48	\$ 561,433.48

### PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

- I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	10	\$ 322,000	\$ 41,311
Year 1	5	\$ 151,340	\$ 17,312
Year 2	0	\$ 0	\$ 0
Year 3	0	\$ 0	\$ 0
Year 4	0	\$ 0	\$ 0
Year 5	0	\$ 0	\$ 0

### PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application.
- II. Estimates of the total new permanent jobs to be created at the Project are described in the tables in Section IV of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.
- IV. Provide the projected percentage of employment that would be filled by City of Albany residents:

20%

- A. Provide a brief description of how the project expects to meet this percentage:

Between the restaurant - typically tend to hire wait staff that generally prefer to walk to work.

### PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ <u>3,000.00</u>
Additional Sales Tax Paid on Additional Purchases	\$ <u>240.00</u>
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ <u>NA</u>
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ <u>NA</u>

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"):

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

Not  
Applicable

III. Please provide a brief description for the impact of other economic benefits expected to be produced as a result of the Project:

The residential units will increase foot traffic on North Pearl Street and surrounding areas. The new tenants will spend money at local establishments




## CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

<b>Date Signed:</b> <u>Feb 26</u> , 20 <u>16</u>	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  <b>Name:</b> <u>Seth Meltzer</u> <b>Title:</b> <u>Managing Member</u> <b>Phone Number:</b> <u>518-275-5699</u> <b>Address:</b> <u>525 Union St Ste 103</u> <u>Schenectady NY 12305</u>  <b>Signature:</b> <u></u>
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## SCHEDULE A

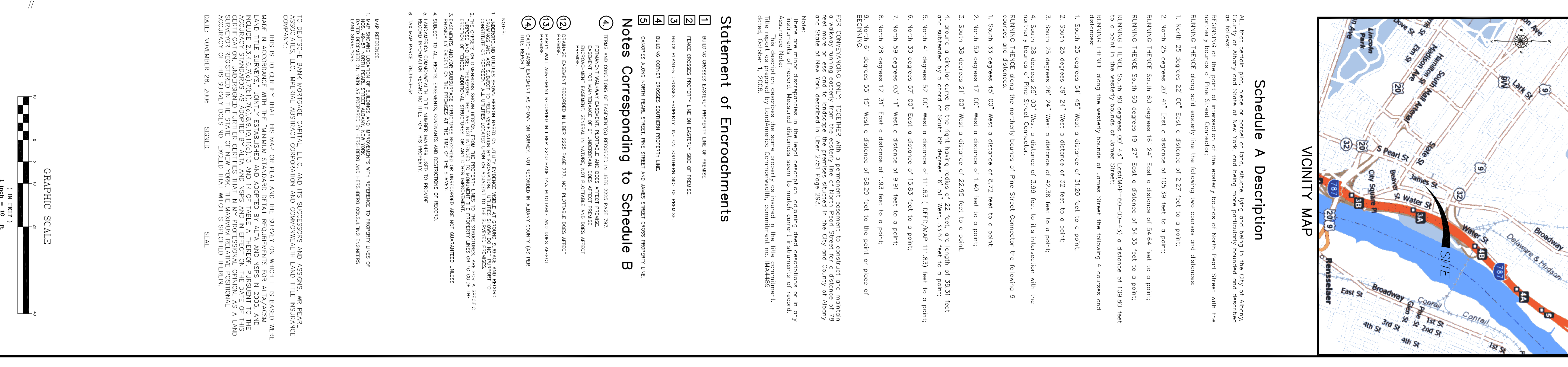
## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

Should you need additional space, please attach a separate sheet.





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Chapel St

Steuben St

N Pine St

Steuben St

James St

James St

Pine St

32

Maiden Ln

Broadway