

# City of Albany Industrial Development Agency

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

Elizabeth Staubach, Chair  
Lee Eck, Vice Chair  
Darius Shahinfar, Treasurer  
Anthony Gaddy, Secretary  
Joseph Better  
John Maxwell  
Christopher Betts

Sarah Reginelli, Chief Executive Officer  
Andy Corcione, Project Services Director  
Marisa Franchini, Agency Counsel  
A. Joseph Scott, Special Counsel

To: Darius Shahinfar  
Lee Eck  
Anthony Gaddy  
Christopher Betts

Joseph Better  
Elizabeth Staubach  
John Maxwell

CC: Sarah Reginelli  
Marisa Franchini  
Joe Scott  
Emma Fullem

Andy Corcione  
Amy Horwitz

Date: September 8, 2023

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## IDA FINANCE COMMITTEE MEETING

**PLEASE NOTE THAT A PUBLIC HEARING CONCERNING THE FOLLOWING PROJECT(S) WILL BE HELD at 12:00pm on Wednesday, July 12, 2023 at 21 Lodge St Albany NY, 12207.**  
Please refer to [albanyida.com](http://albanyida.com) for participation instructions.

**144 State Street, LLC  
324 State Street, LLC**

A meeting of the Finance Committee of the City of Albany Industrial Development Agency will be held on **Wednesday, September 13, 2023 at 12:15 pm** at 21 Lodge Street Albany, NY 12207.

## AGENDA

### Roll Call, Reading & Approval of the Minutes of the Finance Committee Meeting of August 9, 2023

#### Report of Chief Financial Officer

- A. None

#### Unfinished Business

- A. 324 State Street, LLC
  - i. Discussion & Possible positive/negative recommendation for Approving Resolutions
- B. 144 State Street, LLC (Renaissance Hotel)
  - i. Discussion & Possible positive/negative recommendation for Approving Resolutions

#### New Business

- A. 40 Steuben St, LLC
  - i. Discussion & Possible positive/negative recommendation for Assignment of PILOT
- B. Midtown Albany, LLC (102 Hackett Blvd)
  - i. Project Introduction
- C. 2024 Draft IDA Budget
  - i. Discussion & Possible positive/negative recommendation for Approval

#### Other Business

- A. Agency Update
- B. Compliance Update
  - i. Annual Review of Agency Insurance Policy

#### Adjournment

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The next regularly scheduled Finance Committee meeting will be Wednesday, October 11, 2023.  
Please check the website [www.albanyida.com](http://www.albanyida.com) for updated meeting information.

# City of Albany Industrial Development Agency

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## MINUTES OF IDA FINANCE COMMITTEE MEETING

Wednesday, August 9, 2023

Attending: Elizabeth Staubach, Anthony Gaddy, and Lee Eck

Absent: Darius Shahinfar and Christopher Betts

Also Present: Sarah Reginelli, Andy Corcione, Emma Fullem,  
Mike Bohne, Renee McFarlin, Amy Horwitz, Tom Libertucci,  
Marisa Franchini, and Joe Scott

Public Present: Ryan Jankow, Debra Lambek, and Brandon Stabler

Vice Chair, Lee Eck called the Finance Committee meeting of the IDA to order at 12:16 p.m. at 21 Lodge St., Albany, NY.

### Roll Call, Reading and Approval of Minutes of the July 12, 2023, Finance Committee Meeting

A roll call of the Committee members present was held. Finance Committee Vice Chair Lee Eck reported that all Committee members were present except for Darius Shahinfar and Christopher Betts. Since the minutes of the previous meeting had been distributed to the Committee in advance for review, Mr. Eck asked for a motion to dispense with their reading and approve the minutes of the Finance Committee meeting of July 12, 2023. A motion was made by Elizabeth Staubach and seconded by Anthony Gaddy to accept the minutes as presented. The motion to accept the minutes as presented was passed with all present members voting aye.

### Report of Chief Financial Officer

Staff reported that the quarterly financials prepared by BST were included in the materials, amended from the previous month's quarterly report to more accurately reflect the current financial performance of the Agency. The CEO walked the Committee through the edited document and answered Committee questions. It was noted that BST staff would attend the upcoming Board Meeting on Thursday, August 17, 2023, to answer any additional questions.

### Unfinished Business

#### 324 State Street, LLC

Staff led a discussion regarding the *324 State Street LLC* project with the committee. A representative for the Applicant was on hand to answer questions from the Committee. The project entails the redevelopment of an existing +/- 40,000 SF commercial building, currently owned by the College of St. Rose, into approximately 29 market rate apartments, two of which will be the required inclusionary housing units. The Applicant is requesting sales and use

tax exemptions, a mortgage recording tax exemption and real property tax exemptions. The Committee discussed the project generally and staff reported on a cost-benefit analysis. Staff reported that the request for assistance deviates from the prescribed assistance levels within the existing Project Evaluation and Assistance Framework and, as such, a third-party evaluation of the appropriateness of the applicant's PILOT request has been received and reviewed by staff. The executive summary of the analysis was provided as part of the Committee materials. The third party determined that the assumptions included within the application in addition to the abatements requested were necessary and within reasonable parameters.

Staff noted that the Project Applicant is considering the use of historic tax credits but based upon the fact the property is considered non-conforming, coupled with the relative small size of the project may make pursuing historic tax credits not worth the effort and investment. At this stage of the development process, the Developer is uncertain if they will indeed pursue the tax credits. The economics of the Project change if historic tax credits are secured. Therefore, both staff and the third-party consultant concluded that a bifurcated scenario with two separate real property tax abatement schedules should be established in order to allow the project flexibility as the tax credits are explored. The "Scenario A" schedule would apply if no historic tax credits are used, and the "Scenario B" scenario would apply if historic tax credits are secured.

Lee Eck made a motion for the Committee to enter Executive Session for the purposes of discussing the financial history of a particular corporation. The motion was seconded by Anthony Gaddy. A vote being taken, the motion passed with all members voting aye. Brandon Stabler left the room. The Committee entered Executive Session at 12:29 p.m.

Representatives Ryan Jankow and Debra Lambek exited executive session at 12:41 p.m.

The Committee exited Executive Session 12:49 p.m. It was reported that no action was taken by the Committee during the Executive Session.

Ryan Jankow, Debra Lambek and Brandon Stabler re-entered the room.

A motion was made by Elizabeth Staubach to positively recommend a Public Hearing Resolution to the full Board for the *324 State Street, LLC* project. The motion was seconded by Anthony Gaddy. A vote being taken, the motion passed with all members voting aye.

Ryan Jankow left the meeting at 12:51 p.m.

#### 144 State Street, LLC (Renaissance Hotel)

Staff led a discussion regarding the *144 State Street LLC* project with the committee. Representatives for the Applicant were on hand to answer questions from the Committee. Staff provided background on the original project which was approved by the CAIDA Board in 2014 and involved the acquisition and conversion of a vacant historic building into a Renaissance Hotel by Marriott. A representative from the Project Beneficiary, was present to answer any questions. The current request at hand involves a \$3.5 M renovation of the existing hotel as part of the required ongoing maintenance/operation of the hotel per brand standards. The Applicant intends to refurbish the hotel guest rooms and common areas. The Applicant is requesting sales and use tax exemptions and an extension/modification of the existing real property tax exemptions.

The Applicant discussed the hotel's ongoing performance given the impacts of the COVID-19 pandemic and changes in market and labor conditions. The Committee discussed the project and reviewed the cost-benefit analysis. A third party-consultant was engaged to evaluate the Applicant's financial assumptions and the reasonableness of the requested assistance given the economic performance of the real estate and the investor's financial returns. An in-depth sensitivity analysis of both the project's financial performance to date and through the amended request time period was conducted. The executive summary of the analysis was provided and posted

as part of the Committee materials. Staff summarized the third-party analysis, citing that the consultant concluded that the current abatement schedule would make the hotel financial nonviable given its performance to-date and projected performance going forward. It was also reported that the consultant had concluded that the requested project assistance schedule is within reasonable parameters given projected returns.

Lee Eck made a motion for the Committee to enter Executive Session for the purposes of discussing the financial history of a particular corporation. The motion was made by Elizabeth Staubach and was seconded by Anthony Gaddy. A vote being taken, the motion passed with all members voting aye. The Committee entered Executive Session at 1:01 p.m.

Project representatives Brandon Stabler and Debra Lambek left the executive session at 1:18 p.m.

Lee Eck made a motion to exit Executive Session, which was seconded by Anthony Gaddy. The Committee exited Executive Session 1:28 p.m. It was reported that no action was taken by the Committee during the Executive Session.

Project Representatives Brandon Stabler and Debra Lambek re-entered the meeting at 1:28 p.m.

Vice Chair, Lee Eck asked for a motion to positively recommend a Public Hearing Resolution to the full Board for the *144 State Street, LLC* project. The motion was made by Anthony Gaddy and was seconded by Elizabeth Staubach. A vote being taken, the motion passed with all members voting aye.

Project Representatives Brandon Stabler and Debra Lambek exited the meeting at 1:29 p.m.

**New Business**

None

**Other Business**

Agency Update

None

Compliance Update

None

There being no further business, Vice Chair Eck called for a motion to adjourn the meeting. Upon a motion made by Elizabeth Staubach and seconded by Anthony Gaddy, the meeting of the Finance Committee was adjourned at 1:30 p.m.

Respectfully submitted,

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Anthony Gaddy, Secretary



# MEMO

**TO:** CAIDA Board of Directors

**FROM:** CAIDA Staff

**RE:** 324 State Street, LLC Project

**DATE:** August 31, 2023

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An application for assistance was introduced at the IDA Finance Committee meeting in July 2023 involving the adaptive reuse of an existing +/-40,000 SF commercial building into approx. 29 market rate apartment units. The previously tax-exempt structure, located within the Center Square Historic District, may be eligible for historic tax credits. However, the Project Applicant is uncertain at this time whether they will indeed be eligible for and pursue historic tax credits. As such, the Applicant has amended its original application and has now requested a bifurcated PILOT scenario with two separate abatement schedules – Scenarios A and B – the use of which would be determined by the outcome of the tax credits.

Scenario A: Should the Project move forward *without* historic tax credits, the Applicant has requested the 20-year abatement schedule previously prescribed within the Project Evaluation and Assistance Framework for projects with an improved assessed value of \$100,000+ per unit.

Scenario B: Should the Project utilize historic tax credits, the Applicant has requested a 15-year abatement schedule designed to address project financial dynamics positively impacted by the credits.

To supplement staff analysis, a third party was retained to review the project financial assumptions and the appropriateness of the requested level of Agency assistance. Further detail and analysis of the level and appropriateness of the request can be found in the following application materials.

**TO:** City of Albany Industrial Development Finance Committee  
**FROM:** City of Albany Industrial Development Agency Staff  
**RE:** 324 State Street, LLC - IDA Application Summary  
**DATE:** September 8, 2023

**Applicant:** 324 State Street, LLC

**Managing Members (% of Ownership):** Ryan Jankow (100%)

**Project Location:** 324 State St, Albany, NY

**Project Description:** The project involves the redevelopment of an existing +/-40,000 SF commercial building into approx. 29 market rate apartment units.

**Estimated Project Real Property Benefit Summary (20 Years):**

***Scenario A (Project Does Not Include Use of Historic Tax Credit Program):***

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$0.00	\$1,265,455	\$1,265,455

**Estimated Project Real Property Benefit Summary (15 Years):**

***Scenario B (Project Does Include Use of Historic Tax Credit Program):***

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$0.00	\$1,174,692	\$1,174,692

	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$700,000	\$1,773,600	\$1,073,600

*\*Project Impact Assessed Value based on letter from the City of Albany Assessor dated 6-29-23*

*\*\*Note: While assessed at \$3,183,800, the property has been on the wholly exempt portion of the tax roll due to the status of the previous owner.*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$140,059 based on an assessed value of **\$1,773,600** and an annual tax rate of \$78.97.

**Estimated Investment:** \$6,500,000

**Community Benefits:** Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Identified Priority:* The proposed project is located on a parcel designated as tax exempt; the project results in the rehabilitation/renovation of a building located within a historic district and at least 50 years old.
- *Identified Growth Area:* The proposed project consists of the conversion of an existing commercial structure into residential rental units.
- *Job Creation:* The project is committing to the creation of two (2) new permanent full-time equivalent jobs and the creation of twenty (20) construction jobs.
- *Investment:* The project is anticipating a project cost of \$6.5 million.
- *Community Commitment:* The project commits to utilizing Regional Labor and City of Albany Labor.

#### **Employment Impact Analysis:**

##### **Temporary (Construction 2024) Impact**

Impact Type	Avg. Annual Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	21.87	\$552,703	\$1,244,469	\$4,189,931
Indirect Effect	7.52	\$522,895	\$917,967	\$1,491,004
Induced Effect	2.98	\$193,073	\$346,474	\$543,639
<b>Total Effect</b>	<b>32.37</b>	<b>\$1,268,671</b>	<b>\$2,508,910</b>	<b>\$6,224,573</b>

##### **Permanent (Operations 2025) Impact**

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	1	\$62,983	\$22,448	\$51,618
Indirect Effect	0.15	\$11,303	\$16,714	\$27,944
Induced Effect	0.16	\$10,394	\$18,665	\$29,292
<b>Total Effect</b>	<b>1.31</b>	<b>\$84,680</b>	<b>\$57,827</b>	<b>\$108,854</b>

*\*IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at 8-28-2023. Of note: IMPLAN represents average annual construction jobs over the duration of construction.*

#### **Employment Impact:**

- Projected Permanent: 2 jobs
- Projected Retained: 0 jobs
- Projected Construction: 20 jobs

**Type of Financing:** Straight Lease

**Amount of Bonds Requested:** None

**Estimated Total Purchases Exempt from Sales Tax:** \$3,850,000

**Estimated Total Mortgage Amount:** \$5,000,000

**Requested PILOT:** The proposal entails the Applicant entering into a bifurcated PILOT agreement with the IDA which deviates from the Project Evaluation and Assistance Framework abatement guidelines for multi-fam commercial projects. The trigger for the bifurcation of the PILOT agreement is the approval for NYS/Federal historic tax credits which may occur post-closing. Please see staff PILOT analysis for further detail.

**Third Party Review:** Due to the deviation in requested assistance from the Project Evaluation & Assistance Framework, a third-party evaluation of the appropriateness of the applicant's PILOT request has been received and reviewed by staff. The third party determined that the assumptions included within the application in addition to the abatements requested were necessary and within reasonable parameters.

Cash on cash return is a simple and straightforward method to calculate return on investments that involve long-term debt borrowing. We use this as our baseline analysis metric to keep comparisons consistent and variables limited across projects. The third-party analysis relies on the internal rate of return method due to its advantage of including the time value of money and property appreciation. Calculating the internal rate of return is more complicated because it requires the projection future of cash flows of the investment, including the sale of the investment at the end of the holding period. This analysis provides a more in-depth and project-specific measurement of anticipated return to review in conjunction with the straightforward cash-on-cash method.

**Estimated Value of Tax Exemptions:**

- NYS Sales and Compensating Use Tax: \$308,000
- Mortgage Recording Taxes: \$50,000
- Real Property Taxes:
  - Scenario A: \$1,024,707
  - Scenario B: \$455,308
- Other: N/A

**Baseline Requirements:**

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
  - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Approved in August 2023
- Meets Project Use Definition: Yes
- Meets "But For" Requirement: Yes, affidavit signed.

**Cost Benefit Analysis:** See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

**Estimated IDA Fee**

- Fee amount: \$65,000.00

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**CAIDA Mission:** Assist in the enhancement and diversity of the economy of the City of Albany (the "City") by acting in support of projects in the City that create and/or retain jobs and/or promote private sector investment utilizing the statutory powers of the Agency as set forth under the provisions of the laws of the State of New York.

**\*\*\*DRAFT - CAIDA Project Evaluation and Assistance Framework Staff Analysis**

Project:	<b>324 State Street, LLC</b>			
Total Score:	<b>7</b>			
*Qualifies for a PILOT Deviation?	<b>NO</b>			**Qualifies for Community Commitment Enhancement?
				<b>NO</b>
Total Improved Assessed Value Estimate:	\$1,773,600	Units:	29	Improved Assessed Value per Unit Estimate:
Notes/Applicable Program Restrictions:	Property is currently tax exempt			
	<b>COMMENTS</b>			

<b>Revitalization</b>	<b>Target Geography</b>		
	Distressed Census Tract		Census tract 14
	High Vacancy Census Tract		
	Downtown		
	BID		
	Neighborhood Plan		
	<b>Identified Priority</b>		
	Downtown Residential		
	Tax Exempt/Vacant	1	
	Identified Catalyst Site		
	Historic Preservation	1	The building is at least 50 years old and located within the Center Sq/Hudson Park historic district
	Community Catalyst		
	<b>Identified Growth Area</b>		
	Manufacturing / Distribution		
	Technology		
	Hospitality		
	Existing Cluster		
	Conversion to Residential	1	
<b>Subtotal</b>		<b>3</b>	

<b>Job Creation</b>	<b>Permanent Jobs</b>		
	3 - 40		2 FTEs
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Retained Jobs</b>		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Construction Jobs</b>		
	6 - 80	1	Est. 20 construction jobs
	81 - 160		
	161 - 240		
	> 241		
<b>Subtotal</b>		<b>1</b>	

<b>Investment</b>	<b>Financial Commitment</b>		
	2.5M - 10M	1	\$6.5 M investment
	10.1M-17.5M		
	17.6M-25M		
	<b>Subtotal</b>	<b>1</b>	
	<b>Community Commitment</b>		
	MWBE		
	EEO Workforce Utilization		
	Inclusionary Housing		
	Regional Labor	1	Project commits to utilizing ≥90% Regional Labor for construction jobs
	City of Albany Labor	1	Project commits to utilizing ≥15% City of Albany residents for construction jobs
	Apprenticeship Program		
	<b>Subtotal</b>	<b>2</b>	*Must achieve subtotal of 3 and threshold of 13 to qualify for Community Commitment enhancement
<b>Total:</b>		<b>7</b>	*Must achieve threshold of 10 to qualify for deviation

<b>Baseline Requirements</b>	Complete Application	1	
	Meets NYS/CAIDA Requirements	1	
	Albany 2030 Aligned	1	
	Planning Approval	1	
	Meet "Project Use" definition	1	
	"But For" Requirement	1	
	<b>Subtotal</b>	<b>6</b>	

\*\*\*This analysis is prepared by staff for Board discussion purposes only. The potential scoring represented has not been vetted, agreed upon or in any way approved by the CAIDA Board of Directors

## **324 STATE STREET PROJECT ASSISTANCE REQUEST REVIEW**

### **EXECUTIVE SUMMARY**

324 State Street, LLC (the Developer) is seeking Project Assistance from CAIDA to implement an adaptive re-use project (the Project). The Project will convert the former College of St. Rose building into 29 multi-family apartment units. The Developer is seeking a standard Payment In Lieu of Taxes (PILOT) schedule for projects with an assessed value per unit over \$100,000. The City Assessor has submitted a letter that values the Project at \$1,773,600 or \$61,158 per unit.

The College of St. Rose building is in Center Square, an historic district. The College of St. Rose building is a non-conforming historic structure in the neighborhood. The Developer is considering historic tax credits but is concerned that the non-conforming character of the building and the small size of the project may make pursuing historic tax credits not worth the effort and investment. At this stage of the development process, the Developer does not know what route they will take.

The economics of the Project change if historic tax credits are secured. Therefore, W-ZHA concludes that two separate PILOT schedules be established. One PILOT schedule would apply if no historic tax credits are used and the other would apply if historic tax credits are used.

W-ZHA evaluated the economic performance of the real estate and investor financial returns. W-ZHA concludes that the Developer's assumptions regarding development cost, operations, and financing are reasonable. Developer investment returns were evaluated for multiple scenarios including: No Historic Tax Credits/Historic Tax Credits; Developer's Proposed Rents and the Assessor's Assessed Value; and Higher Average Rents with a Higher Assessed Value.

W-ZHA concludes that the Developer's requested 20-year PILOT is reasonable if historic tax credits are not obtained. W-ZHA recommends a custom 15-Year PILOT schedule be applied if the Developer obtains historic tax credits.

**324 STATE STREET LLC**  
**363 Ontario Street**  
**Suite 2**  
**Albany, New York 12208**

June 22, 2023

Elizabeth Staubach, Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

Re: Request for IDA Assistance for 324 State Street Project

Dear Ms. Staubach:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for consideration of financial assistance associated with the 324 State Street LLC Project.

The Project consists of the acquisition of the land and improvements at 324 State Street, City and County of Albany, State of New York, renovation of the existing 40,000 sf ft. vacant building. The Project will result in 29 multifamily housing units and acquisition of various personal property and furniture, fixtures and equipment. The Project will be constructed over an approximate 1-year period of time.

However, without the Agency's financial assistance, this Project is not viable. Therefore, as detailed in the Application, the Applicant is requesting exemptions from New York State sales and use taxes relating to the construction and fit up of the Project and mortgage recording taxes in connection with the financing of the Project and a payment in lieu of tax agreement.

The Project is located at on State Street. The existing building is owned by the College of St. Rose and has been vacant for over one year. The property is currently listed as tax exempt and off the tax rolls. This project will put this property back on the tax rolls for the City of Albany and will enhance the existing area by creating additional residential options.

The Project will generate additional sales tax and property tax revenue for the City of Albany. The construction of additional residential housing in the City will have an indirect positive impact on jobs and businesses in the surrounding area. The Applicant is requesting assistance from the Agency in order to be able to provide housing in the City which is consistent with current trends to attract young professionals, graduate students, and empty-nesters to the City.

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.

Sincerely,

324 State Street LLC

Ryan Jankow  
Member

Enclosure



## City of Albany Industrial Development Agency

### Application for Assistance

Date: 06/16/23

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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 respectfully states:

#### APPLICANT:

Name: 324 State Street LLC  
Address: 363 Ontario Street  
City: Albany State: NY Zip: 12208  
Federal ID/EIN: 93-1773761 Website:  
Primary Contact: Ryan Jankow  
Title: Member  
Phone: (518) 708-6019 Email: rjankow@jankowcompanies.com

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

Ryan Jankow

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

NAME OF ATTORNEY: Debra J Lambek Esq  
ATTORNEY'S ADDRESS:  
PHONE: (518) 491-1628 E-MAIL: dlambek@lambeklaw.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 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.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

## SUMMARY OF PROJECT

Applicant: 324 State Street LLC

Contact Person: Ryan Jankow

Phone Number: (518) 708-6019

Occupant: vacant

Project Location (include Tax Map ID): 324 State Street 76.241-35

Approximate Size of Project Site: acres

Description of Project: renovations to an existing vacant building located at 324 State Street. The Company intends to renovate the existing building of approximately 40,000 sf to create a 29 unit residential facility

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

Employment Impact: Existing FTE Jobs: 0  
Retained FTE Jobs: 0  
FTE Jobs Created: 1  
Construction Jobs Created: 20

Project Cost: \$6,500,000

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

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$308,000
Mortgage Recording Taxes:	\$50,000
Real Property Tax Exemptions: (auto-calculated)	\$834,586
Other (please specify):	

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$50,000
Annualized Salary Range of Jobs to be Created:	\$45k-\$55k
Estimated Average Annual Salary of Jobs to be Retained:	\$0

## I. APPLICANT INFORMATION

### A) Applicant:

Name: 324 State Street LLC

Address: 363 Ontario Street

City: Albany State: NY Zip: 12208

Federal ID/EIN: 93-1773761 Website:

Primary Contact: Ryan Jankow

Title: Member

Phone: (518) 708-6019 Email: rjankow@jankowcompanies.com

### B) Real Estate Holding Company (if different from Applicant):

*Will a separate company hold title to/own the property related to this Project? If yes:*

Name:

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

**C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):**

Name: The College of Saint Rose

Title:

Address: 432 Western Avenue

City: Albany State: ny Zip: 12207

Phone: Email:

**D) Attorney:**

Name: Debra J Lambek Esq

Firm Name: Law Office of Debra J Lambek PLLC

Address:

City: State: Zip:

Phone: (518) 491-1628 Email: dlambek@lambeklaw.com

**E) General Contractor:**

Name:

Firm Name:

Address:

City: State: Zip:

Phone: Email:

**II. APPLICANT'S COMPANY OWNERSHIP & HISTORY****A) Company Organization:**Year founded:  Founded in which state:  NAICS Code: Type of ownership (e.g., C-Corp, LLC): **B) Company Management**

Name	Office Held	Other Principal Business
Ryan Jankow	Member	various real estate projects

**Company Ownership:**

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Ryan Jankow	Member	100	100

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

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

If yes, describe:

**C) Company Description:**

Describe in detail the Company's background, products, customers, goods and services:

The Company is a real estate development company which has developed over 500 units of multifamily housing in the Capital District Area over the past 13 years including 363 Ontario Street, Albany, New York and 563 New Scotland Avenue, Albany, New York which is under development

Existing Banking Relationship(s): Capital Bank

Has the Company ever received incentives tied to job creation? ☒ Yes ☐ No

If yes, describe:

various industrial development agencies projects

Were the goals met?

☒ Yes ☐ No ☐ N/A

If no, why not?

*Additional sheets may be attached, if necessary.*

### III. PROJECT DESCRIPTION AND DETAILS

#### A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☒ Exemption from Mortgage Tax
- ☒ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

#### B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

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

redevelopment of a vacant building in Albany. The new project will consist of renovating the existing vacant building to create 29 residential units. The purchase price is \$850k which includes personal property with a value of \$150k.

Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☐ Yes ☒ No

If yes: Date of Purchase:  Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☒ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☒ Yes ☐ No ☐ N/A

If yes: Date option signed:  Date option expires:

Is the Project site subject to any property tax certiorari? ☒ Yes ☐ No



Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

Redevelopment of existing vacant building located in Albany into a 29 unit multifamily housing project. There is no parking on site and our experience is that many residents in in multifamily housing in the City of Albany do not have vehicles. Notwithstanding, however, applicant will evaluate parking options and needs for residents.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

This project entails purchasing existing property from the College of Saint Rose. The building and property has been vacant for over a year and is currently not on the tax rolls. The cost of materials and supplies is still very high and interest rates have increased. In order to make this a viable project financial assistance from the City of Albany Industrial Development Agency is required.

### C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Service*                        |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office                     |
| <input checked="" type="checkbox"/> Housing               | <input type="checkbox"/> Mixed use                       |
| <input type="checkbox"/> Multi-tenant                     | <input type="checkbox"/> Facility for Aging              |
| <input type="checkbox"/> Commercial                       | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail*               | <input type="checkbox"/> Other                           |

\* The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. residential apartments		100
2.		
3.		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: 40,000

b. Are existing buildings in operation? ☐ Yes ☒ No ☐ N/A  
If yes, describe present use of present buildings:

c. Are existing buildings abandoned? ☐ Yes ☒ No ☐ N/A

About to be abandoned? ☐ Yes ☒ No ☐ N/A  
If yes, describe:

d. Attach photograph of present buildings.

#### IV. RETAIL QUESTIONNAIRE

(Fill out if end users are “retail” or “service” as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?<sup>1</sup> ☒ Yes ☐ No
- If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100%

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☐ Yes ☒ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. 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  
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☐ Yes ☒ No  
If yes, explain:
5. Will the Project be in a “highly distressed” census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

contiguous to census tract 8 which is a highly distressed tract

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project.<sup>1</sup>

## V. ENVIRONMENTAL REVIEW AND PERMITTING

*The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.*

Environmental Assessment Form: ☒ Short Form ☐ Long Form

Lead Agency: City of Albany Planning

Agency Contact: Brad Glass

Date of submission:

Status of submission:

Final SEQRA

determination:

### A) Site Characteristics:

Describe the present zoning and land use regulation: RT Zone

Will the Project meet zoning and land use regulations for the proposed location? ☐ Yes ☒ No

Is a change in zoning and land use regulation is required? ☒ Yes ☐ No

If yes, specify the required change and status of the change request:

conditional use permit to allow multifamily housing

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

Does part of the Project consist of a new building or buildings?

☐ Yes ☒ No

If yes, indicate number and size of new buildings:

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:

renovation and redevelopment of existing vacant building. The existing building is 40,000 sf and was a trade building for the college of saint rose. The project entails redevelopment of the building into 29 unit residential housing

## VI. INTER-MUNICIPAL MOVE DETERMINATION

*The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.*

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

**VII. EMPLOYMENT INFORMATION****A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

		Projected FTEs			
	Current FTEs	New Year 1- 20 <sup>25</sup>	New Year 2 - 20 <sup>26</sup>	New Year 3 - 20 <sup>27</sup>	Total Year 4-20 <sup>28</sup>
<b>Full-time</b>	0	1	0	0	1
<b>Part-time</b>	0	1	0	0	1
<b>Seasonal</b>					

**B) Employment Plan in FTE**

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage <sup>2</sup>	Number of Current FTE	FTE in Year 1 20 <sup>25</sup>	FTE in Year 2 20 <sup>26</sup>	FTE in Year 3 20 <sup>27</sup>	Total New FTE by Year 4 20 <sup>28</sup>
<b>Professional/Management</b>		0				0
<b>Administrative</b>		0	1			1
<b>Sales</b>						
<b>Services</b>						
<b>Manufacturing</b>						
<b>High-Skilled</b>						
<b>Medium-Skilled</b>		0				
<b>Basic-Skilled</b>						
<b>Other (specify)</b>						
<b>Total (auto-calculated)</b>		0	1	0	0	1

<sup>2</sup> Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

## VIII. INDEPENDENT CONTRACTOR RESOURCES

*Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.*

*Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.*

**("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

	Current FTEs	Projected			
		New Year 1-20	New Year 2-20	New Year 3-20	Total Year 4-20
Full-time					
Part-time					
Seasonal					

## IX. CONSTRUCTION LABOR

*\*Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 20

When does the applicant anticipate the start of construction? fall 2023

When does the applicant anticipate the completion of construction? Summer 2024

What is the total value of construction contracts to be executed? \$3,850,000

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

the general contractor is located in albany and deals mostly with city of albany and capital district subcontractors and workers.

**X. PROJECT COSTS AND FINANCING**

Attach additional

**A) Project Costs**

Description of Cost	Amount
Land	\$850,000
Buildings	\$3,850,000
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	
Architects and engineering fees	\$357,500
Cost of Bond Issue (legal, financial and printing)	\$500,000
Construction loan fees and interest (if applicable)	
Other (specify)	
management marketing	\$825,000
carry costs	\$117,500
<b>TOTAL PROJECT COST (auto-calculated)</b>	<b>\$6,500,000</b>

Have any of the above costs been paid or incurred as of the date of this application? ☒ Yes ☐ No

If yes, describe: permits and approvals, survey, phase i

**B) Sources of Funds for Project Costs**

Equity:

\$1,500,000

Bank Financing:

\$5,000,000

Tax Exempt Bond Issuance:

\$0

Taxable Bond Issuance

\$0

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:

n/a

\$0

Public Funds Total (auto-calculated):

\$0

*Additional sheets may be attached, as necessary.*

TOTAL: (auto-calculated)

\$6,500,000

Amount of total financing requested from lending institutions:

\$5,000,000

Amount of total financing related to existing debt refinancing:

\$0

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution:

Contact:

Phone:



## XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

**Project Evaluation and Assistance Framework.** If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

### Baseline Requirements (Must Achieve All)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Complete Application         | <input checked="" type="checkbox"/> Albany 2030 Aligned              | <input checked="" type="checkbox"/> Meet Project Use Definition |
| <input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements | <input checked="" type="checkbox"/> Planning Approval (if applicant) | <input checked="" type="checkbox"/> "But For" Requirement       |
| Approval Date : <input type="text"/>                             |  |   |

### Community Benefit Metrics (Must Achieve 10)

- |   |  |   |
|---|--|---|
| <b>Revitalization</b><br><b>Target Geography</b><br><input type="checkbox"/> Distressed Census Tract<br><input type="checkbox"/> High Vacancy Census Tract<br><input type="checkbox"/> Downtown<br><input type="checkbox"/> BID<br><input type="checkbox"/> Neighborhood Plan                         | <b>Investment</b><br><b>Financial Commitment</b> (cumulative)<br><input checked="" type="checkbox"/> 2.5M - 10M<br><input type="checkbox"/> 10.1 - 17.5M<br><input type="checkbox"/> 17.6M - 25M   | <b>Employment</b><br><b>Permanent Jobs</b> (cumulative)<br><input type="checkbox"/> 3 - 40<br><input type="checkbox"/> 41 - 80<br><input type="checkbox"/> 81 - 120<br><input type="checkbox"/> 121 - 180<br><input type="checkbox"/> > 180 |
| <b>Identified Priority</b><br><input type="checkbox"/> Downtown Residential<br><input checked="" type="checkbox"/> Tax Exempt/Vacant<br><input type="checkbox"/> Identified Catalyst Site<br><input checked="" type="checkbox"/> Historic Preservation<br><input type="checkbox"/> Community Catalyst | <b>Community Commitment</b><br><input type="checkbox"/> MWBE/DBE Participation<br><input type="checkbox"/> EEO Workforce Utilization<br><input type="checkbox"/> Inclusionary Housing<br><input checked="" type="checkbox"/> Regional Labor<br><input checked="" type="checkbox"/> City of Albany Labor<br><input type="checkbox"/> Apprenticeship Program | <b>Retained Jobs</b> (cumulative)<br><input type="checkbox"/> 3 - 40<br><input type="checkbox"/> 41 - 80<br><input type="checkbox"/> 81 - 120<br><input type="checkbox"/> 121 - 180<br><input type="checkbox"/> > 180                       |
| <b>Identified Growth Area</b><br><input type="checkbox"/> Manufacturing/Distribution<br><input type="checkbox"/> Technology<br><input type="checkbox"/> Hospitality<br><input type="checkbox"/> Existing Cluster<br><input checked="" type="checkbox"/> Conversion to Residential                     |  | <b>Construction Jobs</b> (cumulative)<br><input checked="" type="checkbox"/> 6 - 80<br><input type="checkbox"/> 81 - 160<br><input type="checkbox"/> 161 - 240<br><input type="checkbox"/> > 240  |

## XII. ESTIMATED VALUE OF INCENTIVES

### A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. **If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.**

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☐ Yes ☒ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated):

*\*assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1	\$ 34,243	\$52,520	\$86,763	90%	\$39,495
2	\$ 34,928	\$53,570	\$88,498	90%	\$ 40,285
3	\$ 35,627	\$54,641	\$90,268	90%	\$ 41,091
4	\$ 36,339	\$55,734	\$92,074	90%	\$ 41,913
5	\$ 37,066	\$56,849	\$93,915	90%	\$ 42,751
6	\$ 37,808	\$57,986	\$95,793	90%	\$ 43,606
7	\$ 38,564	\$59,146	\$97,709	90%	\$ 44,478
8	\$39,335	\$60,329	\$99,664	90%	\$ 45,368
9	\$40,122	\$61,535	\$101,657	90%	\$ 46,275
10	\$40,924	\$62,766	\$103,690	90%	\$ 47,201
11	\$41,743	\$64,021	\$105,764	85%	\$ 51,346
12	\$42,577	\$65,302	\$ 107,879	75%	\$ 58,903
13	\$43,429	\$66,608	\$ 110,037	65%	\$ 66,742
14	\$44,298	\$67,940	\$ 112,237	60%	\$ 71,473
15	\$45,183	\$69,299	\$ 114,482	50%	\$ 79,833
16	\$46,087	\$70,685	\$ 116,772	40%	\$ 88,498
17	\$47,009	\$72,098	\$ 119,107	30%	\$ 97,478
18	\$47,949	\$73,540	\$ 121,489	20%	\$ 106,781
19	\$48,908	\$75,011	\$ 123,919	20%	\$ 108,917
20	\$49,886	\$76,511	\$ 126,397	20%	\$ 111,095
			\$ 2,108,115		\$ 1,273,529

*\*PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

<sup>3</sup> The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

## Historic Tax Credit Schedule

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1	\$ 34,243	\$52,520	\$86,763	90%	\$39,495
2	\$ 34,928	\$53,570	\$88,498	90%	\$ 40,285
3	\$ 35,627	\$54,641	\$90,268	80%	\$ 46,555
4	\$ 36,339	\$55,734	\$92,074	75%	\$ 50,273
5	\$ 37,066	\$56,849	\$93,915	65%	\$ 56,963
6	\$ 37,808	\$57,986	\$95,793	55%	\$ 63,901
7	\$ 38,564	\$59,146	\$97,709	50%	\$ 68,137
8	\$39,335	\$60,329	\$99,664	45%	\$ 72,516
9	\$40,122	\$61,535	\$101,657	40%	\$ 77,043
10	\$40,924	\$62,766	\$103,690	35%	\$ 81,722
11	\$41,743	\$64,021	\$105,764	30%	\$ 86,557
12	\$42,577	\$65,302	\$ 107,879	25%	\$ 91,554
13	\$43,429	\$66,608	\$ 110,037	20%	\$ 96,715
14	\$44,298	\$67,940	\$ 112,237	15%	\$ 102,046
15	\$45,183	\$69,299	\$ 114,482	10%	\$ 107,552
16				0%	
17				0%	
18				0%	
19				0%	
20				0%	
			\$ 1,500,430		\$ 1,081,315

*\*PILOT payments may not to fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

<sup>3</sup> The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

The property is currently owned by the College of Saint Rose and is exempt from real property taxes. The College has not used the property in over a year and it currently sits vacant in the City of Albany. The applicant would like to redevelop the property for residential housing. However, as a result of COVID, supply chain disruptions, increases in material costs, decrease in the availability of labor, the project needs financial assistance from the Agency in order to proceed.

### **B) Sales and Use Tax Benefit:**

*Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.*

Costs for goods and services that are subject to State and local sales and use tax<sup>4</sup>:

\$3,850,000

Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts):

\$308,000

### **C) Mortgage Recording Tax Benefit:**

Mortgage amount (include construction, permanent, bridge financing or refinancing):

\$5,000,000

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1% )<sup>5</sup>:

\$50,000

### **D) Percentage of Project Costs Financed from Public Sector:**

Percentage of Project costs financed from public sector: 20%  
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:

\$6,500,000

B. Estimated Value of PILOT (auto-filled):

\$834,586

C. Estimated Value of Sales Tax Incentive:

\$308,000

D. Estimated Value of Mortgage Tax Incentive:

\$50,000

E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):

\$0

<sup>4</sup> Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

[https://www.tax.ny.gov/pubs\\_and\\_bulls/tg\\_bulletins/st/quick\\_reference\\_guide\\_for\\_taxable\\_and\\_exempt\\_property\\_and\\_services.htm](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm).

<sup>5</sup> The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

### XIII. COST BENEFIT ANALYSIS

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”). 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, community benefits (including community commitment as described in the Agency’s Project Evaluation and Assistance Framework), 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.).

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”):	324 State Street LLC	
2. Brief Identification of the Project:	29 apartments	
3. Estimated Amount of Project Benefits Sought:	\$ 1,736,746	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$308,000
C. Value of Real Property Tax Exemption Sought		\$834,586
D. Value of Mortgage Recording Tax Exemption Sought		\$50,000
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<div style="border: 1px solid black; padding: 5px;"> the applicant has determined that with Agency assistance it can obtain financing and move the project forward toward completion in 2024. </div>		



**PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	\$ 850,000
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	\$ 3,850,000
3. New construction costs	
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)	
<b>D. Furniture and Fixture Costs</b>	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	
<b>E. Working Capital Costs</b>	
1. Operation costs	\$ 117,500
2. Production costs	
3. Raw materials	
4. Debt service	
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	\$ 500,000
<b>F. Professional Service Costs</b>	
1. Architecture and engineering	\$ 357,500
2. Accounting/legal	
3. Other service-related costs (describe)	\$ 825,000
<b>G. Other Costs</b>	
1. _____	\$ 655,469
2. _____	
<b>H. Summary of Expenditures</b>	
1. Total Land-Related Costs	\$ 850,000
2. Total Building-Related Costs	\$ 3,850,000
3. Total Machinery and Equipment Costs	\$ 0
4. Total Furniture and Fixture Costs	\$ 0
5. Total Working Capital Costs	\$ 617,500
6. Total Professional Service Costs	\$ 1,382,500
7. Total Other Costs	\$ 0
	\$ 6,500,000

**PROJECTED NET OPERATING INCOME**

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 36,232	\$ 116,268
2	\$ 41,467	\$ 121,504
3	\$ 46,807	\$ 128,844
4	\$ 52,254	\$ 135,524
5	\$ 57,809	\$ 142,745

**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	20	\$531250	79688
Year 1	20	\$531250	79688
Year 2			
Year 3			
Year 4			
Year 5			

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**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)	\$ 0
Additional Sales Tax Paid on Additional Purchases	\$ 0
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ 0
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ 0

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$33,572	\$33,572	\$0
Year 1	\$ 34,243	\$39,495	\$5,252
Year 2	\$ 34,928	\$ 40,285	\$5,357
Year 3	\$ 35,627	\$ 41,091	\$5,464
Year 4	\$ 36,339	\$ 41,913	\$5,573
Year 5	\$ 37,066	\$ 42,751	\$5,685
Year 6	\$ 37,808	\$ 43,606	\$5,799
Year 7	\$ 38,564	\$ 44,478	\$5,915
Year 8	\$39,335	\$ 45,368	\$6,033
Year 9	\$40,122	\$ 46,275	\$6,154
Year 10	\$40,924	\$ 47,201	\$6,277
Year 11	\$41,743	\$ 51,346	\$9,603
Year 12	\$42,577	\$ 58,903	\$16,325
Year 13	\$43,429	\$ 66,742	\$23,313
Year 14	\$44,298	\$ 71,473	\$27,176
Year 15	\$45,183	\$ 79,833	\$34,649
Year 16	\$46,087	\$ 88,498	\$42,411
Year 17	\$47,009	\$ 97,478	\$50,469
Year 18	\$47,949	\$ 106,781	\$58,832
Year 19	\$48,908	\$ 108,917	\$60,009
Year 20	\$49,886	\$ 111,095	\$61,209
			\$ 441,503



### **ADDITIONAL COMMUNITY BENEFITS**

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- |                                |                                 |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation;    | (L) Downtown Residential;       |
| (B) EEO;                       | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization;     | (N) Identified Catalyst Site;   |
| (D) Inclusionary Housing;      | (O) Historic Preservation;      |
| (E) Regional Labor;            | (P) Community Catalyst;         |
| (F) City of Albany Labor;      | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program;    | (R) Technology;                 |
| (H) Distressed Census Tract;   | (S) Hospitality;                |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and       |
| (J) Downtown BID;              | (U) Conversion to Residential.  |
| (K) Neighborhood Plan;         |                                 |

The project will satisfy the following community benefits: The project is located in the BID and is consistent with the Neighborhood Plan. It is residential housing and will be a conversion from commercial to residential. The financial commitment is between 2.5M and 10M. The applicant has committed to using regional labor and City of Albany labor. The permanent jobs are estimated to be 3-40 and construction jobs will be between 6-80. The project facility has been an eyesore in downtown Albany, It is currently a vacant building in the downtown Albany area. The applicant is excited for this redevelopment in order to bring this new project on line in the City.

**XIV. OTHER**

Is there anything else the Agency's board should know regarding this Project?



DATED: JULY 18, 2019

**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> <input type="text" value="06/16/2023"/>	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>
	<b>Name:</b> <input type="text" value="Ryan Jankow"/>
	<b>Title:</b> <input type="text" value="Member"/>
	<b>Phone Number:</b> <input type="text"/>
	<b>Address:</b> <input type="text" value="363 Ontario Street, Albany&lt;br/&gt;New York 12208"/>
	<b>Signature:</b> <input type="text" value="✓"/>

## REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Ryan Jankow (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Member (title) of 324 State Street LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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.

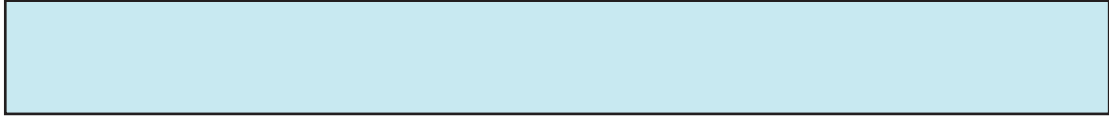
H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success 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 (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain “recapture events” occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

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. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and 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:

n/a

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).

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

S. Change in Control of Project Applicant. 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 enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

DATED: JULY 18, 2019

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

Ryan Jankow, being first duly sworn, deposes and says:

1. That I am the Member (Corporate Office) of 324 State Street LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

x   
[Signature of Officer]

Subscribed and affirmed to me under penalties of perjury.

This 18th day of July, 2023

Lisa A. Willard  
(Notary Public)

LISA A. WILLARD  
Notary Public, State of New York  
No. 01W16060921  
Qualified in Saratoga County  
Commission Expires: 7/2/27



DATED: JULY 18, 2019

### HOLD HARMLESS AGREEMENT

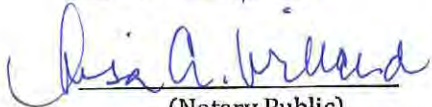
Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless 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) 324 State Street LLC

BY: 

Ryan Gannon, Member

Sworn to before me this  
18th day of July, 2023



(Notary Public)

LISA A. WILLARD  
Notary Public, State of New York  
No. 01W16060921  
Qualified in Saratoga County  
Commission Expires: 7/2/ 27



## 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.

**NEW YORK STATE FINANCIAL REPORTING  
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
  - a. Name of the Project financed with the bond proceeds.
  - b. Whether the Project occupant is a not-for-profit corporation.
  - c. Name and address of each owner of the Project.
  - d. The estimated amount of tax exemptions authorized for each Project.
  - e. The purpose for which the bond was issued.
  - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
  - g. Bond maturity date.
  - h. Federal tax status of the bond issue.
  - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
  - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Ryan Jankow

Title:

Member

Company:

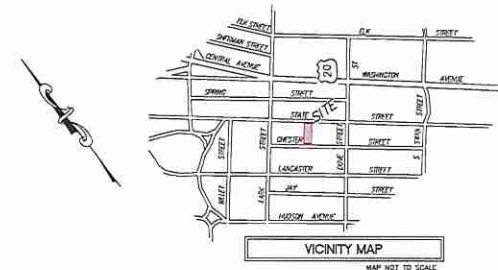
324 State Street LLC

Date:

7/5/23



PLANT MATERIAL SCHEDULE				
SYM	BOTANICAL NAME	COMMON NAME	SIZE	AMT
25	ZELKOVA SERRATA	JAPANESE ZELKOVA	2 1/2\"-3\" CAL	2



EXISTING AND PROPOSED SITE COVERAGE STATISTICS			
DESCRIPTION	SF.	ACRES	%
GRASS SITE AREA	13,580	0.31	100.00%
IMPERVIOUS AREA	13,580	0.31	100.00%
BUILDING COVERAGE	13,580	0.31	100.00%
PAVEMENT/SIDEWALK COVERAGE	0	0	0
PERVIOUS AREA	0	0	0

**HERSHBERG & HERSHBERG**  
Consulting Engineers and Land Surveyors  
18 Locust Street  
Albany, New York 12203



DATE	REVISIONS

PROPOSED SITE PLAN FOR  
324 STATE STREET  
CITY OF ALBANY, NY

FOR MUNICIPAL APPROVAL ONLY-NOT INTENDED FOR CONSTRUCTION





Exterior 324 State Street, Albany, NY

324 State Street, LLC - DRAFT PILOT - Staff Analysis

PILOT Year	City & County Tax Year	School Tax Year	Tax Rate <sup>(4)</sup>	Status Quo		Proposed Project										
				Estimated Total 2023 Assessment <sup>(5)</sup>	Estimated Total Taxes <sup>(6)</sup>	Base Assessment <sup>(7)</sup>	Normal Tax			Estimated PILOT Payments <sup>(11)</sup>	Estimated PILOT Payments <sup>(12)</sup>	Estimated Abatement <sup>(13)</sup>	Estimated PILOT Payments Per Unit <sup>(14)</sup>	Estimated Abatement Per Unit <sup>(15)</sup>	% Abatement on Total Assessment <sup>(16)</sup>	% Abatement on Improved Assessment <sup>(17)</sup>
							Estimated Total Improved Assessment <sup>(8)</sup>	Estimated Total Taxes w/o PILOT <sup>(9)</sup>	Estimated Total Taxes w/o PILOT Per Unit <sup>(10)</sup>							
Construction <sup>(1)</sup>	2024	2023/2024	\$51.08	\$3,183,800	\$162,629		-	-	-	-	-	-	-	-	-	-
Construction	2025	2024/2025	\$52.10	\$3,183,800	\$165,881	\$700,000	\$1,773,600	\$92,407	\$3,186	-	-	-	-	-	-	-
	2026	2025/2026	\$53.14	\$3,183,800	\$169,999	\$700,000	\$1,773,600	\$94,256	\$3,250	\$42,906	Not Applicable	\$51,350	\$1,480	\$1,771	54.48%	90%
2	2027	2026/2027	\$54.21	\$3,183,800	\$172,583	\$700,000	\$1,773,600	\$96,141	\$3,315	\$43,764	Not Applicable	\$52,376	\$1,509	\$1,806	54.48%	90%
3	2028	2027/2028	\$55.29	\$3,183,800	\$176,034	\$700,000	\$1,773,600	\$98,063	\$3,381	\$44,639	Not Applicable	\$53,424	\$1,539	\$1,842	54.48%	90%
4	2029	2028/2029	\$56.40	\$3,183,800	\$179,555	\$700,000	\$1,773,600	\$100,025	\$3,449	\$45,532	Not Applicable	\$54,493	\$1,570	\$1,879	54.48%	90%
5	2030	2029/2030	\$57.52	\$3,183,800	\$183,146	\$700,000	\$1,773,600	\$102,025	\$3,518	\$46,443	Not Applicable	\$55,582	\$1,601	\$1,917	54.48%	90%
6	2031	2030/2031	\$58.67	\$3,183,800	\$186,809	\$700,000	\$1,773,600	\$104,066	\$3,588	\$47,372	Not Applicable	\$56,694	\$1,634	\$1,955	54.48%	90%
7	2032	2031/2032	\$59.85	\$3,183,800	\$190,545	\$700,000	\$1,773,600	\$106,147	\$3,660	\$48,319	Not Applicable	\$57,828	\$1,666	\$1,994	54.48%	90%
8	2033	2032/2033	\$61.05	\$3,183,800	\$194,356	\$700,000	\$1,773,600	\$108,270	\$3,733	\$49,286	Not Applicable	\$58,984	\$1,700	\$2,034	54.48%	90%
9	2034	2033/2034	\$62.27	\$3,183,800	\$198,243	\$700,000	\$1,773,600	\$110,435	\$3,808	\$50,271	Not Applicable	\$60,164	\$1,733	\$2,075	54.48%	90%
10	2035	2034/2035	\$63.51	\$3,183,800	\$202,208	\$700,000	\$1,773,600	\$112,644	\$3,884	\$51,277	Not Applicable	\$61,367	\$1,768	\$2,116	54.48%	90%
11	2036	2035/2036	\$64.78	\$3,183,800	\$206,252	\$700,000	\$1,773,600	\$114,897	\$3,962	\$52,780	Not Applicable	\$59,117	\$1,923	\$2,039	51.45%	85%
12	2037	2036/2037	\$66.08	\$3,183,800	\$210,377	\$700,000	\$1,773,600	\$117,195	\$4,041	\$60,442	Not Applicable	\$56,753	\$2,084	\$1,957	48.43%	80%
13	2038	2037/2038	\$67.40	\$3,183,800	\$214,585	\$700,000	\$1,773,600	\$119,539	\$4,122	\$68,887	11.5% of Project Gross Sales/Revenue	\$50,652	\$2,375	\$1,747	42.37%	70%
14	2039	2038/2039	\$68.75	\$3,183,800	\$218,877	\$700,000	\$1,773,600	\$121,930	\$4,204	\$73,955	11.5% of Project Gross Sales/Revenue	\$47,974	\$2,550	\$1,654	39.35%	65%
15	2040	2039/2040	\$70.12	\$3,183,800	\$223,254	\$700,000	\$1,773,600	\$124,368	\$4,289	\$75,434	11.5% of Project Gross Sales/Revenue	\$48,934	\$2,601	\$1,687	39.35%	65%
16	2041	2040/2041	\$71.52	\$3,183,800	\$227,719	\$700,000	\$1,773,600	\$126,856	\$4,374	\$80,782	11.5% of Project Gross Sales/Revenue	\$46,073	\$2,786	\$1,589	36.32%	60%
17	2042	2042/2043	\$72.95	\$3,183,800	\$232,274	\$700,000	\$1,773,600	\$129,393	\$4,462	\$86,314	11.5% of Project Gross Sales/Revenue	\$43,078	\$2,976	\$1,485	33.29%	55%
18	2043	2043/2044	\$74.41	\$3,183,800	\$236,919	\$700,000	\$1,773,600	\$131,981	\$4,551	\$92,035	11.5% of Project Gross Sales/Revenue	\$39,945	\$3,174	\$1,377	30.27%	50%
19	2044	2044/2045	\$75.90	\$3,183,800	\$241,657	\$700,000	\$1,773,600	\$134,620	\$4,642	\$97,950	11.5% of Project Gross Sales/Revenue	\$36,670	\$3,378	\$1,264	27.24%	45%
20	2045	2045/2046	\$77.42	\$3,183,800	\$246,491	\$700,000	\$1,773,600	\$137,313	\$4,735	\$104,065	11.5% of Project Gross Sales/Revenue	\$33,247	\$3,588	\$1,146	24.21%	40%
Permanent <sup>(11)</sup>	2046	2046/2047	\$78.97	\$3,183,800	\$251,420	\$700,000	\$1,773,600	\$140,059	\$4,830	\$140,059						
Estimated Totals <sup>(11)</sup>					\$4,111,083			\$2,290,162		\$1,265,455		\$1,024,707				

**Notes:**

*(1) Project would likely close with Agency 4Q 2023.*

(2) *Estimated start of PILOT payments.*

*(3) Project returns to full taxable status.*

(4) Estimated tax rate (does not include any special ad valorem taxes that are still payable under PILOT) based on City/County 2024 tax year and School 2023/2024 tax year with estimated escalation of 2.0% thereafter.

(5) Assessment value of based on the 2023 tentative assessment roll. Project is currently on the wholly exempt section of the roll.

(6) Estimated taxes if proposed project did not occur (i.e. left status quo).

(7) Assessment value based on purchase price less the tangible assets included in sale.

(8) Per letter from the City of Albany Assessor dated 6-29-23.

(9) Estimated taxes if the proposed project occurred without PILOT assistance.

(10) Estimated taxes Per Unit if the proposed project occurred without PILOT assistance.

(11) *Estimated PILOT Payments.*

(12) PILOT Payments in Years 1-12 will be calculated by the schedule listed for Percent Abatement on Improved Assessment. Starting in Year 13 the PILOT Payments will be calculated as the greater of the Percent Abatement on Improved Assessment or 11.5% of Gross Sales/Revenue.

(13) Difference of Estimated PILOT Payments from Estimated Total Taxes w/o PILOT.

(14) Estimated PILOT Payments Per Unit.

(15) Difference of Estimated PILOT Payments Per Unit from Estimated Total Taxes w/o PILOT Per Unit

(16) Percent Abatement on Total Assessment via PILOT.

(17) *Percent Abatement on Improved Assessment via PILOT.*

*(18) Totals for comparison and analysis during PILOT agreement period only.*

\*\*\*Analysis is ONLY an estimate\*\*\*

**324 State Street, LLC - DRAFT PILOT - Staff Analysis - HTC PILOT**

PILOT Year	City & County Tax Year	School Tax Year	Tax Rate <sup>(4)</sup>	Status Quo		Proposed Project										
						Base Assessment <sup>(7)</sup>	Estimated Total Improved Assessment <sup>(8)</sup>	Estimated Total Taxes w/o PILOT <sup>(9)</sup>	Estimated Total Taxes w/o PILOT Per Unit <sup>(10)</sup>	Estimated PILOT Payments <sup>(11)</sup>	Estimated PILOT Payments <sup>(12)</sup>	Estimated Abatement <sup>(13)</sup>	Estimated PILOT Payments Per Unit <sup>(14)</sup>	Estimated Abatement Per Unit <sup>(15)</sup>	% Abatement on Total Assessment <sup>(16)</sup>	% Abatement on Improved Assessment <sup>(17)</sup>
				Estimated Total 2023 Assessment <sup>(5)</sup>	Estimated Total Taxes <sup>(6)</sup>											
Construction <sup>(1)</sup>	2024	2023/2024	\$51.08	\$3,183,800	\$162,629		-	-	-	-	-	-	-	-	-	-
Construction	2025	2024/2025	\$52.10	\$3,183,800	\$165,881	\$700,000	\$1,773,600	\$92,407	\$3,186			-	-	-	-	-
1 <sup>(2)</sup>	2026	2025/2026	\$53.14	\$3,183,800	\$169,199	\$700,000	\$1,773,600	\$94,256	\$3,250	\$42,906	Not Applicable	\$51,350	\$1,480	\$1,771	54.48%	90%
2	2027	2026/2027	\$54.21	\$3,183,800	\$172,583	\$700,000	\$1,773,600	\$96,141	\$3,315	\$43,764	Not Applicable	\$52,376	\$1,509	\$1,806	54.48%	90%
3	2028	2027/2028	\$55.29	\$3,183,800	\$176,034	\$700,000	\$1,773,600	\$98,063	\$3,381	\$50,575	Not Applicable	\$47,488	\$1,744	\$1,638	48.43%	80%
4	2029	2028/2029	\$56.40	\$3,183,800	\$179,555	\$700,000	\$1,773,600	\$100,025	\$3,449	\$54,614	Not Applicable	\$45,410	\$1,883	\$1,566	45.40%	75%
5	2030	2029/2030	\$57.52	\$3,183,800	\$183,146	\$700,000	\$1,773,600	\$102,025	\$3,518	\$61,882	Not Applicable	\$40,143	\$2,134	\$1,384	39.35%	65%
6	2031	2030/2031	\$58.67	\$3,183,800	\$186,809	\$700,000	\$1,773,600	\$104,066	\$3,588	\$69,419	Not Applicable	\$34,646	\$2,394	\$1,195	33.29%	55%
7	2032	2031/2032	\$59.85	\$3,183,800	\$190,545	\$700,000	\$1,773,600	\$106,147	\$3,660	\$74,020	Not Applicable	\$32,127	\$2,552	\$1,108	30.27%	50%
8	2033	2032/2033	\$61.05	\$3,183,800	\$194,356	\$700,000	\$1,773,600	\$108,270	\$3,733	\$78,778	Not Applicable	\$29,492	\$2,716	\$1,017	27.24%	45%
9	2034	2033/2034	\$62.27	\$3,183,800	\$198,243	\$700,000	\$1,773,600	\$110,435	\$3,808	\$83,696	Not Applicable	\$26,740	\$2,886	\$922	24.21%	40%
10	2035	2034/2035	\$63.51	\$3,183,800	\$202,208	\$700,000	\$1,773,600	\$112,644	\$3,884	\$88,779	Not Applicable	\$23,865	\$3,061	\$823	21.19%	35%
11	2036	2035/2036	\$64.78	\$3,183,800	\$206,252	\$700,000	\$1,773,600	\$114,897	\$3,962	\$94,032	Not Applicable	\$20,865	\$3,242	\$719	18.16%	30%
12	2037	2036/2037	\$66.08	\$3,183,800	\$210,377	\$700,000	\$1,773,600	\$117,195	\$4,041	\$99,460	Not Applicable	\$17,735	\$3,430	\$612	15.13%	25%
13	2038	2037/2038	\$67.40	\$3,183,800	\$214,585	\$700,000	\$1,773,600	\$119,539	\$4,122	\$105,067	11.5% of Project Gross Sales/Revenue	\$14,472	\$3,623	\$499	12.11%	20%
14	2039	2038/2039	\$68.75	\$3,183,800	\$218,877	\$700,000	\$1,773,600	\$121,930	\$4,204	\$110,859	11.5% of Project Gross Sales/Revenue	\$11,071	\$3,823	\$382	9.08%	15%
15	2040	2039/2040	\$70.12	\$3,183,800	\$223,254	\$700,000	\$1,773,600	\$124,368	\$4,289	\$116,840	11.5% of Project Gross Sales/Revenue	\$7,528	\$4,029	\$260	6.05%	10%
Permanent <sup>(3)</sup>	2041	2040/2041	\$71.52	\$3,183,800	\$227,705	\$700,000	\$1,773,600	\$126,848	\$4,374	\$126,848						
Estimated Totals <sup>(18)</sup>					\$2,926,024			\$1,630,000		\$1,174,692		\$455,308				

**Notes:**

- (1) Project would likely close with Agency 4Q 2023.  
(2) Estimated start of PILOT payments.  
(3) Project returns to full taxable status.  
(4) Estimated tax rate (does not include any special ad valorem taxes that are still payable under PILOT) based on City/County 2024 tax year and School 2023/2024 tax year with estimated escalation of 2.0% thereafter.  
(5) Assessment value of based on the 2023 tentative assessment roll. Project is currently on the wholly exempt section of the roll.  
(6) Estimated taxes if proposed project did not occur (i.e. left status quo).  
(7) Assessment value based on purchase price less the tangible assets included in sale.  
(8) Per letter from the City of Albany Assessor dated 6-29-23.  
(9) Estimated taxes if the proposed project occurred without PILOT assistance.  
(10) Estimated taxes Per Unit if the proposed project occurred without PILOT assistance.  
(11) Estimated PILOT Payments.  
(12) PILOT Payments in Years 1-12 will be calculated by the schedule listed for Percent Abatement on Improved Assessment. Starting in Year 13 the PILOT Payments will be calculated as the greater of the Percent Abatement on Improved Assessment or 11.5% of Gross Sales/Revenue.  
(13) Difference of Estimated PILOT Payments from Estimated Total Taxes w/o PILOT.  
(14) Estimated PILOT Payments Per Unit.  
(15) Difference of Estimated PILOT Payments Per Unit from Estimated Total Taxes w/o PILOT Per Unit.  
(16) Percent Abatement on Total Assessment via PILOT.  
(17) Percent Abatement on Improved Assessment via PILOT.  
(18) Totals for comparison and analysis during PILOT agreement period only.

\*\*\*Analysis is ONLY an estimate\*\*\*

## EXHIBIT A

### DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

#### 324 STATE STREET, LLC PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Center Square neighborhood, thereby promoting the retention of existing jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in Center Square, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 2 new full-time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>



3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p> <p>NYS Sales and Compensating Use Tax Exemption: \$308,000  Mortgage Recording Tax Exemption: \$50,000  Real Property Tax Exemption (Scenario A): \$1,024,707  Real Property Tax Exemption (Scenario B): \$455,308</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project applicant expects to invest approx. \$6.5 million of private investment in the Project.</p>
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>High likelihood that Project will be accomplished in a timely fashion.</p> <p>The project received full City of Albany Planning Board approvals in August 2023.</p> <p>The Applicant has signed a purchase option for the property.</p>
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will result in new revenue to local taxing jurisdictions under the proposed PILOT program through the City of Albany IDA.</p> <p>Project will result in an increase in assessed value from the current total assessed value (the property is currently wholly exempt per City of Albany Commissioner of Assessment and Taxation 2023 Assessment Roll) to the estimated improved total assessment: \$1,773,600 (Per City of Albany Commissioner of Assessment and Taxation).</p>

7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The Project commits to utilizing 90% Regional Labor for construction jobs.</p> <p>The Project commits to utilizing 15% City of Albany Labor for construction jobs.</p> <p>The Project will increase the consumer base to support local businesses and employers.</p> <p>The Project will have a positive revitalizing effect on the community by developing currently underutilized structure in a strategically identified location within the Center Square neighborhood.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.</p>
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# MEMO

**TO:** CAIDA Board of Directors

**FROM:** CAIDA Staff

**RE:** 144 State Street, LLC Project

**DATE:** August 31, 2023

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An application for assistance was introduced at the IDA Finance Committee meeting in July 2023 involving an additional investment into the existing Renaissance Albany Hotel.

In 2014, the IDA approved financial assistance in the form of sales, mortgage recording and real property tax abatements for the historic redevelopment of the long-vacant former DeWitt Clinton hotel at 144 State Street. The +/- 180,000 SF hotel features 203 rooms, a full-service restaurant, banquet, and event space. The original investment totaled approx. \$50 million and utilized multiple funding sources including grants, historic tax credits, traditional debt and owner equity. The initial project was approved for mortgage recording and sales tax exemptions as well as a real property tax abatement – a total estimated at \$9.93 M. The original PILOT approved, which is still in place, provided assistance over a 15-year timeline – from 2016 through 2030.

Based on the additional investment currently being contemplated and the ongoing performance concerns resulting financial hardships from the COVID-19 pandemic and broader economic and labor conditions, the Applicant has requested an amendment to the current PILOT Agreement removing a provision requiring potential payment of a portion of gross operating income and providing an extension of the real property tax abatements for an additional 6 years – through 2035 – a net new total estimated at \$2.0 M.

To supplement staff analysis, a third party was retained to review the project financial assumptions and the appropriateness of the requested level of Agency assistance. Further detail on the requested assistance and an analysis of the level and appropriateness of the request can be found in the following application materials.

**TO:** City of Albany Industrial Development Finance Committee  
**FROM:** City of Albany Industrial Development Agency Staff  
**RE:** 144 State Street, LLC - IDA Application Summary  
**DATE:** September 8, 2023

**Applicant:** 144 State Street, LLC and 144 Real Estate Properties, Inc.

**Managing Members (% of Ownership):** Joseph Nicolla (69%), Richard Rosen (8%), Brandon Stabler (3%) and minority investors (20%).

**Project Location:** 144 State St, Albany, NY

**Background:** In 2014, the IDA approved financial assistance in the form of sales, mortgage recording and real property tax abatements for the historic redevelopment of the long-vacant former DeWitt Clinton hotel at 144 State Street. The +/- 180,000 SF hotel features 203 rooms, a full-service restaurant, banquet, and event space. The hotel facilities/parking garage connect with the Albany Capital Center and Times Union Center via an enclosed climate-controlled walkway. The Project Beneficiary is proposing a \$3.5 million new investment to the project and requesting an amendment to its PILOT agreements providing additional assistance to move forward with the project and maintain hotel operations consistent with the hotel's brand given financial hardships inflicted upon the Project's financial performance given the COVID-19 pandemic, combined with the inflated costs of materials and project-specific labor cost escalations.

**Project Description:** The current project involves the renovation of the existing Renaissance Hotel by Marriott consisting of improvements to the public spaces and guestrooms.

**Estimated Project Real Property Benefit Summary:**

**Original Project Anticipated Benefits:**

	Status Quo Taxes (no project) Non-Homestead Rate (over 15 years)	Project Impact PILOT Payments (over 15 years)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$773,128	\$4,942,459	\$4,169,331

**Anticipated Benefits Including New Request:**

	Status Quo Taxes (no project) Non-Homestead Rate (over 20 years)	Project Impact PILOT Payments (over Original 15 year term)	Project Impact PILOT Payments (over new additional term)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$1,084,581	\$4,156,678	\$3,458,505	\$6,530,602

	Pre-Project Value	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$1,000,000	\$15,710,943	\$15,710,943	\$0

\*Status quo: original taxes based on unimproved 2015 value; PILOT payments 2024-35

*\*\*Property Value based on successful tax certiorari dated 6-16-23*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$1,038,139 based on an assessed value of **\$15,710,943** and an annual tax rate of \$66.08.

**Estimated Investment:** \$3,500,000

**Community Benefits:** Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Target Geography:* The project is located downtown; the project is located within a BID; the project is located within a neighborhood plan.
- *Identified Priority:* The proposed project results in the retention of hospitality sector facilities as well as the creation/retention of permanent jobs within the City of Albany.
- *Identified Growth Area:* The proposed project consists of the conversion of an existing commercial structure into residential rental units.
- *Job Creation:* The project is committing to the retention of ninety-one (91) permanent full-time equivalent jobs and the creation of eighteen (18) construction jobs.
- *Investment:* The project is anticipating a project cost of \$3.5 million.

**Employment Impact Analysis:**

**Temporary (Construction 2024-2025) Impact**

Impact Type	Avg. Annual Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	19.83	\$675,891	\$1,187,222	\$3,479,247
Indirect Effect	5.1	\$383,888	\$669,516	\$1,106,423
Induced Effect	2.87	\$185,896	\$333,614	\$523,469
Total Effect	27.8	\$1,245,675	\$2,190,352	\$5,109,138

*\*IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at 8-28-2023. Of note: IMPLAN represents average annual construction jobs over the duration of construction.*

**Employment Impact:**

- Projected Permanent: 0 jobs
- Projected Retained: 91 jobs
- Projected Construction: 18 jobs

**Type of Financing:** Straight Lease

**Amount of Bonds Requested:** None

**Estimated Total Purchases Exempt from Sales Tax:** \$2,800,000

### **Estimated Total Mortgage Amount: \$0**

**Requested PILOT:** The proposal entails the Applicant entering into a PILOT agreement with the IDA which deviates from the Project Evaluation and Assistance Framework abatement guidelines for commercial/retail space. Please see staff PILOT analysis for further detail.

**Third Party Review:** Due to the deviation in requested assistance from the Project Evaluation & Assistance Framework, a third-party evaluation of the appropriateness of the applicant's PILOT request has been received and reviewed by staff. The third party determined that the assumptions included within the application in addition to the abatements requested were necessary and within reasonable parameters.

Cash on cash return is a simple and straightforward method to calculate return on investments that involve long-term debt borrowing. We use this as our baseline analysis metric to keep comparisons consistent and variables limited across projects. The third-party analysis relies on the internal rate of return method due to its advantage of including the time value of money and property appreciation. Calculating the internal rate of return is more complicated because it requires the projection future of cash flows of the investment, including the sale of the investment at the end of the holding period. This analysis provides a more in-depth and project-specific measurement of anticipated return to review in conjunction with the straightforward cash-on-cash method.

### **Estimated Value of Tax Exemptions:**

- NYS Sales and Compensating Use Tax (new request): \$224,000
- Mortgage Recording Taxes (new request): \$0
- Real Property Taxes:
  - Total over duration of assistance: \$11,705,505 <sup>1</sup>
  - Net new with this request: \$2,005,233 (estimated)
- Other: N/A

### **Baseline Requirements:**

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
  - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Expected 3Q 2023
- Meets Project Use Definition: Yes
- Meets "But For" Requirement: Yes, affidavit signed.

**Cost Benefit Analysis:** See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

### **Estimated IDA Fee**

- Fee amount: \$35,000.00

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**CAIDA Mission:** Assist in the enhancement and diversity of the economy of the City of Albany (the "City") by acting in support of projects in the City that create and/or retain jobs and/or promote private sector investment utilizing the statutory powers of the Agency as set forth under the provisions of the laws of the State of New York.

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<sup>1</sup> Original 2014 PILOT Agreement approved an estimated \$9.7 million of real property tax abatement.

DRAFT

**\*\*\*DRAFT - CAIDA Project Evaluation and Assistance Framework Staff Analysis**

Project:	144 State Street, LLC (Renaissance Hotel)				
Total Score:	10				
*Qualifies for a PILOT Deviation?	YES				
		**Qualifies for Community Commitment Enhancement?			NO
Total Improved Assessed Value Estimate:	\$15,710,943	Units:	203	Improved Assessed Value per Door Estimate:	\$77,393.81
Notes/Applicable Program Restrictions:					

**COMMENTS**

<b>Revitalization</b>	<b>Target Geography</b>		
	Distressed Census Tract		Census tract 11
	High Vacancy Census Tract		
	Downtown	1	
	BID	1	
	Neighborhood Plan	1	Impact Downtown
	<b>Identified Priority</b>		
	Downtown Residential		
	Tax Exempt/Vacant		
	Identified Catalyst Site		
	Historic Preservation	1	
	Community Catalyst		
	<b>Identified Growth Area</b>		
	Manufacturing / Distribution		
	Technology		
	Hospitality	1	
	Existing Cluster		
	Conversion to Residential		
<b>Subtotal</b>		<b>5</b>	

<b>Job Creation</b>	<b>Permanent Jobs</b>		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	<b>Retained Jobs</b>		
	3 - 40	1	
	41-80	1	
	81 - 120	1	Est.91 Full time jobs retained
	121-180		
	>180		
	<b>Construction Jobs</b>		
	6 - 80	1	Est. 18 construction jobs
	81 - 160		
	161 - 240		
	> 241		
<b>Subtotal</b>		<b>4</b>	

<b>Investment</b>	<b>Financial Commitment</b>		
	2.5M - 10M	1	\$3.5 M investment
	10.1M-17.5M		
	17.6M-25M		
	<b>Subtotal</b>	<b>1</b>	
	<b>Community Commitment</b>		
	MWBE		
	EEO Workforce Utilization		
	Inclusionary Housing		
	Regional Labor		
	City of Albany Labor		
	Apprenticeship Program		
	<b>Subtotal</b>	<b>0</b>	*Must achieve subtotal of 3 and threshold of 13 to qualify for Community Commitment enhancement
	<b>Total:</b>	<b>10</b>	*Must achieve threshold of 10 to qualify for deviation

<b>Baseline Requirements</b>	Complete Application	1	
	Meets NYS/CAIDA Requirements	1	
	Albany 2030 Aligned	1	
	Planning Approval	1	
	Meet "Project Use" definition	1	
	"But For" Requirement	1	
		<b>6</b>	

\*\*\*This analysis is prepared by staff for Board discussion purposes only. The potential scoring represented has not been vetted, agreed upon or in any way approved by the CAIDA Board of Directors



## **144 STATE STREET LLC AND 144 REAL ESTATE PROPERTIES INC.**

### **ASSISTANCE REQUEST REVIEW**

#### **EXECUTIVE SUMMARY**

144 State Street LLC and 144 Real Estate Properties Inc. (“144 State”) entered into a PILOT Agreement with CAIDA on March 1, 2014 to renovate and construct what is now the Renaissance Albany Hotel (the Property). 144 State intends to invest an additional \$3.5 million to renovate the Property. Renovations include improvements to the lobby, ballroom, restaurant, fitness area, and guestroom renovations. 144 State is requesting that the PILOT Agreement be modified to allow the hotel to function economically given this investment.

The Renaissance Albany Hotel opened in 2016. As part of their Application for Assistance, 144 State provided the Hotel’s actual revenue and expenses from 2016 to 2022. This data includes a Paycheck Protection Program (PPP) payment to help support the Hotel’s operation during COVID-19. 144 State’s Application projected the Hotel’s performance from 2023 to 2028.

As part of the Application for Assistance, 144 State detailed how the initial renovation was funded. The sources of funding included grants, a private loan, historic tax credit equity and developer equity. The initial cost to develop the Renaissance Hotel was \$49.6 million.

W-ZHA evaluated whether 144 State’s request for assistance was reasonable given the economic performance of the real estate and the investor’s financial returns. W-ZHA evaluated returns in two ways: 1) evaluating performance and investor returns from the hotel’s inception (2016 to 2028); and 2) evaluating performance and investor returns beginning in 2023 to 2028. W-ZHA performed sensitivity analysis to understand how investment returns change assuming more aggressive revenue forecasts.

W-ZHA concludes that the terms of the March 2014 PILOT Agreement will make the hotel nonviable given its performance to-date and projected performance. W-ZHA concludes that the requested project assistance schedule is reasonable and generates reasonable, not windfall, investment returns to 144 State.

**144 STATE STREET LLC and 144 REAL ESTATE PROPERTIES, INC.  
302 Washington Avenue Extension  
Albany, New York 12203**

June 30, 2023

Elizabeth Staubach, Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

Re: 144 State Street LLC and 144 Real Estate Properties, Inc. Project

Dear Ms. Staubach:

On March 18, 2014, the City of Albany Industrial Development Agency (“Agency”) closed on certain financial assistance granted to 144 State Street LLC and 144 Real Estate Properties, Inc. (“Applicant”) in connection with the (1) acquisition of a parcel of land containing approximately 0.41 acres of land located at 142 State Street in the City of Albany, Albany County, New York together with the existing facility located thereon containing approximately 180,000 square feet of space (“Facility”) (2) renovation and reconstruction of the Facility and (3) acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property, including without limitation, tenant improvement and finish (collectively “Project”). Part of the original financial assistance granted to the Applicant was a payment in lieu of tax agreement (“PILOT Agreement”) which is still in effect.

The Applicant is in the process of preparing for much needed renovations to the Project consisting of improvements to the public spaces (lobby, ballroom, restaurant, fitness area) and guestrooms in the existing Renaissance Hotel. The proposed work will require design and construction approvals from City of Albany Building Department and the Marriott Franchisor which is anticipated to take 6 months. It is anticipated the renovations will take place 12-18 months following municipal and franchisor approvals.

However, without the Agency’s assistance, these required renovations are not feasible. The Applicant is requesting Agency assistance to help defray excessive costs in renovating this historic building. The higher costs are a result of (i) lingering effects of COVID-19, (ii) rising costs of goods and services, (iii) higher interest rates, (iv) higher wages due to inflation.

The applicant employs many residents of the City and County of Albany. In April, 2023, a new union contract was signed which provides an 8% annual wage increase for the next five (5) years and additional benefits to assist employees with legal issues, childcare and housing. We want to be able to continue to provide these benefits while maintaining a viable hotel operation and need Agency assistance.

Therefore, as detailed in the Application attached hereto, the Applicant is requesting financial assistance from the Agency by way of exemptions from New York State sales and use taxes and a modification and extension of the existing PILOT Agreement.

The Project will generate additional sales tax and property tax revenue for the City of Albany. The proposed construction work in the City will have an indirect positive impact on jobs and businesses in the surrounding area. The Applicant is requesting assistance from the Agency in order to renovate the Facility which is consistent with current trends to attract young professionals, visitors and business professionals to the City.

Please do not hesitate to contact me if you should have any questions or find additional information is needed.

Sincerely,

144 STATE STREET LLC and  
144 Real Estate Properties, Inc.



Brandon Stabler  
Authorized Representative

Enclosure

## City of Albany Industrial Development Agency

### Application for Assistance

Date: 06/09/23

-----  
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.  
-----

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
21 Lodge Street  
Albany, New York 12207

This application respectfully states:

#### APPLICANT:

Name: 144 State Street LLC and 144 Real Estate Properties, Inc.

Address: 302 Washington Avenue Extension

City: Albany

State: NY

Zip: 12203

Federal ID/EIN: 46-2294923

Website:

Primary Contact: Brandon Stabler

Title: Authorized Representative

Phone: (518) 862-9133

Email: bstabler@columbiadev.com

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

Brandon Stabler

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

NAME OF ATTORNEY: Debra J Lambek, Esq

ATTORNEY'S ADDRESS:

PHONE: (518) 491-1628

E-MAIL: dlambek@lambeklaw.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 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.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

## SUMMARY OF PROJECT

Applicant: 144 State Street LLC and 144 Real Estate Properties, Inc.

Contact Person: Brandon Stabler

Phone Number: (518) 862-9133

Occupant: Renaissance Hotel

Project Location (include Tax Map ID): 142 State Street [assessed as 144 State Street tax id 76.33-1-14]

Approximate Size of Project Site: 0.35 acres

Description of Project: Construct renovations and improvements to the interior public spaces [lobby, ballroom, restaurant and fitness] and guestrooms in the existing Renaissance Hotel. The Project will require design and construction approvals from the Franchisor which is anticipated to take 6 months.

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

Employment Impact: Existing FTE Jobs: 73  
Retained FTE Jobs: 73  
FTE Jobs Created: 0  
Construction Jobs Created: 18

Project Cost: \$3,500,000

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

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$224,000
Mortgage Recording Taxes:	\$0
Real Property Tax Exemptions: (auto-calculated)	\$0
Other (please specify):	

Provide estimates for the following:

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:	\$50,000

## I. APPLICANT INFORMATION

### A) Applicant:

Name: 144 State Street LLC and 144 Real Estate Properties, Inc.

Address: 302 Washington Avenue Extension

City: Albany State: NY Zip: 12203

Federal ID/EIN: 46-2294923 Website:

Primary Contact: Brandon Stabler

Title: Authorized Representative

Phone: (518) 862-9133 Email: bstabler@columbiadev.com

### B) Real Estate Holding Company (if different from Applicant):

*Will a separate company hold title to/own the property related to this Project? If yes:*

Name:

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

**C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):**

Name: 144 State Street LLC and 144 Real Estate Properties Inc.  
Title:  
Address:  
City: State: Zip:  
Phone: Email:

**D) Attorney:**

Name: Debra J Lambek Esq  
Firm Name: Law Office of Debra J Lambek PLLC  
Address:  
City: State: Zip:  
Phone: (518) 491-1628 Email: dlambek@lambeklaw.com

**E) General Contractor:**

Name: BBL Construction Services  
Firm Name:  
Address: 302 Washington Avenue Extension  
City: Albany State: NY Zip: 12203  
Phone: (518) 452-8200 Email:



**II. APPLICANT'S COMPANY OWNERSHIP & HISTORY****A) Company Organization:**

Year founded:  Founded in which state:  NAICS Code:

Type of ownership (e.g., C-Corp, LLC):

**B) Company Management**

Name	Office Held	Other Principal Business
Joseph Nicolla	Member	real estate development
Richard Rosen	Member	real estate development
Brandon Stabler	Member	real estate development
other investors	Member	

**Company Ownership:**

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Joseph Nicolla		69	
Richard Rosen		8	
Brandon Stabler		3	
minority investors		20	

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☒ Yes ☐ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

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

If yes, describe:

**C) Company Description:**

Describe in detail the Company's background, products, customers, goods and services:

The Company operates a full service 203 room hotel with associated restaurant and banquet facilities on State Street in the City of Albany. The hotel has been .

Existing Banking Relationship(s):

Has the Company ever received incentives tied to job creation?



Yes



No

If yes, describe:

City of Albany IDA benefits [2014]

Were the goals met?



Yes



No



N/A

If no, why not?

The goals were met until COVID occurred at which point only the employment goals were not met.

*Additional sheets may be attached, if necessary.*

### III. PROJECT DESCRIPTION AND DETAILS

#### A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☐ Exemption from Mortgage Tax
- ☒ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

#### B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

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

the project consists of renovations to the existing hotel facility

Location of Proposed Project:

Street Address - Tax Map ID(s): 142 State Street [assessed as 144 State Street tax id 76.33-1-14]

Is the Applicant the present legal owner of the Project site? ☒ Yes ☐ No

If yes: Date of Purchase: 03/13/2014 Purchase Price: \$10,100,000

If no:

1. Present legal owner of the Project site: 144 State Street LLC and 144 Real Estate Properties Inc.

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☐ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☐ Yes ☐ No ☒ N/A

If yes: Date option signed: Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

Construct renovations and improvement to the public spaces (lobby, ballroom, restaurant, fitness) and guestrooms in the existing Renaissance Hotel. Project will require design and construction approvals from Franchisor which is anticipated to take 6 months. Construction will take place within 12-18 months following approvals. However, without the Agency's assistance, these required renovations are not feasible. The Applicant is requesting Agency assistance to help defray excessive costs in renovating this historic building. The higher costs are a result of (i) lingering effects of COVID-19, (ii) rising costs of goods and services, (iii) higher interest rates, (iv) higher wages due to inflation. These renovations are necessary to keep the Marriott flag.

The applicant employs many residents of the City and County of Albany. In April, 2023, a new union contract was signed which provides an 8% annual wage increase for the next five (5) years and additional benefits to assist employees with legal issues, childcare and housing. We want to be able to continue to provide these benefits while maintaining a viable hotel operation and need Agency assistance.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

Need Agency assistance to help defray excessive costs in renovating this historic building. The higher costs are a result of (i) lingering effects of COVID-19, (ii) rising costs of goods and services, (iii) higher interest rates, (iv) higher wages due to inflation, and (v) record low unemployment.

### C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Service*                        |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office                     |
| <input type="checkbox"/> Housing                          | <input type="checkbox"/> Mixed use                       |
| <input type="checkbox"/> Multi-tenant                     | <input type="checkbox"/> Facility for Aging              |
| <input checked="" type="checkbox"/> Commercial            | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail*               | <input checked="" type="checkbox"/> Other                |

\* The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. Renaissance hotel		100
2.		
3.		

Are there existing buildings on project site? ☒ Yes ☐ No

a. If yes, indicate number and approximate size (in square feet) of each existing building: 180,000 sf

b. Are existing buildings in operation? ☒ Yes ☐ No ☐ N/A

If yes, describe present use of present buildings: hotel, restaurant and banquet

c. Are existing buildings abandoned? ☐ Yes ☒ No ☐ N/A

About to be abandoned? ☐ Yes ☒ No ☐ N/A

If yes, describe:

d. Attach photograph of present buildings.

#### IV. RETAIL QUESTIONNAIRE

(Fill out if end users are “retail” or “service” as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?<sup>1</sup> ☒ Yes ☐ No
- If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☒ Yes ☐ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. 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  
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☒ Yes ☐ No  
If yes, explain: 

property located in an empire zone
5. Will the Project be in a “highly distressed” census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

Census tract 11

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project.<sup>1</sup>

## V. ENVIRONMENTAL REVIEW AND PERMITTING

*The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.*

Environmental Assessment Form: ☒ Short Form ☐ Long Form

Lead Agency:

Agency Contact:

Date of submission:

Status of submission:

Final SEQRA

determination:

### A) Site Characteristics:

Describe the present zoning and land use regulation:

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

Does part of the Project consist of a new building or buildings?

☐ Yes ☒ No

If yes, indicate number and size of new buildings:

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:

## VI. INTER-MUNICIPAL MOVE DETERMINATION

*The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.*

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:



**VII. EMPLOYMENT INFORMATION****A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

		Projected FTEs			
	Current FTEs	New Year 1- 20 <sup>24</sup>	New Year 2 - 20 <sup>25</sup>	New Year 3 - 20 <sup>26</sup>	Total Year 4-20 <sup>27</sup>
<b>Full-time</b>	67	0	0	0	0
<b>Part-time</b>	24	0	0	0	0
<b>Seasonal</b>	0				

**B) Employment Plan in FTE**

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage <sup>2</sup>	Number of Current FTE	FTE in Year 1 20 <sup>24</sup>	FTE in Year 2 20 <sup>25</sup>	FTE in Year 3 20 <sup>26</sup>	Total New FTE by Year 4 20 <sup>27</sup>
<b>Professional/Management</b>	85822	12	0	0	0	0
<b>Administrative</b>	77438	2	0	0	0	0
<b>Sales</b>	81067	4	0	0	0	0
<b>Services</b>	23.19 per hour	55	0	0	0	0
<b>Manufacturing</b>	0	0	0	0	0	0
<b>High-Skilled</b>	0	0	0	0	0	0
<b>Medium-Skilled</b>	0	0	0	0	0	0
<b>Basic-Skilled</b>	0	0	0	0	0	0
<b>Other (specify)</b>	0	0	0	0	0	0
	0	0	0	0	0	0
<b>Total (auto-calculated)</b>		73	0	0	0	0

<sup>2</sup> Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

## VIII. INDEPENDENT CONTRACTOR RESOURCES

*Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.*

*Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.*

**("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

	Current FTEs	Projected			
		New Year 1-20 <sup>24</sup>	New Year 2-20 <sup>25</sup>	New Year 3-20 <sup>26</sup>	Total Year 4-20 <sup>27</sup>
<b>Full-time</b>	0	0	0	0	0
<b>Part-time</b>	0	0	0	0	0
<b>Seasonal</b>	0	0	0	0	0

## IX. CONSTRUCTION LABOR

*\*Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 18

When does the applicant anticipate the start of construction? 01/01/2024

When does the applicant anticipate the completion of construction? 06/30/25

What is the total value of construction contracts to be executed? \$3,500,000

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

As with typical construction, General Contractor will bid the job scope to local businesses, subcontractors, and vendors for the work that they do not self perform. Generally speaking, most subcontractors and laborers live in and around the capital district area and always focus employment opportunities to local business. General Contractor maintains its business in the City of Albany and is a large employer of various labor trades.

**X. PROJECT COSTS AND FINANCING**

Attach additional

**A) Project Costs**

Description of Cost	Amount
Land	
Buildings	\$800,000
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	
Architects and engineering fees	\$350,000
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	
Other (specify)	
Furniture and Fixtures	\$2,000,000
Contractor General Co+	\$350,000
<b>TOTAL PROJECT COST (auto-calculated)</b>	<b>\$3,500,000</b>

Have any of the above costs been paid or incurred as of the date of this application? ☐ Yes ☒ No

If yes, describe:

**B) Sources of Funds for Project Costs**

Equity:

Bank Financing:

Tax Exempt Bond Issuance:

Taxable Bond Issuance

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:


Public Funds Total (auto-calculated):

*Additional sheets may be attached, as necessary.*

TOTAL: (auto-calculated)

Amount of total financing requested from lending institutions:

Amount of total financing related to existing debt refinancing:

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution:

Contact:

Phone:

## XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

**Project Evaluation and Assistance Framework.** If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

### Baseline Requirements (Must Achieve All)

<input checked="" type="checkbox"/> Complete Application	<input checked="" type="checkbox"/> Albany 2030 Aligned	<input checked="" type="checkbox"/> Meet Project Use Definition
<input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements	<input type="checkbox"/> Planning Approval (if applicant) Approval Date : <input type="text"/>	<input checked="" type="checkbox"/> "But For" Requirement

### Community Benefit Metrics (Must Achieve 10)

<b>Revitalization</b> <b>Target Geography</b> <input type="checkbox"/> Distressed Census Tract <input type="checkbox"/> High Vacancy Census Tract <input checked="" type="checkbox"/> Downtown <input checked="" type="checkbox"/> BID <input checked="" type="checkbox"/> Neighborhood Plan	<b>Investment</b> <b>Financial Commitment</b> (cumulative) <input checked="" type="checkbox"/> 2.5M - 10M <input type="checkbox"/> 10.1 - 17.5M <input type="checkbox"/> 17.6M - 25M	<b>Employment</b> <b>Permanent Jobs</b> (cumulative) <input type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Priority</b> <input type="checkbox"/> Downtown Residential <input type="checkbox"/> Tax Exempt/Vacant <input type="checkbox"/> Identified Catalyst Site <input checked="" type="checkbox"/> Historic Preservation <input checked="" type="checkbox"/> Community Catalyst	<b>Community Commitment</b> <input type="checkbox"/> MWBE/DBE Participation <input type="checkbox"/> EEO Workforce Utilization <input type="checkbox"/> Inclusionary Housing <input type="checkbox"/> Regional Labor <input type="checkbox"/> City of Albany Labor <input type="checkbox"/> Apprenticeship Program	<b>Retained Jobs</b> (cumulative) <input checked="" type="checkbox"/> 3 - 40 <input checked="" type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Growth Area</b> <input type="checkbox"/> Manufacturing/Distribution <input type="checkbox"/> Technology <input checked="" type="checkbox"/> Hospitality <input type="checkbox"/> Existing Cluster <input type="checkbox"/> Conversion to Residential		<b>Construction Jobs</b> (cumulative) <input checked="" type="checkbox"/> 6 - 80 <input type="checkbox"/> 81 - 160 <input type="checkbox"/> 161 - 240 <input type="checkbox"/> > 240

## XII. ESTIMATED VALUE OF INCENTIVES

### A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. **If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.**

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☒ Yes ☐ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated):

*\*assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

# COMMERCIAL WORKSHEET FOR ESTIMATED VALUE OF INCENTIVES

Current assessed full assessed value of the property **before** Project improvements or the purchase price of the property, whichever is higher:

\$15,710,943

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

15,710,943

Estimated real property 2019-20 tax rate per dollar of full assessment (auto-calculated):

\$51.08

How many square feet of commercial space will the project entail?

180,000

Based on the letter from the City of Albany Assessor, which abatement schedule are you requesting:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule	*Estimated PILOT Payments
1	\$	\$	\$	25%	\$350,432
2	\$	\$	\$	25%	\$295,773
3	\$	\$	\$	25%	\$301,688
4	\$	\$	\$	25%	\$307,722
5	\$	\$	\$	50%	\$457,160
6	\$	\$	\$	50%	\$533,055
7	\$	\$	\$	50%	\$543,716
8	\$	\$	\$	50%	\$625,427
9	Please see Appendix A for additional details		\$	75%	\$791,614
10			\$	75%	\$807,446
11	\$	\$	\$	75%	\$823,595
12	\$	\$	\$	75%	\$840,067
13	\$	\$	\$	75%	\$935,078
14	\$	\$	\$	0%	\$
15	\$	\$	\$	0%	\$
16	\$	\$	\$	0%	\$
17	\$	\$	\$	0%	\$
18	\$	\$	\$	0%	\$
19	\$	\$	\$	0%	\$
20	\$	\$	\$	0%	\$

\*assume 2% annual increase in tax rate

\$

\$7,262,341

\*PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

Need Agency assistance to help defray excessive costs in renovating this historic building. The higher costs are a result of (i) lingering effects of COVID-19, (ii) rising costs of goods and services, (iii) higher interest rates, (iv) higher wages due to inflation, and (v) record low unemployment.

### **B) Sales and Use Tax Benefit:**

*Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.*

Costs for goods and services that are subject to State and local sales and use tax<sup>4</sup>:

\$2,800,000

Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts):

\$224,000

### **C) Mortgage Recording Tax Benefit:**

Mortgage amount (include construction, permanent, bridge financing or refinancing):

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1% )<sup>5</sup>:

\$0

### **D) Percentage of Project Costs Financed from Public Sector:**

Percentage of Project costs financed from public sector: .08  
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:

\$3,500,000

B. Estimated Value of PILOT (auto-filled):

\$0

C. Estimated Value of Sales Tax Incentive:

\$224,000

D. Estimated Value of Mortgage Tax Incentive:

\$0

E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):

\$0

<sup>4</sup> Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

[https://www.tax.ny.gov/pubs\\_and\\_bulls/tg\\_bulletins/st/quick\\_reference\\_guide\\_for\\_taxable\\_and\\_exempt\\_property\\_and\\_services.htm](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm).

<sup>5</sup> The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

**XIII. COST BENEFIT ANALYSIS**

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”). 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, community benefits (including community commitment as described in the Agency’s Project Evaluation and Assistance Framework), 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.).

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”):	144 State Street LLC and 144 Real Estate Properties, Inc.	
2. Brief Identification of the Project:	renovation of existing hotel	
3. Estimated Amount of Project Benefits Sought:	\$ 224,000	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$224,000
C. Value of Real Property Tax Exemption Sought		\$0
D. Value of Mortgage Recording Tax Exemption Sought		\$0
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">The developer typically completes projects in a timely fashion.</div>	

Please see Appendix A for additional details

**PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	
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	\$ 800,000
3. New construction costs	
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)	
<b>D. Furniture and Fixture Costs</b>	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	\$ 2,000,000
<b>E. Working Capital Costs</b>	
1. Operation costs	
2. Production costs	
3. Raw materials	
4. Debt service	
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	
<b>F. Professional Service Costs</b>	
1. Architecture and engineering	\$ 350,000
2. Accounting/legal	
3. Other service-related costs (describe)	
<b>G. Other Costs</b>	
1. _____	\$ 350,000
2. _____	
<b>H. Summary of Expenditures</b>	
1. Total Land-Related Costs	\$ 0
2. Total Building-Related Costs	\$ 800,000
3. Total Machinery and Equipment Costs	\$ 0
4. Total Furniture and Fixture Costs	\$ 2,000,000
5. Total Working Capital Costs	\$ 0
6. Total Professional Service Costs	\$ 350,000
7. Total Other Costs	\$ 350,000
	\$ 3,500,000



**PROJECTED NET OPERATING INCOME**

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 2,674,981	\$ 2,807,353
2	\$ 2,522,745	\$ 2,719,433
3	\$ 2,817,200	\$ 3,017,821
4	\$ 2,822,970	\$ 3,027,603
5	\$ 2,855,239	\$ 2,920,682

**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	0	0	0
Year 1	12	1,102,500	54,308
Year 2	6	551,256	27,154
Year 3	0		
Year 4	0		
Year 5	0		

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**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)	\$ 0
Additional Sales Tax Paid on Additional Purchases	\$ 0
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ 0
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ 0

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$753,497	\$753,497	\$0
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6	Please see Appendix A for additional details		
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
			\$ 0

**ADDITIONAL COMMUNITY BENEFITS**

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- |                                |                                 |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation;    | (L) Downtown Residential;       |
| (B) EEO;                       | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization;     | (N) Identified Catalyst Site;   |
| (D) Inclusionary Housing;      | (O) Historic Preservation;      |
| (E) Regional Labor;            | (P) Community Catalyst;         |
| (F) City of Albany Labor;      | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program;    | (R) Technology;                 |
| (H) Distressed Census Tract;   | (S) Hospitality;                |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and       |
| (J) Downtown BID;              | (U) Conversion to Residential.  |
| (K) Neighborhood Plan;         |                                 |

The Project is located in the downtown BID and in the Downtown Albany area, and in a neighborhood plan. The identified growth area is in hospitality. There are 73 retained FTE jobs and 18 construction jobs. The Project was originally prioritized and awarded a restore new york grant.

#### **XIV. OTHER**

Is there anything else the Agency's board should know regarding this Project?

The applicant reported 2022 FTE as 101. The figures are calculated based on hours worked each quarter and then averaged into a yearly figure. Employees are called to work when needed so some weeks they work more or less depending on occupancy and need. In this application the employment listed is a snapshot of employment as of the date of the application. This time of year is the slowest with respect to business and occupancy so understandably the figure is lower than the calendar year 2022 reported figure which includes the busiest time and slowest time of the year. Applicant anticipates the 2023 calendar reporting will be more in line with the 2022 reporting.


DATED: JULY 18, 2019

### 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> 07/06/2023	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>
	<b>Name:</b> Richard Rosen
	<b>Title:</b> Authorized Person
	<b>Phone Number:</b> 5188629133
	<b>Address:</b> 302 Washington Avenue Extension Albany, New York 12203
	<b>Signature:</b> 

## REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Richard Rosen (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Authorized Person (title) of 144 State Street LLC and (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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.

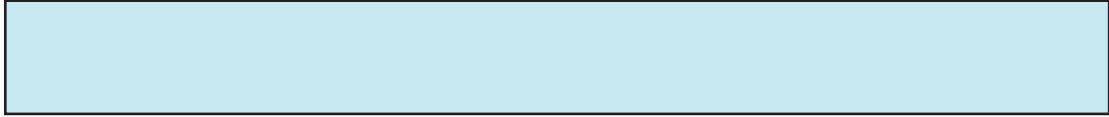
H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success 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 (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain "recapture events" occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

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. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and 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:

n/a

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).

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

S. Change in Control of Project Applicant. 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 enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

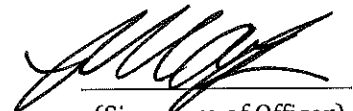


DATED: JULY 18, 2019

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

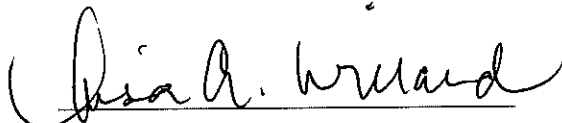
Richard Rosen, being first duly sworn, deposes and says:

1. That I am the Authorized Representative (Corporate Office) of 144 State Street LLC and 144 Real Estate Properties, Inc. (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 18th day of July, 2023.

  
(Notary Public)

LISA A. WILLARD  
Notary Public, State of New York  
No. 01WI6060921  
Qualified in Saratoga County  
Commission Expires: 7/21/27


DATED: JULY 18, 2019

### HOLD HARMLESS AGREEMENT

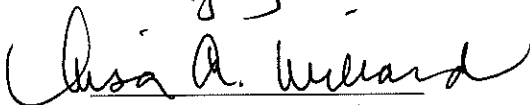
Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless 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.

144 State Street LLC  
144 Real Estate Properties, Inc.  
(Applicant)

BY:

  
Richard Rosen  
Authorized Representative

Sworn to before me this  
6<sup>th</sup> day of July 2023.

  
(Notary Public)

LISA A. WILLARD  
Notary Public, State of New York  
No. 01WI6060921  
Qualified in Saratoga County  
Commission Expires: 7/2/27

## 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.

**NEW YORK STATE FINANCIAL REPORTING  
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

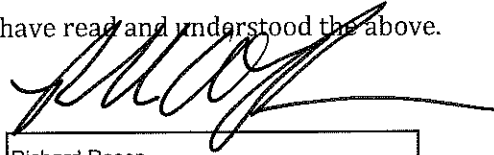
1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
  - a. Name of the Project financed with the bond proceeds.
  - b. Whether the Project occupant is a not-for-profit corporation.
  - c. Name and address of each owner of the Project.
  - d. The estimated amount of tax exemptions authorized for each Project.
  - e. The purpose for which the bond was issued.
  - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
  - g. Bond maturity date.
  - h. Federal tax status of the bond issue.
  - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
  - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Richard Rosen

Title:

Authorized Representative

Company:

144 State Street LLC/144 R.E. Properties

Date:

07/06/2023

## Appendix A

CAIDA Application for Benefits - Renaissance Albany Hotel  
Requested PILOT Extension

Renaissance Albany Hotel																				
				City and County					School and Library					Downtown BID				Requested	Existing PILOT/	Requested
	Original Value	Improved Value	Total Value	PILOT Year	% of Tax Paid	Billed Value	Tax per 1,000	Total City & County	PILOT Year	% of Tax Paid	Billed Value	Tax per 1,000	Total School & Library	% of Tax Paid	Billed Value	Tax per 1,000	Total BID	PILOT Payment	Taxes	PILOT Savings
2024	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	8	25%	\$ 4,677,736	\$ 19.22	\$ 89,929		50%	\$ 8,355,472	\$ 32.88	\$ 137,356	100%	\$ 15,710,943	\$ 2.85	\$ 44,710	\$ 350,432	\$ 482,804	\$ 132,372
2025	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	9	25%	\$ 4,677,736	\$ 19.61	\$ 91,728	9	25%	\$ 4,677,736	\$ 33.54	\$ 78,436	100%	\$ 15,710,943	\$ 2.90	\$ 45,604	\$ 295,773	\$ 492,460	\$ 196,688
2026	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	10	25%	\$ 4,677,736	\$ 20.00	\$ 93,563	10	25%	\$ 4,677,736	\$ 34.21	\$ 80,004	100%	\$ 15,710,943	\$ 2.96	\$ 46,516	\$ 301,688	\$ 502,309	\$ 200,621
2027	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	11	25%	\$ 4,677,736	\$ 20.40	\$ 95,434	11	25%	\$ 4,677,736	\$ 34.89	\$ 81,605	100%	\$ 15,710,943	\$ 3.02	\$ 47,447	\$ 307,722	\$ 512,355	\$ 204,634
2028	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	12	50%	\$ 8,355,472	\$ 20.81	\$ 173,875	12	25%	\$ 4,677,736	\$ 35.59	\$ 83,237	100%	\$ 15,710,943	\$ 3.08	\$ 48,396	\$ 457,160	\$ 522,603	\$ 65,442
2029	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	13	50%	\$ 8,355,472	\$ 21.23	\$ 177,353	13	50%	\$ 8,355,472	\$ 36.30	\$ 151,653	100%	\$ 15,710,943	\$ 3.14	\$ 49,364	\$ 533,055	\$ 533,055	\$ -
2030	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	14	50%	\$ 8,355,472	\$ 21.65	\$ 180,900	14	50%	\$ 8,355,472	\$ 37.03	\$ 154,686	100%	\$ 15,710,943	\$ 3.20	\$ 50,351	\$ 543,716	\$ 543,716	\$ -
2031	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	15	50%	\$ 8,355,472	\$ 22.08	\$ 184,518		50%	\$ 8,355,472	\$ 37.77	\$ 157,779	100%	\$ 15,710,943	\$ 3.27	\$ 51,358	\$ 625,427	\$ 696,264	\$ 70,837
2032	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	16	75%	\$ 12,033,207	\$ 22.53	\$ 271,050	16	75%	\$ 12,033,207	\$ 38.52	\$ 231,772	100%	\$ 15,710,943	\$ 3.33	\$ 52,385	\$ 791,614	\$ 1,017,546	\$ 225,932
2033	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	17	75%	\$ 12,033,207	\$ 22.98	\$ 276,471	17	75%	\$ 12,033,207	\$ 39.29	\$ 236,407	100%	\$ 15,710,943	\$ 3.40	\$ 53,433	\$ 807,446	\$ 1,037,897	\$ 230,451
2034	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	18	75%	\$ 12,033,207	\$ 23.44	\$ 282,000	18	75%	\$ 12,033,207	\$ 40.08	\$ 241,136	100%	\$ 15,710,943	\$ 3.47	\$ 54,501	\$ 823,595	\$ 1,058,655	\$ 235,060
2035	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	19	75%	\$ 12,033,207	\$ 23.90	\$ 287,640	19	75%	\$ 12,033,207	\$ 40.88	\$ 245,958	100%	\$ 15,710,943	\$ 3.54	\$ 55,592	\$ 840,067	\$ 1,079,828	\$ 239,761
2036	\$ 1,000,000	\$ 14,710,943	\$ 15,710,943	20	75%	\$ 12,033,207	\$ 24.38	\$ 293,393	20	75%	\$ 12,033,207	\$ 41.70	\$ 250,877	100%	\$ 15,710,943	\$ 3.61	\$ 56,703	\$ 935,078	\$ 1,101,425	\$ 166,346
									-	100%	\$ 15,710,943	\$ 42.53	\$ 334,105							
																	Totals	\$ 7,612,772	\$ 9,580,916	\$ 1,968,144





144 State Street - Exterior



## EXHIBIT A

### DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

#### 144 STATE STREET, LLC & 144 REAL ESTATE PROPERTIES, INC. PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Downtown neighborhood, thereby promoting the retention of existing jobs.</p> <p>The Project will retain 91 new full time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Downtown neighborhood, thereby promoting the creation of new permanent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>

3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p> <p>NYS Sales and Compensating Use Tax Exemption: \$224,000 Mortgage Recording Tax Exemption: \$0 Real Property Tax Exemption (Net New): \$2,115,096</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project applicant expects to invest \$3.5 million of private investment in the Project.</p>
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>High likelihood that Project will be accomplished in a timely fashion.</p> <p>The Project has received a term sheet and letter of intent for Project Financing.</p> <p>The Applicant owns the property.</p>
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will result in new revenue to local taxing jurisdictions under the proposed PILOT program through the City of Albany IDA.</p> <p>Project resulted in an increase in assessed value from the original pre-project total assessment: \$1,000,000 (Per City of Albany Commissioner of Assessment and Taxation 2015 Assessment Roll) to the improved total assessment: \$15,710,943 (Per City of Albany Commissioner of Assessment and Taxation 2023 Assessment Roll).</p>

7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The Project will reinvest into a historically significant property Downtown and retain approximately 91 FTEs.</p> <p>The Project will increase the consumer base to support local businesses and employers.</p> <p>The Project will have a positive revitalizing effect on the community by developing currently vacant parcels in a strategically identified neighborhood location.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.</p>
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144 State Street, LLC - DRAFT PILOT - Staff Analysis																	
PILOT Year	City & County Tax Year	School Tax Year	Tax Rate <sup>(4)</sup>	Status Quo		Proposed Project											
				Estimated Total 2023 Assessment <sup>(5)</sup>	Estimated Total Taxes <sup>(6)</sup>	Base Assessment <sup>(7)</sup>	Estimated Total Improved Assessment <sup>(8)</sup>	Estimated Total Taxes w/o PILOT <sup>(9)</sup>	Estimated Total Taxes w/o PILOT Per Door <sup>(10)</sup>	Estimated PILOT Payments <sup>(11)</sup>	Estimated PILOT Payments <sup>(12)</sup>	Estimated Abatement <sup>(13)</sup>	Estimated PILOT Payments Per Door <sup>(14)</sup>	Estimated Abatement Per Door <sup>(15)</sup>	% Abatement on Total Assessment <sup>(16)</sup>	% Abatement on Improved Assessment <sup>(17)</sup>	
Construction <sup>(1)(2)</sup>	2024	2023/2024	\$51.08	\$15,710,943	\$802,515	\$1,000,000	\$15,710,943	\$802,515	\$3,953	\$290,896	Not Applicable	\$511,619	\$1,433	\$2,520	63.75%	75%	
2	2025	2024/2025	\$52.10	\$15,710,943	\$818,565	\$1,000,000	\$15,710,943	\$818,565	\$4,032	\$243,718	Not Applicable	\$574,848	\$1,201	\$2,832	70.23%	75%	
3	2026	2025/2026	\$53.14	\$15,710,943	\$834,937	\$1,000,000	\$15,710,943	\$834,937	\$4,113	\$248,592	Not Applicable	\$586,345	\$1,225	\$2,888	70.23%	75%	
4	2027	2026/2027	\$54.21	\$15,710,943	\$851,635	\$1,000,000	\$15,710,943	\$851,635	\$4,195	\$253,564	Not Applicable	\$598,072	\$1,249	\$2,946	70.23%	75%	
5	2028	2027/2028	\$55.29	\$15,710,943	\$868,668	\$1,000,000	\$15,710,943	\$868,668	\$4,279	\$461,979	Not Applicable	\$406,689	\$2,276	\$2,003	46.82%	50%	
6	2029	2028/2029	\$56.40	\$15,710,943	\$886,041	\$1,000,000	\$15,710,943	\$886,041	\$4,365	\$471,219	Not Applicable	\$414,822	\$2,321	\$2,043	46.82%	50%	
7	2030	2029/2030	\$57.52	\$15,710,943	\$903,762	\$1,000,000	\$15,710,943	\$903,762	\$4,452	\$480,643	Not Applicable	\$423,119	\$2,368	\$2,084	46.82%	50%	
8	2031	2030/2031	\$58.67	\$15,710,943	\$921,837	\$1,000,000	\$15,710,943	\$921,837	\$4,541	\$490,256	Not Applicable	\$431,581	\$2,415	\$2,126	46.82%	50%	
9	2032	2031/2032	\$59.85	\$15,710,943	\$940,274	\$1,000,000	\$15,710,943	\$940,274	\$4,632	\$720,168	Not Applicable	\$220,106	\$3,548	\$1,084	23.41%	25%	
10	2033	2032/2033	\$61.05	\$15,710,943	\$959,080	\$1,000,000	\$15,710,943	\$959,080	\$4,725	\$734,571	Not Applicable	\$224,509	\$3,619	\$1,106	23.41%	25%	
11	2034	2033/2034	\$62.27	\$15,710,943	\$978,261	\$1,000,000	\$15,710,943	\$978,261	\$4,819	\$749,263	Not Applicable	\$228,999	\$3,691	\$1,128	23.41%	25%	
12	2035	2034/2035	\$63.51	\$15,710,943	\$997,826	\$1,000,000	\$15,710,943	\$997,826	\$4,915	\$764,248	Not Applicable	\$233,579	\$3,765	\$1,151	23.41%	25%	
Permanent <sup>(3)</sup>	2037	2036/2037	\$64.78	\$15,710,943	\$1,017,783	\$1,000,000	\$15,710,943	\$1,017,783	\$5,014	\$1,017,783							
Estimated Totals <sup>(18)</sup>					\$10,763,403			\$10,763,403		\$5,909,116		\$4,854,287					
Notes:																	
(1) Project would likely close with Agency 4Q 2023.																	
(2) Estimated start of PILOT payments.																	
(3) Project returns to full taxable status.																	
(4) Estimated tax rate (does not include any special ad valorem taxes that are still payable under PILOT) based on City/County 2024 tax year and School 2023/2024 tax year with estimated escalation of 2.0% thereafter.																	
(5) Project is underwent a tax certiorari. Previous assessment was \$22,181,200 in 2022.																	
(6) Estimated taxes if proposed project did not occur (i.e. left status quo).																	
(7) Assessment value based on purchase price less the tangible assests included in sale.																	
(8) Per a certified copy of the RPTL Article 7 proceeding Order of Settlement.																	
(9) Estimated taxes if the proposed project occurred without PILOT assistance.																	
(10) Estimated taxes Per Door if the proposed project occurred without PILOT assistance.																	
(11) Estimated PILOT Payments.																	
(12) PILOT Payments in Years 1-10 will be calculated by the schedule listed for Percent Abatement on Improved Assessment. Starting in Year 11 the PILOT Payments will be calculated as the greater of the Percent Abatement on Improved Assessment or 5.0% of Gross Sales/Revenue.																	
(13) Difference of Estimated PILOT Payments from current request (2024-35) and in-place PILOT payments (2025-30) from the Estimated Total Taxes w/o PILOT form each respective PILOT analysis is \$1,973,317.																	
(14) Estimated PILOT Payments Per Door.																	
(15) Difference of Estimated PILOT Payments Per Door from Estimated Total Taxes w/o PILOT Per Door.																	
(16) Percent Abatement on Total Assessment via PILOT.																	
(17) Percent Abatement on Improved Assessment via PILOT.																	
(18) Totals for comparison and analysis during PILOT agreement period only.																	

\*\*\*Analysis is ONLY an estimate\*\*\*



**Redburn Development Partners**

204 Lafayette Street  
Schenectady, NY 12305

[www.redburndev.com](http://www.redburndev.com)

701 River Street Associates, LLC  
204 Lafayette St. Suite 2  
Schenectady, NY 12305

September 6, 2023

Elizabeth Staubach  
Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

RE: Request for Transfer of Existing Benefits to New Ownership Structure

Dear Board Members:

Enclosed with this letter is a complete application requesting the transfer of existing financial assistance to a new ownership team. I am pleased to share that 701 River Street Associates, LLC, an entity owned and operated by Redburn Development Partners, is under contract to purchase 100% of membership interests in 40 Steuben LLC, the entity that owns and operates the real property located at 40 Steuben Place.

The purchase of 40 Steuben Place, a mixed-use project completed in 2014, will expand the existing Downtown Albany portfolio of Redburn Development Partners. The project features 29 apartments and more than 2,500 SF of street-level vacant commercial space.

We kindly request the existing benefits for this project be transferred as part of this acquisition. Without these benefits, the acquisition is not feasible. High utility and maintenance costs, in addition to rising interest rates, continue to create operating struggles. Furthermore, the Downtown Albany commercial leasing market has not fully recovered post-pandemic. The existing benefits allow us to offer a competitive rental rate, hopefully attracting a broader pool of potential businesses to the vacant storefront on North Pearl Street.

Our goal over the last nine years has been to grow our region's cities and towns through socially responsible development and community partnership. That remains our primary goal. The City of Albany Industrial Development Agency has consistently been a tremendous partner in Downtown Albany. We hope to continue that partnership with this project. Thank you for your consideration of this application.

Sincerely,

Joseph Perniciaro  
Redburn Development Partners

## City of Albany Industrial Development Agency

### Application for Assistance

Date: 09/06/23

-----  
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.  
-----

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
21 Lodge Street  
Albany, New York 12207

This application respectfully states:

#### APPLICANT:

Name: 701 River Street Associates, LLC

Address: 204 Lafayette St. Suite 2

City: Schenectady

State: NY

Zip: 12305

Federal ID/EIN: 81-0945998

Website: www.redburndev.com

Primary Contact: John Blackburn; Thomas Rossi; Joseph Perniciaro

Title: Member

Phone: (518) 225-2401

Email: jperniciaro@redburndev.com

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

Joseph Perniciaro; John Blackburn, Thomas Rossi

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

NAME OF ATTORNEY: Sciocchetti Taber, PLLC

ATTORNEY'S ADDRESS: 800 Troy Schenectady Rd. Suite 102 Latham, NY 12110

PHONE: (518) 867-3001

E-MAIL: psciocchetti@pvslaw.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 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.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

## SUMMARY OF PROJECT

Applicant: 701 River Street Associates, LLC

Contact Person: John Blackburn; Thomas Rossi; Joseph Perniciaro

Phone Number: (518) 225-2401

Occupant: 40 Steuben LLC

Project Location (include Tax Map ID): 40 Steuben Pl. (76.34-2-18)

Approximate Size of Project Site: 0.18 Acres

Description of Project: Requesting approval for the continuation of existing benefits provided to 40 Steuben LLC, which is under contract to be sold to a new locally based ownership team. No additional benefits are being sought.

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

Employment Impact: Existing FTE Jobs: 1  
Retained FTE Jobs: 1  
FTE Jobs Created: 2  
Construction Jobs Created: 0

Project Cost: \$5,393,100

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

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$0
Mortgage Recording Taxes:	\$0
Real Property Tax Exemptions: (auto-calculated)	\$0
Other (please specify):	

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$50,000
Annualized Salary Range of Jobs to be Created:	\$40,000-\$60,000
Estimated Average Annual Salary of Jobs to be Retained:	\$18,000



## I. APPLICANT INFORMATION

### A) Applicant:

Name: 701 River Street Associates, LLC

Address: 204 Lafayette St. Suite 2

City: Schenectady State: NY Zip: 12305

Federal ID/EIN: 81-0945998 Website: www.redburndev.com

Primary Contact: John Blackburn; Thomas Rossi; Joseph Perniciaro

Title: Member

Phone: (518) 225-2401 Email: jperniciaro@redburndev.com

### B) Real Estate Holding Company (if different from Applicant):

*Will a separate company hold title to/own the property related to this Project? If yes:*

Name:

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

**C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):**

Name: 40 Steuben LLC  
Title:  
Address: 54 State St. Suite 800  
City: Albany State: NY Zip: 12207  
Phone: (518) 432-4500 Email: maronowitz@omnidevelopment.com

**D) Attorney:**

Name: Paul Sciocchetti; Lisa Taber  
Firm Name: Sciocchetti Taber, PLLC  
Address: 800 Troy Schenectady Rd. Suite 102  
City: Latham State: NY Zip: 12110  
Phone: (518) 867-3001 Email: psciocchetti@pvslaw.com

**E) General Contractor:**

Name:  
Firm Name:  
Address:  
City: State: Zip:  
Phone: Email:

**II. APPLICANT'S COMPANY OWNERSHIP & HISTORY****A) Company Organization:**

Year founded:  Founded in which state:  NAICS Code:

Type of ownership (e.g., C-Corp, LLC):

**B) Company Management**

Name	Office Held	Other Principal Business
John Blackburn	Member	
Thomas Rossi	Member	
Jacob Reckess	Member	

**Company Ownership:**

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Marshall Rae Redevelopment, LLC	Member	45	50
Albany County Development Group, LLC	Member	45	50
701 River Street Tenant, LLC	Member	10	0

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

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

If yes, describe:

**C) Company Description:**

Describe in detail the Company's background, products, customers, goods and services:

Established in 2015 by Redburn Development Partners for the purchase, redevelopment, and management of real property in the state of NY.

Existing Banking Relationship(s): Berkshire Bank, Community Preservation Corp, Key Bank, JP Morgan Chase, etc...

Has the Company ever received incentives tied to job creation? ☐ Yes ☒ No

If yes, describe:

Were the goals met?

☐ Yes ☐ No ☐ N/A

If no, why not?

*Additional sheets may be attached, if necessary.*

### III. PROJECT DESCRIPTION AND DETAILS

#### A) Assistance requested from the Agency:

Select all that apply:

- ☐ Exemption from Sales Tax
- ☐ Exemption from Mortgage Tax
- ☐ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☒ Other, specify:

#### B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

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

Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☐ Yes ☒ No

If yes: Date of Purchase:  Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☒ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☒ Yes ☐ No ☐ N/A

If yes: Date option signed:  Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

Transfer of existing benefits to new ownership team. The original project, completed in 2014, consisted of the conversion of a vacant six-story building into a mixed-use structure with 29 residential units and 2,600 SF of commercial space. The project is being purchased by an entity controlled by Redburn Development, expanding their existing Downtown portfolio. The property will be managed by Redburn's existing property management company based in Downtown Albany.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

### C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Industrial                                  | <input type="checkbox"/> Service*                        |
| <input checked="" type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office                     |
| <input checked="" type="checkbox"/> Housing                          | <input checked="" type="checkbox"/> Mixed use            |
| <input type="checkbox"/> Multi-tenant                                | <input type="checkbox"/> Facility for Aging              |
| <input checked="" type="checkbox"/> Commercial                       | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail*                          | <input type="checkbox"/> Other                           |

\* The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. TBD	TBD	TBD
2.		
3.		

Are there existing buildings on project site? ☒ Yes ☐ No

a. If yes, indicate number and approximate size (in square feet) of each existing building: One six-story building, approximately 47,300 square feet.

b. Are existing buildings in operation? ☒ Yes ☐ No ☐ N/A

If yes, describe present use of present buildings:

Mixed-Use

c. Are existing buildings abandoned? ☐ Yes ☒ No ☐ N/A

About to be abandoned?

☐ Yes ☒ No ☐ N/A

If yes, describe:

d. Attach photograph of present buildings.

#### IV. RETAIL QUESTIONNAIRE

(Fill out if end users are “retail” or “service” as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?<sup>1</sup> ☒ Yes ☐ No
- If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☐ Yes ☒ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☐ Yes ☒ No
3. 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  
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☐ Yes ☒ No  
If yes, explain:
5. Will the Project be in a “highly distressed” census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

Census Tract #11 is an eligible adjacent census tract.

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project.<sup>1</sup>



## V. ENVIRONMENTAL REVIEW AND PERMITTING

*The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.*

Environmental Assessment Form: ☐ Short Form ☐ Long Form

Lead Agency:

Agency Contact:

Date of submission:

Status of submission:

Final SEQRA

determination:

### A) Site Characteristics:

Describe the present zoning and land use regulation: MU-DT

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

Does part of the Project consist of a new building or buildings?

☐ Yes ☒ No

If yes, indicate number and size of new buildings:

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:

## VI. INTER-MUNICIPAL MOVE DETERMINATION

*The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.*

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

**VII. EMPLOYMENT INFORMATION****A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

	Current FTEs	Projected FTEs			
		New Year 1- 20 <sup>24</sup>	New Year 2 - 20 <sup>25</sup>	New Year 3 - 20 <sup>26</sup>	Total Year 4-20 <sup>27</sup>
<b>Full-time</b>	1	2	0	0	3
<b>Part-time</b>	0	0	0	0	0
<b>Seasonal</b>	0	0	0	0	0

**B) Employment Plan in FTE**

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage <sup>2</sup>	Number of Current FTE	FTE in Year 1 20 <sup>24</sup>	FTE in Year 2 20 <sup>25</sup>	FTE in Year 3 20 <sup>26</sup>	Total New FTE by Year 4 20 <sup>27</sup>
<b>Professional/Management</b>	18000	1	1	1	1	1
<b>Administrative</b>						
<b>Sales</b>	40000	0	2	2	2	2
<b>Services</b>						
<b>Manufacturing</b>						
<b>High-Skilled</b>						
<b>Medium-Skilled</b>						
<b>Basic-Skilled</b>						
<b>Other (specify)</b>						
<b>Total (auto-calculated)</b>		1	3	3	3	3

<sup>2</sup> Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

## VIII. INDEPENDENT CONTRACTOR RESOURCES

*Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.*

*Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.*

**("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

	Current FTEs	Projected			
		New Year 1-20	New Year 2-20	New Year 3-20	Total Year 4-20
Full-time					
Part-time					
Seasonal					

## IX. CONSTRUCTION LABOR

*\*Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project:

When does the applicant anticipate the start of construction?

When does the applicant anticipate the completion of construction?

What is the total value of construction contracts to be executed?

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

**X. PROJECT COSTS AND FINANCING**

Attach additional

**A) Project Costs**

Description of Cost	Amount
Land	
Buildings	\$5,300,000
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	
Architects and engineering fees	
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	
Other (specify)	
Financing & Diligence	\$93,100
TOTAL PROJECT COST (auto-calculated)	\$5,393,100

Have any of the above costs been paid or incurred as of the date of this application? ☐ Yes ☒ No

If yes, describe:

**B) Sources of Funds for Project Costs**

Equity:

\$1,593,100

Bank Financing:

\$3,800,000

Tax Exempt Bond Issuance:

Taxable Bond Issuance

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:


Public Funds Total (auto-calculated):

\$0

*Additional sheets may be attached, as necessary.*

TOTAL: (auto-calculated)

\$5,393,100

Amount of total financing requested from lending institutions:

\$350,000

Amount of total financing related to existing debt refinancing:

\$3,450,000

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution:

Contact:

Phone:

## XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

**Project Evaluation and Assistance Framework.** If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

### Baseline Requirements (Must Achieve All)

<input checked="" type="checkbox"/> Complete Application	<input checked="" type="checkbox"/> Albany 2030 Aligned	<input checked="" type="checkbox"/> Meet Project Use Definition
<input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements	<input checked="" type="checkbox"/> Planning Approval (if applicant)	<input checked="" type="checkbox"/> "But For" Requirement
Approval Date : <input type="text" value="2014"/>		

### Community Benefit Metrics (Must Achieve 10)

<b>Revitalization</b> <b>Target Geography</b> <input type="checkbox"/> Distressed Census Tract <input type="checkbox"/> High Vacancy Census Tract <input checked="" type="checkbox"/> Downtown <input checked="" type="checkbox"/> BID <input checked="" type="checkbox"/> Neighborhood Plan	<b>Investment</b> <b>Financial Commitment</b> (cumulative) <input checked="" type="checkbox"/> 2.5M - 10M <input type="checkbox"/> 10.1 - 17.5M <input type="checkbox"/> 17.6M - 25M	<b>Employment</b> <b>Permanent Jobs</b> (cumulative) <input checked="" type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Priority</b> <input checked="" type="checkbox"/> Downtown Residential <input type="checkbox"/> Tax Exempt/Vacant <input type="checkbox"/> Identified Catalyst Site <input checked="" type="checkbox"/> Historic Preservation <input type="checkbox"/> Community Catalyst	<b>Community Commitment</b> <input type="checkbox"/> MWBE/DBE Participation <input type="checkbox"/> EEO Workforce Utilization <input type="checkbox"/> Inclusionary Housing <input type="checkbox"/> Regional Labor <input type="checkbox"/> City of Albany Labor <input type="checkbox"/> Apprenticeship Program	<b>Retained Jobs</b> (cumulative) <input type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Growth Area</b> <input type="checkbox"/> Manufacturing/Distribution <input type="checkbox"/> Technology <input type="checkbox"/> Hospitality <input type="checkbox"/> Existing Cluster <input checked="" type="checkbox"/> Conversion to Residential		<b>Construction Jobs</b> (cumulative) <input type="checkbox"/> 6 - 80 <input type="checkbox"/> 81 - 160 <input type="checkbox"/> 161 - 240 <input type="checkbox"/> > 240

## XII. ESTIMATED VALUE OF INCENTIVES

### A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. **If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.**

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☐ Yes ☐ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated):

*\*assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1				0%	
2				0%	
3				0%	
4				0%	
5				0%	
6				0%	
7				0%	
8				0%	
9				0%	
10				0%	
11				0%	
12				0%	
13				0%	
14				0%	
15				0%	
16				0%	
17				0%	
18				0%	
19				0%	
20				0%	
			\$ 0		\$ 0

*\*PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

<sup>3</sup> The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

**B) Sales and Use Tax Benefit:**

*Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.*

Costs for goods and services that are subject to State and local sales and use tax<sup>4</sup>:

Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts):

\$0

**C) Mortgage Recording Tax Benefit:**

Mortgage amount (include construction, permanent, bridge financing or refinancing):

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1% )<sup>5</sup>:

\$0

**D) Percentage of Project Costs Financed from Public Sector:**

Percentage of Project costs financed from public sector:  
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:

\$5,393,100

B. Estimated Value of PILOT (auto-filled):

\$0

C. Estimated Value of Sales Tax Incentive:

\$0

D. Estimated Value of Mortgage Tax Incentive:

\$0

E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):

\$0

<sup>4</sup> Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

[https://www.tax.ny.gov/pubs\\_and\\_bulls/tg\\_bulletins/st/quick\\_reference\\_guide\\_for\\_taxable\\_and\\_exempt\\_property\\_and\\_services.htm](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm).

<sup>5</sup> The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.



### XIII. COST BENEFIT ANALYSIS

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”). 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, community benefits (including community commitment as described in the Agency’s Project Evaluation and Assistance Framework), 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.).

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”):	701 River Street Associates, LLC	
2. Brief Identification of the Project:	Transfer of existing benefits to new ownership team.	
3. Estimated Amount of Project Benefits Sought:	\$ 0	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$0
C. Value of Real Property Tax Exemption Sought		\$0
D. Value of Mortgage Recording Tax Exemption Sought		\$0
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<div style="border: 1px solid black; padding: 5px;">Project has been completed, new ownership manages several other projects within 2 block radius.</div>		

**PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	
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	\$ 5,300,000
2. Renovation of existing structures	
3. New construction costs	
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)	
<b>D. Furniture and Fixture Costs</b>	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	
<b>E. Working Capital Costs</b>	
1. Operation costs	
2. Production costs	
3. Raw materials	
4. Debt service	
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	
<b>F. Professional Service Costs</b>	
1. Architecture and engineering	
2. Accounting/legal	
3. Other service-related costs (describe)	
<b>G. Other Costs</b>	
1. _____	\$ 93,100
2. _____	
<b>H. Summary of Expenditures</b>	
1. Total Land-Related Costs	\$ 0
2. Total Building-Related Costs	\$ 5,300,000
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	\$ 0
7. Total Other Costs	\$ 93,100
	\$ 5,393,100

**PROJECTED NET OPERATING INCOME**

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 231,626	\$ 339,188
2	\$ 238,574	\$ 349,363
3	\$ 245,731	\$ 359,844
4	\$ 253,103	\$ 370,639
5	\$ 260,696	\$ 381,758

**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			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**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)	<input type="text"/>
Additional Sales Tax Paid on Additional Purchases	<input type="text"/>
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	<input type="text"/>
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	<input type="text"/>

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$0	\$0	\$0
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
			<input type="text" value="\$ 0"/>

**ADDITIONAL COMMUNITY BENEFITS**

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- |                                |                                 |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation;    | (L) Downtown Residential;       |
| (B) EEO;                       | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization;     | (N) Identified Catalyst Site;   |
| (D) Inclusionary Housing;      | (O) Historic Preservation;      |
| (E) Regional Labor;            | (P) Community Catalyst;         |
| (F) City of Albany Labor;      | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program;    | (R) Technology;                 |
| (H) Distressed Census Tract;   | (S) Hospitality;                |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and       |
| (J) Downtown BID;              | (U) Conversion to Residential.  |
| (K) Neighborhood Plan;         |                                 |

J,K,L,O,U

**XIV. OTHER**

Is there anything else the Agency's board should know regarding this Project?

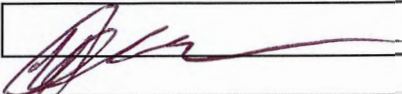
See attached cover letter.

### 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> <span style="border: 1px solid black; padding: 2px;">9/2/2023</span>	<b>Name of Person Completing Project</b>
	<b>Questionnaire on behalf of the Company.</b>
	Name: <span style="border: 1px solid black; padding: 2px;">John Blackburn</span>
	Title: <span style="border: 1px solid black; padding: 2px;">Authorized Signatory</span>
	Phone Number: <span style="border: 1px solid black; padding: 2px;">518-631-3722</span>
	Address: <span style="border: 1px solid black; padding: 2px;">204 Lafayette St. Suite 2 Schenectady, NY</span>
	<b>Signature:</b> <span style="border: 1px solid black; padding: 2px;"></span>

## REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

John Blackburn (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Member (title) of 701 River Street Association (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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.

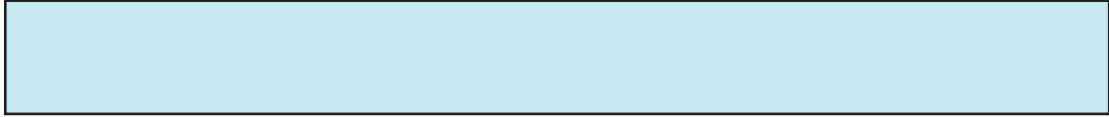
H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success 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 (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain "recapture events" occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

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:

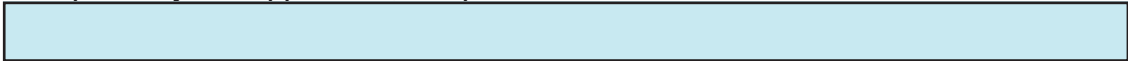


M. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and 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).

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

S. Change in Control of Project Applicant. 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 enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

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

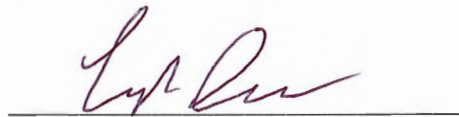
John Blackburn, being first duly sworn, deposes and says:

1. That I am the member (Corporate Office) of 701 River Street Associates LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 8<sup>th</sup> day of September, 2023

  
(Notary Public)

CAYLA M. DENNIS  
Notary Public, State of New York  
No. 01DE6354860  
Qualified in Rensselaer County  
Commission Expires Feb. 21, 2025

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  
8<sup>th</sup> day of Sept., 2023

  
(Notary Public)

CAYLA M. DENNIS  
Notary Public, State of New York  
No. 01DE6354860  
Qualified in Rensselaer County  
Commission Expires Feb. 21, 2025

## 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.

**NEW YORK STATE FINANCIAL REPORTING  
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
  - a. Name of the Project financed with the bond proceeds.
  - b. Whether the Project occupant is a not-for-profit corporation.
  - c. Name and address of each owner of the Project.
  - d. The estimated amount of tax exemptions authorized for each Project.
  - e. The purpose for which the bond was issued.
  - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
  - g. Bond maturity date.
  - h. Federal tax status of the bond issue.
  - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
  - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:

Name:

John Blackburn

Title:

Member

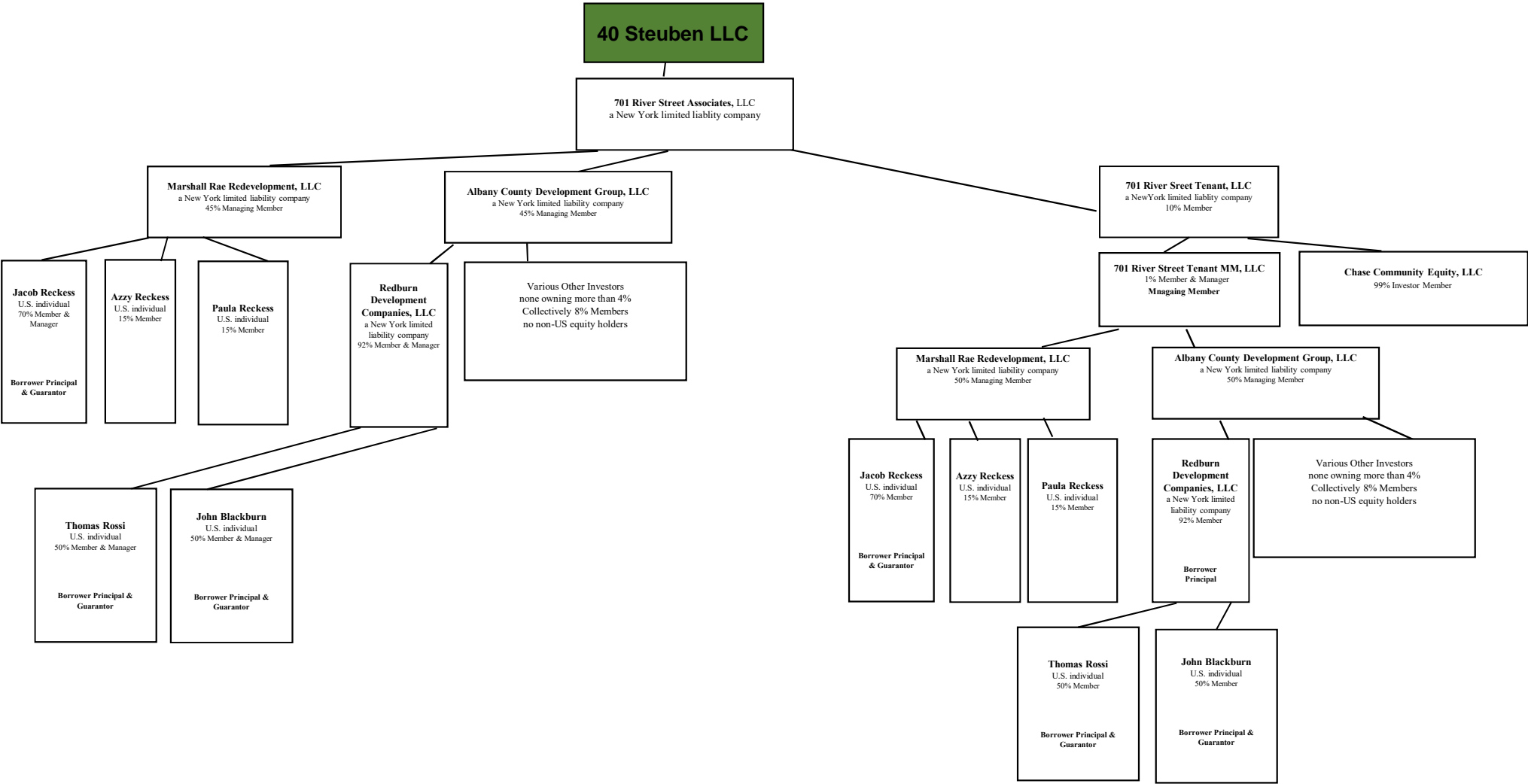
Company:

701 River Street Associates, LLC

Date:

9/8/2023

Proposed organizational chart for the new ownership team of 40 Steuben LLC. As shown below, 701 River Street Associates, LLC is under contract to purchase 100% of the membership interest in 40 Steuben LLC.





# MEMORANDUM



**To:** Board of Directors, City of Albany Industrial Development Agency (CAIDA)  
**From:** Staff  
**Date:** September 8, 2023  
**Re:** Application from Midtown Albany LLC

## I. Background

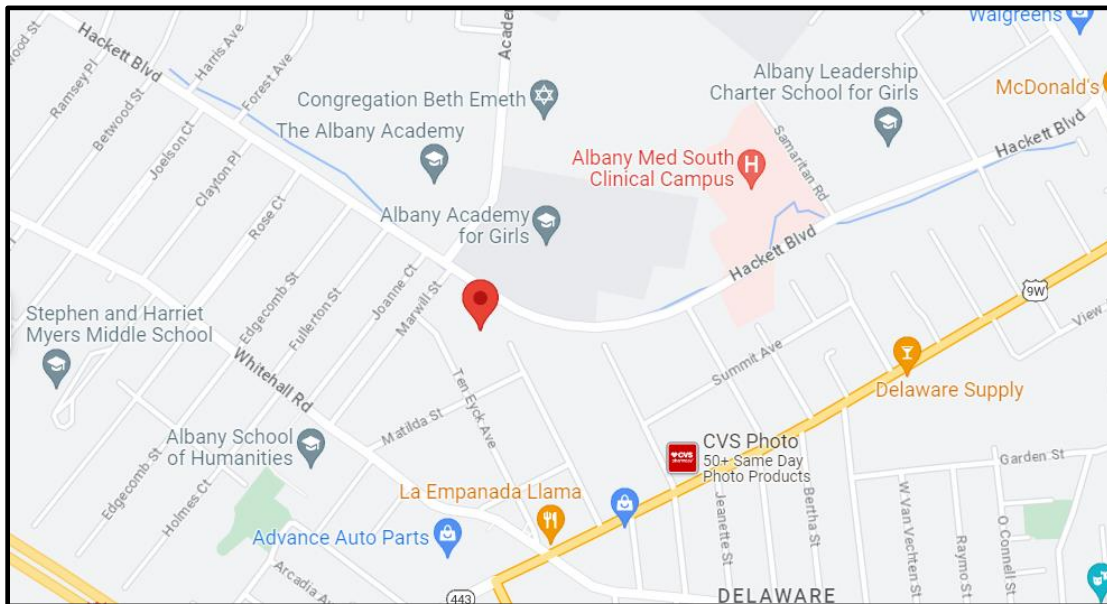
In August 2023, staff received an application for CAIDA assistance from Midtown Albany LLC which is enclosed in the package.

## II. Applicant Description

The Applicant, Midtown Albany LLC, is managed and owned by Antonio Manfredi.

## III. Project Location

The Project is located at 102 Hackett Blvd. between Marwill St. and St. James Pl.



## IV. Project Description

The project involves the redevelopment of an existing +/- 28,000 SF office building into approx. 25 market rate apartments.

## V. Assistance Requested from CAIDA

The Applicant is requesting sales and use tax exemptions, a mortgage recording tax exemption and real property tax exemptions.

## VI. Attachments

Application

Midtown Albany LLC (c/o Tony Manfredi)

PO Box 3919

Albany NY 12203

[manfredigroup@gmail.com](mailto:manfredigroup@gmail.com)

September 6, 2023

Elizabeth Staubach

Chair

City of Albany Industrial Development Agency

21 Lodge St

Albany NY 12207

RE: Request for IDA Assistance for Midtown Albany LLC Project at 102 Hackett Blvd

Dear Ms. Staubach,

Enclosed is a completed application, as well as the required application material required by the City of Albany Industrial Development Agency for consideration of financial assistance associated with the construction of 25 apartments in a fully vacant office building located at 102 Hackett Boulevard.

Currently the project site is a vacant 28,000 +/- sq ft office building most recently occupied by NYSCOPBA. The project sponsor intends to convert the existing vacant office building to residential use with shared meeting and work space for tenants, fitness center, and bike storage. We have designed the building to be 100% electric at this time to achieve significant improvements in energy efficiency. The site possesses adequate parking, stormwater facilities, and offers the opportunity for multimodal transportation options allowing tenants to access nearby employment, shopping, and recreation.

Being locally owned every effort has been made to create a local technical development team. This will be the seventh of progressively larger projects renovated by the developer in the City of Albany. Both the architect and engineer are located in the City of Albany. The General Contractor is located in the Capital District and has experience completing at least 4 IDA projects. It is our goal to work with City of Albany contractors for several important aspects of the construction process.

The project is currently seeking assistance with Exemptions for Sales Tax, Mortgage Tax, and Real Property Tax. The assistance is needed to make this a financially viable project and without it the project could not move forward. Recent interest rate costs for borrowing as well as construction costs and energy code requirements have made this project impossible without IDA support.

I look forward to working with you and the IDA to make this a successful project.

Sincerely

Tony Manfredi

DATED: JULY 18, 2019

## City of Albany Industrial Development Agency

### Application for Assistance

Date: 08/31/23

-----  
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.  
-----

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
21 Lodge Street  
Albany, New York 12207

This application respectfully states:

#### APPLICANT:

Name: Midtown Albany LLC  
Address: PO Box 3919  
City: Albany State: NY Zip: 12203  
Federal ID/EIN: Website:  
Primary Contact: Antonio Manfredi  
Title: Principal  
Phone: (518) 894-5402 Email: manfredigroup@gmail.com

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

Paul Goldman esq.

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

NAME OF ATTORNEY: Paul J. Goldman Esq.

ATTORNEY'S ADDRESS: 255 Washington Ave Ext Suite 108

PHONE: (518) 431-0941

E-MAIL: pgoldman@goldmanpllc.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 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.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

### SUMMARY OF PROJECT

Applicant: Midtown Albany LLC

Contact Person: Antonio Manfredi

Phone Number: (518) 894-5402

Occupant: N/A

Project Location (include Tax Map ID): 102 Hackett Blvd Albany NY 12209 (Tax ID 75.60-2-27)

Approximate Size of Project Site: 30,000 sq ft.

Description of Project: Conversion of existing 28,000 sq ft office building into 25 unit residential apartment project with storage, fitness and shared workspace.

Type of Project: ☐ Manufacturing ☐ Warehouse/Distribution  
☐ Commercial ☐ Not-For-Profit  
☒ Other-Specify mixed use multifamily housing

Employment Impact: Existing FTE Jobs: 0  
Retained FTE Jobs: 0  
FTE Jobs Created: 0  
Construction Jobs Created: 40

Project Cost: \$4,300,000

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

Amount of Bonds Requested:

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$220,000
Mortgage Recording Taxes:	\$35,000
Real Property Tax Exemptions: (auto-calculated)	\$669,818
Other (please specify):	

Provide estimates for the following:

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:	

## I. APPLICANT INFORMATION

### A) Applicant:

Name: Midtown Albany LLC  
Address: PO Box 3919  
City: Albany State: NY Zip: 12203  
Federal ID/EIN: Website:  
Primary Contact: Antonio Manfredi  
Title: Principal  
Phone: (518) 894-5402 Email: manfredigroup@gmail.com

### B) Real Estate Holding Company (if different from Applicant):

*Will a separate company hold title to/own the property related to this Project? If yes:*

Name:  
Address:  
City: State: Zip:  
Federal ID/EIN: Website:  
Primary Contact:  
Title:  
Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

Applicant is under contract to purchase property with an addendum signed May 24, 2023 that specifies a purchase contingent upon IDA approval no later than November 15, 2023.

**C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):**

Name: NYSCOPBA  
Title: James Miller  
Address: 102 Hackett Blvd  
City: Albany State: NY Zip: 12209  
Phone: (518) 427-1551 Email: jmiller@nyscopba.org

**D) Attorney:**

Name: Paul J. Goldman  
Firm Name: Goldman Attorneys PLLC  
Address: 255 Washington Ave Ext Suite 108  
City: Albany State: NY Zip: 12205  
Phone: (518) 431-0941 Email: Pgoldman@goldmanpllc.com

**E) General Contractor:**

Name: David Franco  
Firm Name: Franco Construction Services  
Address: 1 Charlton Rd Suite 105  
City: Ballston Spa State: NY Zip: 12020  
Phone: (518) 424-5787 Email: david@francoconstructionllc.co

**II. APPLICANT'S COMPANY OWNERSHIP & HISTORY****A) Company Organization:**Year founded: 2019 Founded in which state: NY NAICS Code: Type of ownership (e.g., C-Corp, LLC): Limited Liability Company**B) Company Management**

Name	Office Held	Other Principal Business
Midtown Albany LLC	Sole Member	Real Estate Management

**Company Ownership:**

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Antonio Manfredi	Principal	100	100

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

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

If yes, describe:



DATED: JULY 18, 2019

**C) Company Description:**

Describe in detail the Company's background, products, customers, goods and services:

The company has twenty years of experience managing and re positioning multi family assets in the City of Albany. The company is local and maintains high standards of property upkeep and maintenance which has delivered strong historic rental returns and high demand for the companies residential product.

Existing Banking Relationship(s):

Community Bank

Has the Company ever received incentives tied to job creation?

☐ Yes ☒ No

If yes, describe:

Were the goals met?

☐ Yes ☐ No ☒ N/A

If no, why not?

*Additional sheets may be attached, if necessary.*

### III. PROJECT DESCRIPTION AND DETAILS

#### A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☒ Exemption from Mortgage Tax
- ☒ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

#### B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

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

The project entails the renovation of existing Class B office space into 25 residential units plus shared work space, fitness, and storage. The project will also have secure bike storage and access to the bicycle network.

#### Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☐ Yes ☒ No

If yes: Date of Purchase:  Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☒ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☒ Yes ☐ No ☐ N/A

If yes: Date option signed:  Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

DATED: JULY 18, 2019

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

The project entails the creation of 25 units of residential apartments with high quality finishes and energy efficient lighting, heating, and air conditioning systems. By utilizing a vacant pre existing office building the project has a limited impact on the neighborhood during construction and post completion. The site benefits from significant off street parking and affords connectivity to an urban trail and other outdoor amenities.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

Significant economic factors have conspired to make construction extremely difficult including skyrocketing labor and material costs, higher interest rates for debt as well as extremely high post project property taxes. Supply chain issues, specifically for electric components, have also added immense cost and complexity not inherent in projects of this type even five years previous. Additionally recent updates to electric code have mandated increased electrical service to the building not required in previous projects. Additionally the project is striving to meet future energy code mandates while achieving significant energy efficiency gains with the building conversion.

**C) Project Site Occupancy**

Select Project type for all end-users at Project site (choose all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Service*                        |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office                     |
| <input checked="" type="checkbox"/> Housing               | <input type="checkbox"/> Mixed use                       |
| <input type="checkbox"/> Multi-tenant                     | <input type="checkbox"/> Facility for Aging              |
| <input checked="" type="checkbox"/> Commercial            | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail*               | <input type="checkbox"/> Other                           |

\* The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. <input type="text"/>	<input type="text"/>	<input type="text"/>
2. <input type="text"/>	<input type="text"/>	<input type="text"/>
3. <input type="text"/>	<input type="text"/>	<input type="text"/>

Are there existing buildings on project site? ☒ Yes ☐ No

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

b. Are existing buildings in operation? ☐ Yes ☒ No ☐ N/A

If yes, describe present use of present buildings:

c. Are existing buildings abandoned? ☐ Yes ☒ No ☐ N/A

About to be abandoned?

☒ Yes ☐ No ☐ N/A

If yes, describe:

d. Attach photograph of present buildings.

#### IV. RETAIL QUESTIONNAIRE

(Fill out if end users are "retail" or "service" as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?<sup>1</sup> ☒ Yes ☐ No

If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute. Accordingly, please answer "yes" and insert "100%" if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☐ Yes ☒ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?  
If yes, explain: ☐ Yes ☒ No
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)?  
If yes, explain: ☐ Yes ☒ No
5. Will the Project be in a "highly distressed" census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

Census tract is 20.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute. Accordingly, please answer "yes" and insert "100%" if your project is a housing project.<sup>1</sup>

## V. ENVIRONMENTAL REVIEW AND PERMITTING

*The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.*

Environmental Assessment Form: ☒ Short Form ☐ Long Form

Lead Agency:

Agency Contact:

Date of submission:

Status of submission:

Final SEQRA

determination:

### A) Site Characteristics:

Describe the present zoning and land use regulation:

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

Does part of the Project consist of a new building or buildings?

☐ Yes ☒ No

If yes, indicate number and size of new buildings:

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:

102 Hackett is a pre existing office building totalling 28,000 sq ft. This project entails the redevelopment of said building.

## VI. INTER-MUNICIPAL MOVE DETERMINATION

*The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.*

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

**VII. EMPLOYMENT INFORMATION****A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

		Projected FTEs			
	Current FTEs	New Year 1- 20	New Year 2 - 20	New Year 3 - 20	Total Year 4-20
Full-time					
Part-time					
Seasonal					

**B) Employment Plan in FTE**

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected New Permanent FTE			
	Average Annual Salary or Hourly Wage <sup>2</sup>	Number of Current FTE	FTE in Year 1 20	FTE in Year 2 20	FTE in Year 3 20	Total New FTE by Year 4 20
Professional/ Management						
Administrative						
Sales						
Services						
Manufacturing						
High-Skilled						
Medium-Skilled						
Basic-Skilled						
Other (specify)						
<b>Total (auto-calculated)</b>		0	0	0	0	0

<sup>2</sup> Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.



## VIII. INDEPENDENT CONTRACTOR RESOURCES

*Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.*

*Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.*

**("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

	Current FTEs	Projected			
		New Year 1-20	New Year 2-20	New Year 3-20	Total Year 4-20
Full-time					
Part-time					
Seasonal					

## IX. CONSTRUCTION LABOR

*\*Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 40

When does the applicant anticipate the start of construction? November 2023

When does the applicant anticipate the completion of construction? November 2024

What is the total value of construction contracts to be executed? \$3,500,000

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

The applicant has committed to using Franco Construction Services for oversight of the construction aspects of the project. The General Contractor has experience working on IDA projects as well as the employment goals many projects require including the utilization of regional labor.

## X. PROJECT COSTS AND FINANCING

Attach additional

### A) Project Costs

Description of Cost	Amount
Land	\$800,000
Buildings	\$2,980,000
Machinery and Equipment Cost	\$25,000
Utilities, roads and appurtenant costs	\$85,000
Architects and engineering fees	\$80,000
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	\$200,000
Other (specify)	
IDA	\$100,000
legal	\$30,000
TOTAL PROJECT COST (auto-calculated)	\$4,300,000

Have any of the above costs been paid or incurred as of the date of this application? ☒ Yes ☐ No

If yes, describe: Architectural and engineering fees totalling approximately \$30,000.

### B) Sources of Funds for Project Costs

Equity:	\$800,000
Bank Financing:	\$3,500,000
Tax Exempt Bond Issuance:	
Taxable Bond Issuance	

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:


Public Funds Total (auto-calculated): \$0

Additional sheets may be attached, as necessary.

TOTAL: (auto-calculated) \$4,300,000

Amount of total financing requested from lending institutions:

\$3,500,000

Amount of total financing related to existing debt refinancing:

Has a commitment for financing been received?

☒ Yes ☐ No

If yes:

Lending Institution: Community Bank

Contact: Eric Magnano

Phone: (518) 903-8358

## XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

**Project Evaluation and Assistance Framework.** If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

### Baseline Requirements (Must Achieve All)

<input checked="" type="checkbox"/> Complete Application	<input checked="" type="checkbox"/> Albany 2030 Aligned	<input checked="" type="checkbox"/> Meet Project Use Definition
<input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements	<input checked="" type="checkbox"/> Planning Approval (if applicant)	<input checked="" type="checkbox"/> "But For" Requirement
Approval Date: <input type="text" value="5-30-23"/>		

### Community Benefit Metrics (Must Achieve 10)

<b>Revitalization</b> <b>Target Geography</b> <input type="checkbox"/> Distressed Census Tract <input type="checkbox"/> High Vacancy Census Tract <input type="checkbox"/> Downtown <input type="checkbox"/> BID <input checked="" type="checkbox"/> Neighborhood Plan	<b>Investment</b> <b>Financial Commitment</b> (cumulative) <input checked="" type="checkbox"/> 2.5M - 10M <input type="checkbox"/> 10.1 - 17.5M <input type="checkbox"/> 17.6M - 25M	<b>Employment</b> <b>Permanent Jobs</b> (cumulative) <input type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Priority</b> <input type="checkbox"/> Downtown Residential <input checked="" type="checkbox"/> Tax Exempt/Vacant <input type="checkbox"/> Identified Catalyst Site <input type="checkbox"/> Historic Preservation <input type="checkbox"/> Community Catalyst	<b>Community Commitment</b> <input type="checkbox"/> MWBE/DBE Participation <input type="checkbox"/> EEO Workforce Utilization <input type="checkbox"/> Inclusionary Housing <input checked="" type="checkbox"/> Regional Labor <input type="checkbox"/> City of Albany Labor <input type="checkbox"/> Apprenticeship Program	<b>Retained Jobs</b> (cumulative) <input type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
<b>Identified Growth Area</b> <input type="checkbox"/> Manufacturing/Distribution <input type="checkbox"/> Technology <input type="checkbox"/> Hospitality <input checked="" type="checkbox"/> Existing Cluster <input checked="" type="checkbox"/> Conversion to Residential		<b>Construction Jobs</b> (cumulative) <input checked="" type="checkbox"/> 6 - 80 <input type="checkbox"/> 81 - 160 <input type="checkbox"/> 161 - 240 <input type="checkbox"/> > 240

## XII. ESTIMATED VALUE OF INCENTIVES

### A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☐ Yes ☒ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated):

*\*assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value <b>Without</b> PILOT <sup>3</sup>	Estimated Total <b>Without</b> PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1	\$ 27,719	\$37,295	\$65,014	90%	\$31,448
2	\$ 28,273	\$38,041	\$66,314	90%	\$ 32,077
3	\$ 28,838	\$38,802	\$67,640	90%	\$ 32,719
4	\$ 29,415	\$39,578	\$68,993	90%	\$ 33,373
5	\$ 30,004	\$40,369	\$70,373	90%	\$ 34,040
6	\$ 30,604	\$41,177	\$71,780	90%	\$ 34,721
7	\$ 31,216	\$42,000	\$73,216	90%	\$ 35,416
8	\$31,840	\$42,840	\$74,680	90%	\$ 36,124
9	\$32,477	\$43,697	\$76,174	90%	\$ 36,846
10	\$33,126	\$44,571	\$77,697	90%	\$ 37,583
11	\$33,789	\$45,462	\$79,251	85%	\$ 40,608
12	\$34,465	\$46,372	\$ 80,836	80%	\$ 43,739
13	\$35,154	\$47,299	\$ 82,453	70%	\$ 49,344
14	\$35,857	\$48,245	\$ 84,102	65%	\$ 52,743
15	\$36,574	\$49,210	\$ 85,784	65%	\$ 53,798
16	\$37,306	\$50,194	\$ 87,500	60%	\$ 57,383
17	\$38,052	\$51,198	\$ 89,250	55%	\$ 61,091
18	\$38,813	\$52,222	\$ 91,035	50%	\$ 64,924
19	\$39,589	\$53,266	\$ 92,855	45%	\$ 68,886
20	\$40,381	\$54,332	\$ 94,713	40%	\$ 72,980
			\$ 1,579,660		\$ 909,842

\*PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

<sup>3</sup> The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

DATED: JULY 18, 2019

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

This project provides for the redevelopment of a vacant and non income producing office building. It addresses the municipal economic need to repurpose a vacant office building that is no longer economically viable in its current form and in a state of deterioration.

Significant investment will be made to redevelop the property as a live/work space using the latest energy efficient heating, air conditioning, and lighting systems. Additionally a shared work space will be created for tenant use.

**B) Sales and Use Tax Benefit:**

*Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.*

Costs for goods and services that are subject to State and local sales and use tax <sup>4</sup> :	\$2,750,000
Estimated State and local sales and use tax benefit (sales tax amount multiplied by <u>8.0%</u> plus additional use tax amounts):	\$220,000

**C) Mortgage Recording Tax Benefit:**

Mortgage amount (include construction, permanent, bridge financing or refinancing):	\$3,500,000
Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1% ) <sup>5</sup> :	\$35,000

**D) Percentage of Project Costs Financed from Public Sector:**

Percentage of Project costs financed from public sector:   
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:	\$4,300,000
B. Estimated Value of PILOT (auto-filled):	\$669,818
C. Estimated Value of Sales Tax Incentive:	\$220,000
D. Estimated Value of Mortgage Tax Incentive:	\$35,000
E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):	\$0

<sup>4</sup> Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

[https://www.tax.ny.gov/pubs\\_and\\_bulls/tg\\_bulletins/st/quick\\_reference\\_guide\\_for\\_taxable\\_and\\_exempt\\_property\\_and\\_services.htm](https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm).

<sup>5</sup> The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

**XIII. COST BENEFIT ANALYSIS**

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"). 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, community benefits (including community commitment as described in the Agency's Project Evaluation and Assistance Framework), 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.).

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"):	Midtown Albany LLC	
2. Brief Identification of the Project:		
3. Estimated Amount of Project Benefits Sought:	\$ 924,818	
A. Amount of Bonds Sought:		
B. Value of Sales Tax Exemption Sought		\$220,000
C. Value of Real Property Tax Exemption Sought		\$669,818
D. Value of Mortgage Recording Tax Exemption Sought		\$35,000
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<div style="border: 1px solid black; padding: 5px;">General contractor has strong record of completion</div>		

DATED: JULY 18, 2019

**PROJECTED PROJECT INVESTMENT**

**A. Land-Related Costs**

1. Land acquisition	
2. Site preparation	\$ 45,000
3. Landscaping	
4. Utilities and infrastructure development	\$ 145,000
5. Access roads and parking development	
6. Other land-related costs (describe)	

**B. Building-Related Costs**

1. Acquisition of existing structures	\$ 800,000
2. Renovation of existing structures	
3. New construction costs	\$ 1,265,000
4. Electrical systems	\$ 480,000
5. Heating, ventilation and air conditioning	\$ 395,000
6. Plumbing	\$ 330,000
7. Other building-related costs (describe)	\$ 815,000

**C. Machinery and Equipment Costs**

1. Production and process equipment	\$ 25,000
2. Packaging equipment	\$ 0
3. Warehousing equipment	\$ 0
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 (describe)	

**E. Working Capital Costs**

1. Operation costs	
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	
2. Accounting/legal	
3. Other service-related costs (describe)	

**G. Other Costs**

1. _____	\$ 100,000
2. _____	

**H. Summary of Expenditures**

1. Total Land-Related Costs	\$ 190,000
2. Total Building-Related Costs	\$ 4,085,000
3. Total Machinery and Equipment Costs	\$ 25,000
4. Total Furniture and Fixture Costs	\$ 0
5. Total Working Capital Costs	\$ 0
6. Total Professional Service Costs	\$ 0
7. Total Other Costs	\$ 0
	\$ 4,300,000

**PROJECTED NET OPERATING INCOME**

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 300,099	\$ 333,665
2	\$ 300,932	\$ 342,336
3	\$ 313,680	\$ 351,201
4	\$ 322,013	\$ 360,233
5	\$ 330,513	\$ 369,446

**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	40	2400000	154757
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
  - A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.



**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)	\$ 0
Additional Sales Tax Paid on Additional Purchases	\$ 0
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ 0
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ 0

**II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"):** If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$27,175	\$27,175	\$0
Year 1	\$ 27,719	\$31,448	\$3,730
Year 2	\$ 28,273	\$ 32,077	\$3,804
Year 3	\$ 28,838	\$ 32,719	\$3,880
Year 4	\$ 29,415	\$ 33,373	\$3,958
Year 5	\$ 30,004	\$ 34,040	\$4,037
Year 6	\$ 30,604	\$ 34,721	\$4,118
Year 7	\$ 31,216	\$ 35,416	\$4,200
Year 8	\$31,840	\$ 36,124	\$4,284
Year 9	\$32,477	\$ 36,846	\$4,370
Year 10	\$33,126	\$ 37,583	\$4,457
Year 11	\$33,789	\$ 40,608	\$6,819
Year 12	\$34,465	\$ 43,739	\$9,274
Year 13	\$35,154	\$ 49,344	\$14,190
Year 14	\$35,857	\$ 52,743	\$16,886
Year 15	\$36,574	\$ 53,798	\$17,223
Year 16	\$37,306	\$ 57,383	\$20,078
Year 17	\$38,052	\$ 61,091	\$23,039
Year 18	\$38,813	\$ 64,924	\$26,111
Year 19	\$39,589	\$ 68,886	\$29,297
Year 20	\$40,381	\$ 72,980	\$32,599
			\$ 236,353

**ADDITIONAL COMMUNITY BENEFITS**

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- |                                |                                 |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation;    | (L) Downtown Residential;       |
| (B) EEO;                       | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization;     | (N) Identified Catalyst Site;   |
| (D) Inclusionary Housing;      | (O) Historic Preservation;      |
| (E) Regional Labor;            | (P) Community Catalyst;         |
| (F) City of Albany Labor;      | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program;    | (R) Technology;                 |
| (H) Distressed Census Tract;   | (S) Hospitality;                |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and       |
| (J) Downtown BID;              | (U) Conversion to Residential.  |
| (K) Neighborhood Plan;         |                                 |

The project involves the conversion of a vacant office building into a thriving residential community in close proximity to the economically important University Heights neighborhood. The current office site has been on the market for over two years and has been unable to find a commercial end user.

By converting the property into a residential community the economic vitality of the building is being restored. The tenant amenities will support an ideal residential environment and provide further customers for key walkable business corridors such as Holland Avenue, Delaware Avenue, and Lark Street.

#### **XIV. OTHER**

Is there anything else the Agency's board should know regarding this Project?

This project addresses the single biggest real estate sector based challenge today, which is the adaptive re-use and redevelopment of existing office space. This project includes shared work space for existing tenants working from home and office space for the project sponsor.

The development company sponsoring this project is 100% home grown in the City of Albany and has done all of its redevelopment work within the confines of the City. It is expected that this company will continue to invest and grow locally.

DATED: JULY 18, 2019

### 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: 08/31/2023

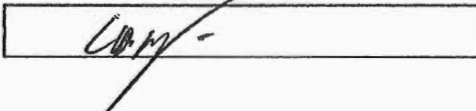
**Name of Person Completing Project  
Questionnaire on behalf of the Company.**

Name: Antonio Manfredi

Title: Principal

Phone Number: 518-894-5402

Address: PO Box 3919  
Albany NY 12203

Signature: 

## REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

[Anntonio Manfredi] (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the [Principal] (title) of [Midtown Albany LLC] (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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.

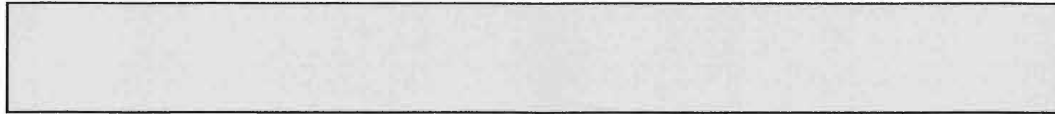
H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success 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 (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain "recapture events" occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

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. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and 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).

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

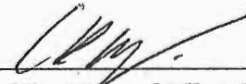
S. Change in Control of Project Applicant. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

DATED: JULY 18, 2019

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


Antonio Manfredi, being first duly sworn, deposes and says:

1. That I am the Principal (Corporate Office) of Midtown Albany LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 31<sup>st</sup> day of August, 2023

  
(Notary Public)

William I Taylor  
Notary Public, State of New York  
Qualified in Albany County  
No.01TA6423927  
Commission Expires October 18, 2025



DATED: JULY 18, 2019

### 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  
3<sup>rd</sup> day of July, 2023



(Notary Public)

William I Taylor  
Notary Public, State of New York  
Qualified in Albany County  
No.01TA6423927  
Commission Expires October 18, 2025

DATED: JULY 18, 2019

## 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.

**NEW YORK STATE FINANCIAL REPORTING  
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
  - a. Name of the Project financed with the bond proceeds.
  - b. Whether the Project occupant is a not-for-profit corporation.
  - c. Name and address of each owner of the Project.
  - d. The estimated amount of tax exemptions authorized for each Project.
  - e. The purpose for which the bond was issued.
  - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
  - g. Bond maturity date.
  - h. Federal tax status of the bond issue.
  - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
  - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Antonio Manfredi

Title:

Principal

Company:

Midtown Albany LLC

Date:

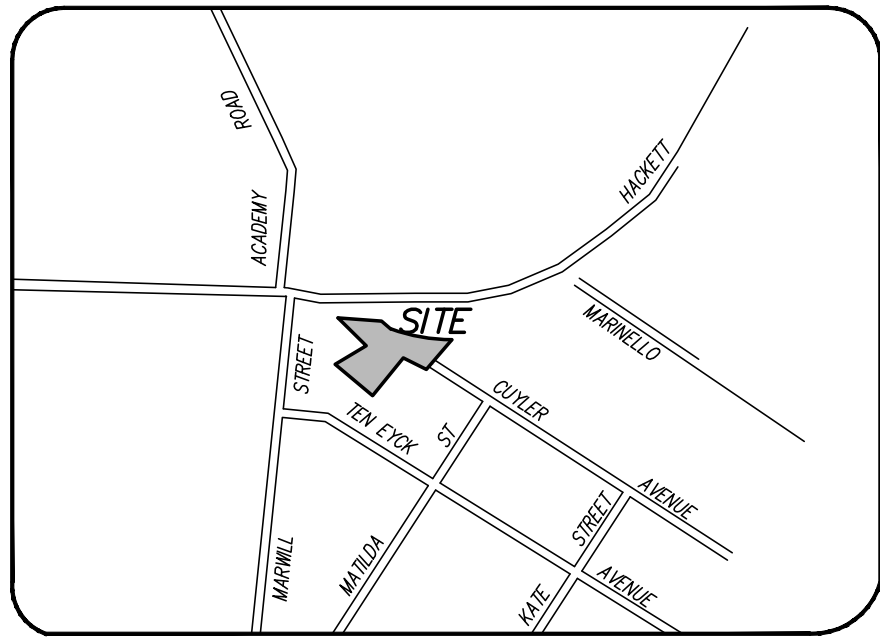
08/31/2023





*Exterior - 102 Hackett Boulevard, Albany, New York*





VICINITY MAP

MAP NOT TO SCALE

LEGEND

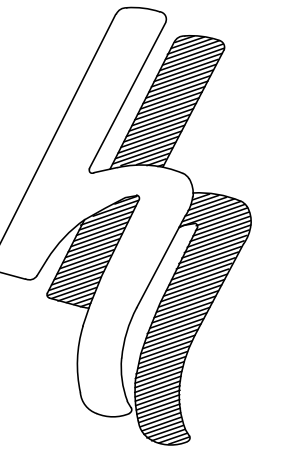
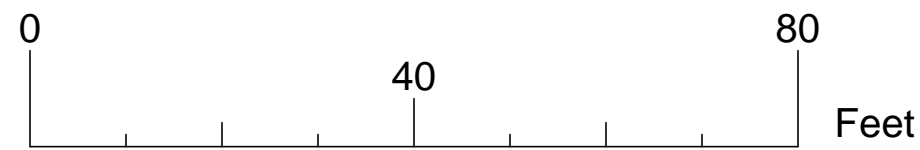
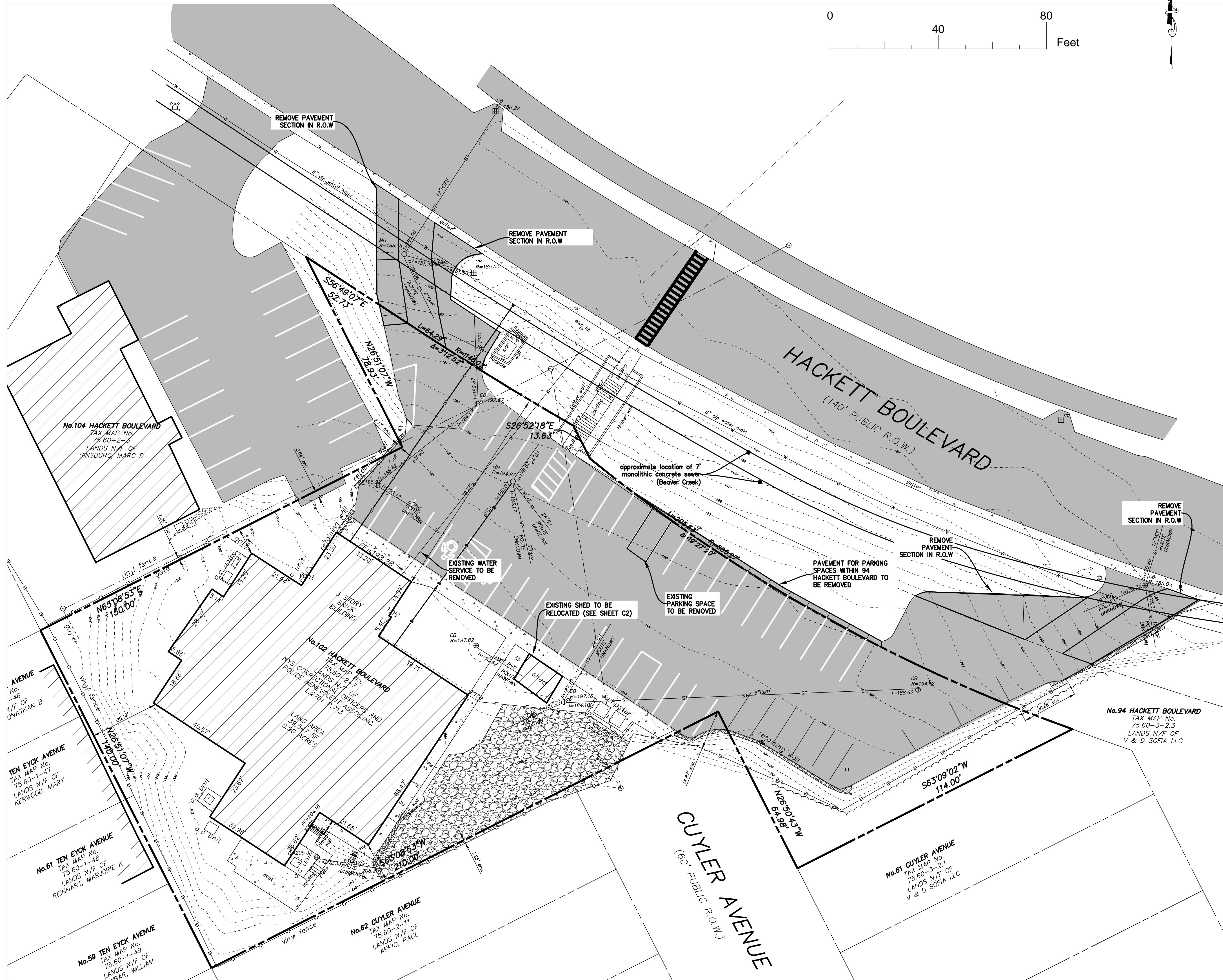
R.O.W.	RIGHT OF WAY	—+—	SIGN
No.	NUMBER	—X—	FENCE LINE
enc.	ENCROACHMENT	—+—	GUARD RAIL
P.O.B.	POINT OF BEGINNING	—○—	OVERHEAD WIRE, UTILITY POLE & GUY WIRE
S.F.	SQUARE FEET	—+—	TRAFFIC FLOW ACCESS AREA
N/F	NOW OR FORMERLY	—+—	WATER SHUT OFF
(357'-8")	RECORD	—+—	WATER VALVE
357.66'	MEASURED	—+—	GAS VALVE
N	NORTH	—+—	GAS VALVE
S	SOUTH	—+—	LIGHT POLE
E	EAST	—+—	CONCRETE
W	WEST	—+—	PAVEMENT
elec.	ELECTRIC	—+—	CRUSHED STONE
L	LIBER	—+—	EXISTING TREELINE
P	PAGE	—+—	
Ⓜ	TELEPHONE PEDESTAL	—+—	

GENERAL NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209-2, OF THE NEW YORK STATE EDUCATION LAW.
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL SHALL BE CONSIDERED VALID TRUE COPIES.
3. THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PARTIES OR PURPOSE INDICATED IS EXPRESSLY FORBIDDEN WITHOUT WRITTEN RELEASE OR PERMISSION OF FRANCIS G. MCLOSKEY, LICENSE NO. 049441.
4. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY.

SCHEDULE OF DRAWINGS

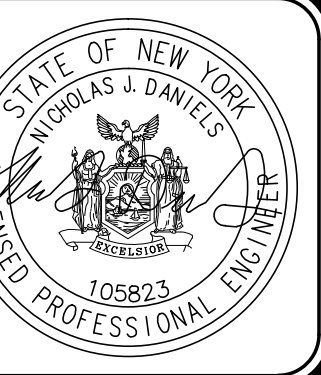
- SHEET C-1 ..... EXISTING CONDITIONS PLAN  
SHEET C-2 ..... SITE PLAN  
SHEET C-3 ..... LANDSCAPING PLAN  
SHEET C-4 ..... WATER SERVICE PLAN, PROFILE AND DETAILS  
SHEET C-5 ..... EROSION AND SEDIMENT CONTROL PLAN  
SHEET C-6 ..... EROSION AND SEDIMENT CONTROL DETAILS  
SHEET C-7 ..... LIGHTING PLAN



**HERSHBERG & HERSHBERG**  
Consulting Engineers  
and Land Surveyors

18 Locust Street  
Albany, New York 12203

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, IS ILLEGAL

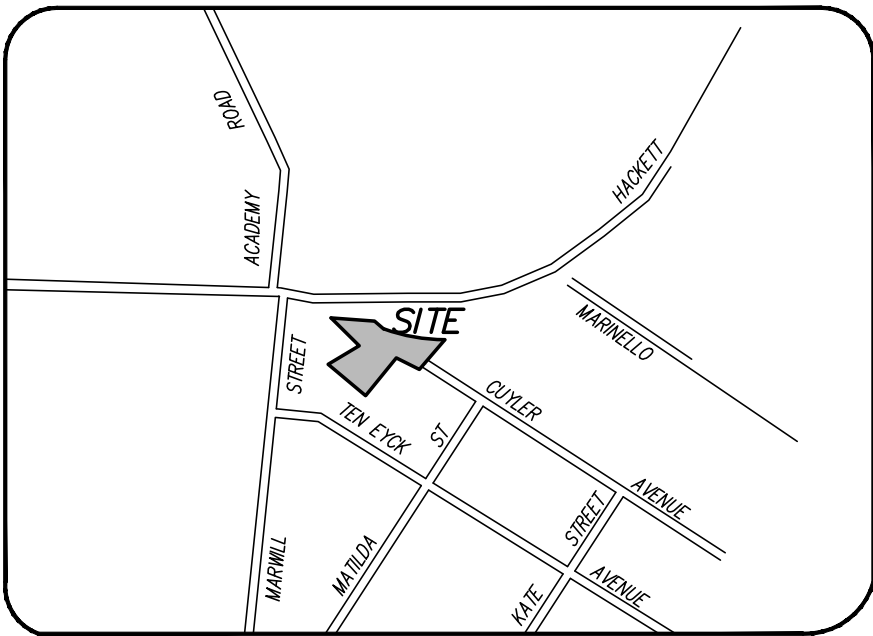


DATE	4/27/23	5/24/23		
REMARKS	COMMENT LETTERS	REVISE PAVEMENT		
REVISIONS				

EXISTING CONDITIONS PLAN  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

FILE: 220329 SCALE: 1"=20' CHK: DRH DATE: 2/7/23 BY: ND 220329-1.DWG












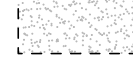

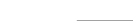





VICINITY MAP

MAP NOT TO SCALE

## LEGEND

R.O.W.	RIGHT OF WAY		SIGN
No.	NUMBER		FENCE LINE
enc.	ENCROACHMENT		GUARD RAIL
<b>P.O.B.</b>	POINT OF BEGINNING		OVERHEAD WIRE, UTILITY POLE & GUY WIRE
S.F.	SQUARE FEET		TRAFFIC FLOW ACCESS AREA
N/F	NOW OR FORMERLY		WATER SHUT OFF
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<b>357.66'</b>	MEASURED		GAS VALVE
N	NORTH		GAS VALVE
S	SOUTH		LIGHT POLE
E	EAST		CONCRETE
W	WEST		
elec.	ELECTRIC		PAVEMENT
L.	LIBER		
P.	PAGE		
	TELEPHONE PEDESTAL		CRUSHED STONE
	EXISTING TREELINE		

## RECREATION SPACE TABLE

description	requirement	quantity	# required
dwelling, multi family	10% of site area	39,547 sf	3,954 sf
area 1: outdoor			412 sf
area 2: outdoor			593 sf
area 3: outdoor			1,821 sf
area 4: outdoor			612 sf
area 5: fitness center (Indoors)			550 sf
TOTAL			3,997 sf

## PARKING ANALYSIS TABLE

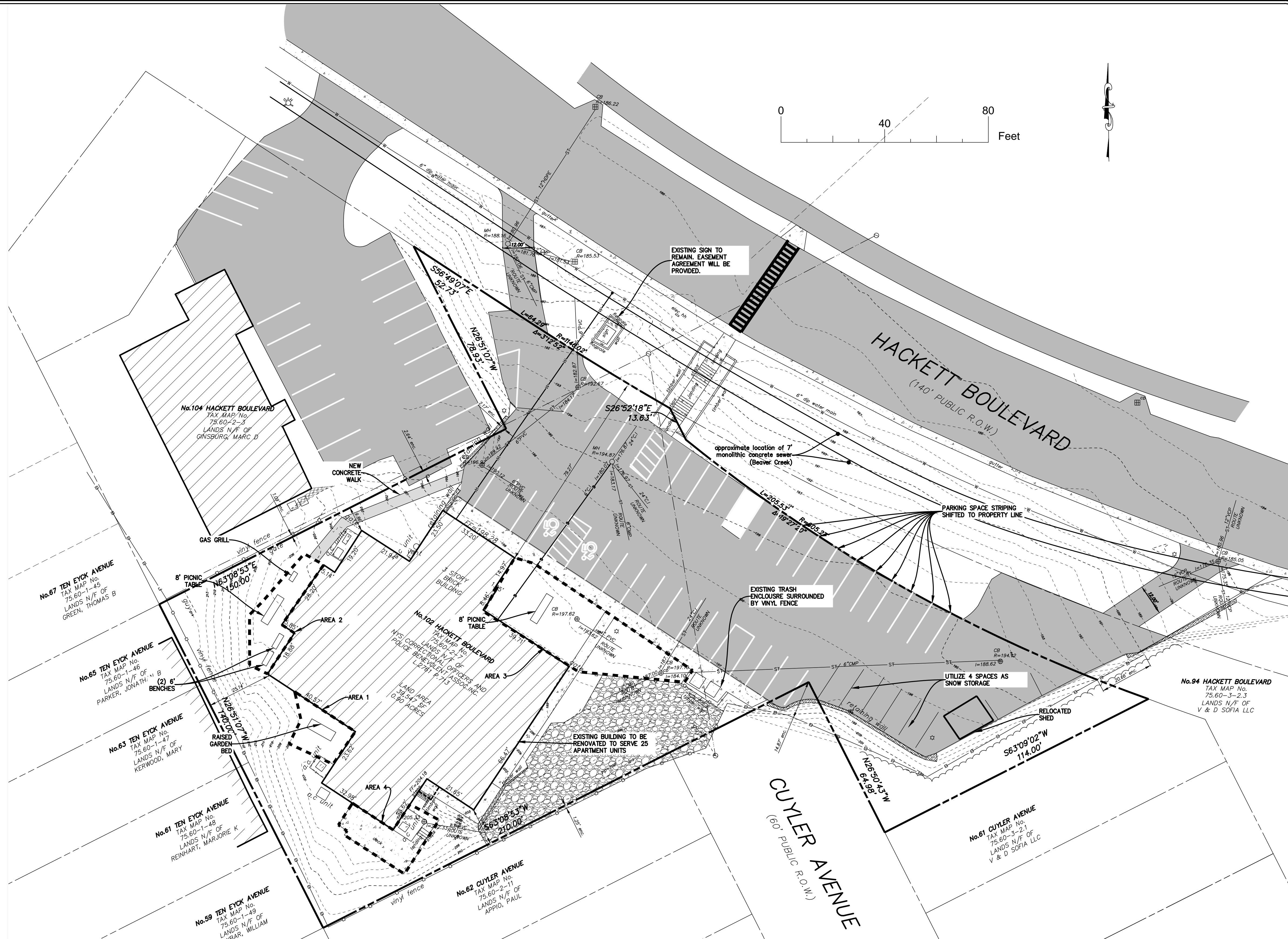
description	requirement	quantity	# required
dwelling, multi family	1 per unit	25	25
total off-street parking spaces required			25
total off-street parking spaces required after 20% proximity to transit reduction			20
off-street parking spaces (INCLUDING 2 H.C.)			39

## EXISTING SITE COVERAGE STATISTICS

description	s.f.	acres	%
gross site area	39,547	0.90	100.00
impervious area	24,315	0.55	61.2
building coverage	7,912	0.18	20.0
pavement/sidewalk coverage	16,403	0.37	41.2
pervious area	15,232	0.35	38.8

## PROPOSED SITE COVERAGE STATISTICS

description	s.f.	acres	%
gross site area	39,547	0.90	100.00
impervious area	24,590	0.56	62.2
building coverage	7,912	0.18	20.0
pavement/sidewalk coverage	16,678	0.38	42.2
pervious area	14,957	0.34	37.8

1/2" PREFORMED EXPANS. JT.  
FILLER & 1" DEEP MIN.  
CAULKING @ 20' O.C.4,000 P.S.I. CONCRETE  
W/6"x6" 4/4 W.W.M.6" MIN. COMPACTED GRAVEL  
NYS DOT SPEC 304.02

LIMIT OF EXCAVATION

SCORED JOINT @  
4' O.C. MIN.

6" TOP SOIL &amp; SEED

4,000 P.S.I. CONCRETE  
W/6"x6" 4/4 W.W.M.6" MIN. COMPACTED GRAVEL  
NYS DOT SPEC 304.02

LIMIT OF EXCAVATION

LONGITUDINAL SECTION

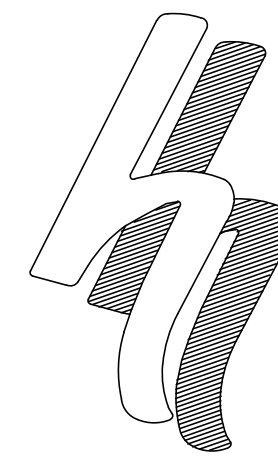
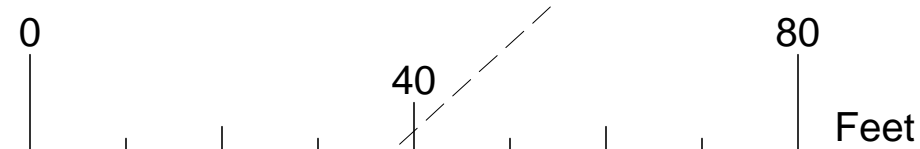
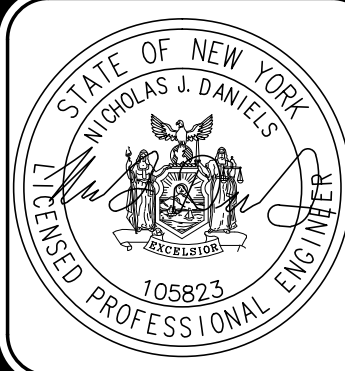
CROSS SECTION

## CONCRETE WALK DETAIL

NOT TO SCALE

## NOTE

1. BICYCLE PARKING IS LOCATED WITHIN THE BUILDING. SEE ARCHITECTURAL FLOOR PLANS.

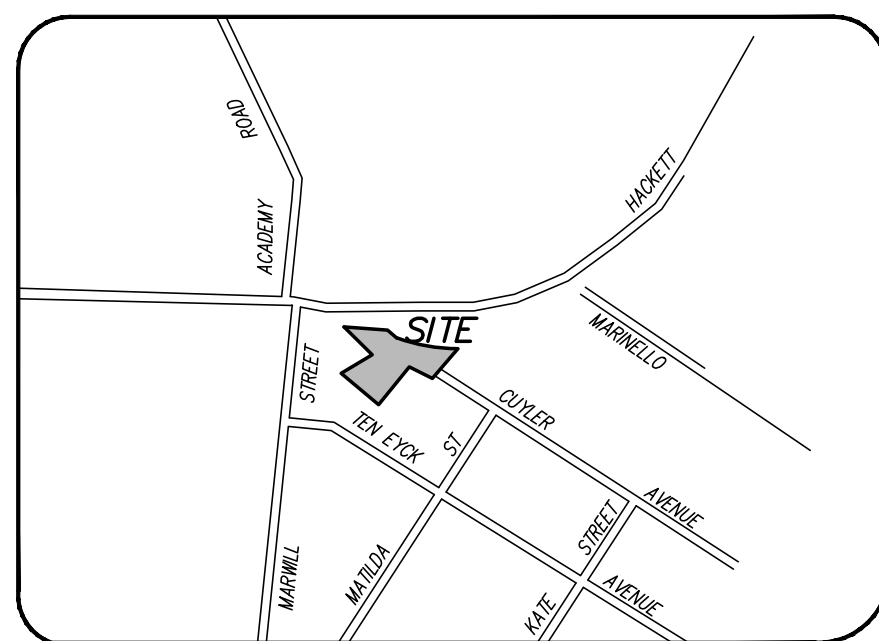
HERSHBERG  
&  
HERSHBERGConsulting Engineers  
and Land Surveyors18 Locust Street  
Albany, New York 12203ALTERATION OF THIS  
DOCUMENT EXCEPT BY A  
LICENSED PROFESSIONAL  
ENGINEER OR LAND  
SURVEYOR, IS ILLEGAL

DATE	4/27/23	5/24/23
REMARKS	COMMITTEE LETTERS	REVISE PAYMENT
REVISIONS		

SITE PLAN  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

FILE: 220329 SCALE: 1"=20' CHK: DRH BY: MD DATE: 2/7/23 220329-1.DWG






















VICINITY MAP

MAP NOT TO SCALE

### LEGEND

R.O.W.	RIGHT OF WAY		SIGN
No.	NUMBER		FENCE LINE
enc.	ENCROACHMENT		GUARD RAIL
<b>P.O.B.</b>	POINT OF BEGINNING		OVERHEAD WIRE, UTILITY POLE & GUY WIRE
S.F.	SQUARE FEET		TRAFFIC FLOW ACCESS AREA
N/F	NOW OR FORMERLY		WATER SHUT OFF
<i>(357' - 8'')</i>	RECORD		WATER VALVE
<b>357.66'</b>	MEASURED		GAS VALVE
N	NORTH		GAS VALVE
S	SOUTH		LIGHT POLE
E	EAST		CONCRETE
W	WEST		PAVEMENT
elec.	ELECTRIC		CRUSHED STONE
L.	LIBER		
P.	PAGE		
[T]	TELEPHONE PEDESTAL		
	EXISTING TREE LINE		

Pruning shall be in accordance with approved horticultural standards in order to preserve the natural form of the specific plants. If applicable & approved by the landscape architect, one-fourth to one-third of the wood shall be removed by thinning out to balance root loss due to transplanting.

Black rubber reinforced hose  
not less than 1/2" I.D. above  
first set of branches

2 strands of 12 gauge  
galv. wire, twisted

Guy wires - Double strand #12  
galvanized wire, 3 per plant

2"x2"x8'-0" Pointed Cedar Stakes:  
3 stakes per tree – drive  
at angle and draw vertical

Cut burlap from  
top 1/3 of root ball ————  
4" Mulch — finely shredded bark mulch  
(Sample to be approved)

6" Topsoil and seed  
Finished grade  
Topsoil  
 $\Delta=45^\circ$   
3" below grade

Planting mix

30"

6" Min.

12"

Scarify glazed sides

Compact planting mix below ball. Pitch to perimeter of pit

Min.

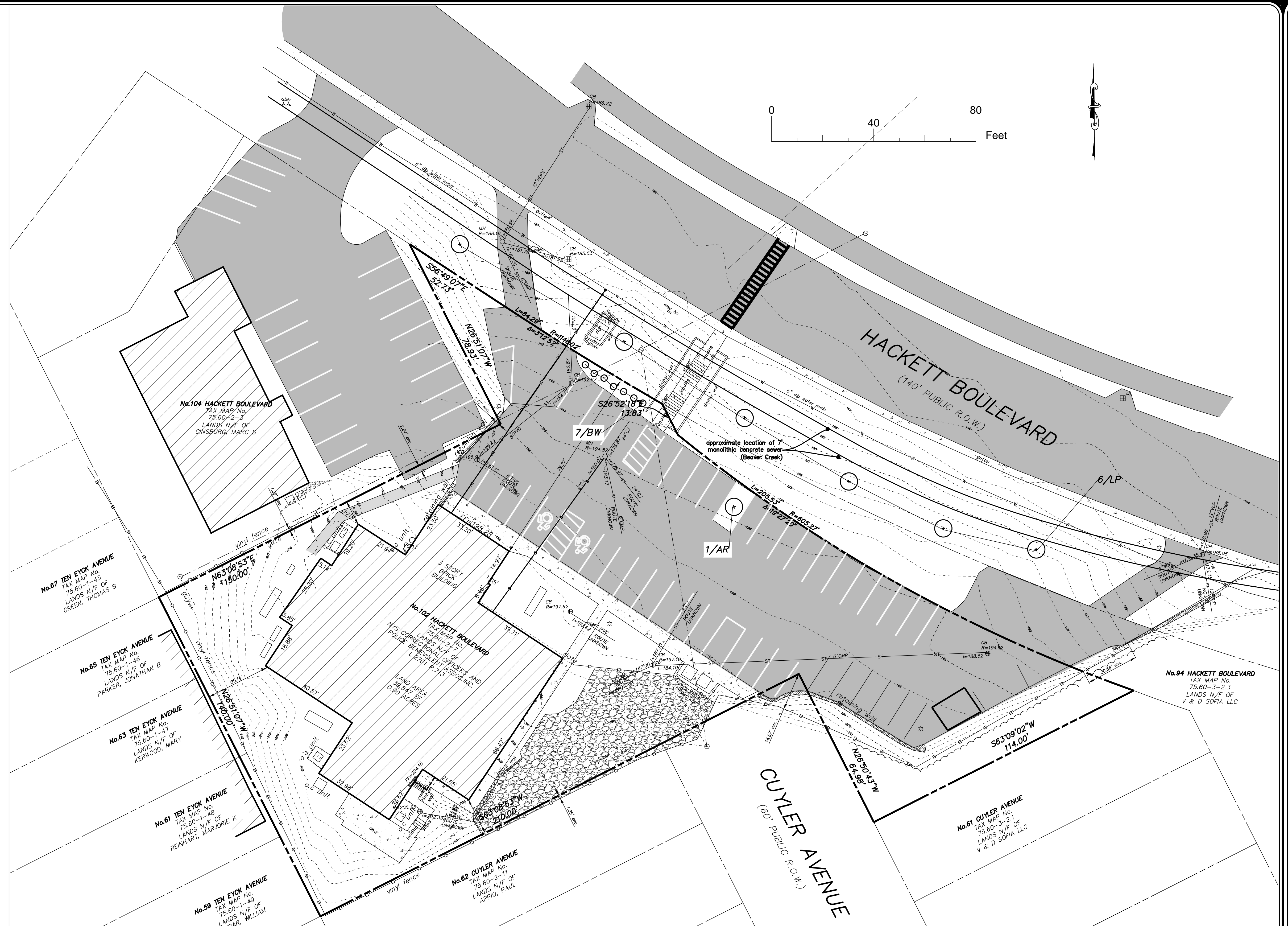
Equals twice

or hardened surface if pits are dug with auguring device

STAKING	Ball diameter	GUYING
Stake deciduous trees under 3" Cal. and evergreen trees under 8' Ht.		Guy deciduous trees over 3" Cal. and evergreen trees over 8' Ht.

TREE PLANTING DETAIL

NOT TO SCALE



### PLANT MATERIAL SCHEDULE (SITE)

SYM	BOTANICAL NAME	COMMON NAME	SIZE	AMT	COMMENTS
<b>TREES</b>					
AR	ACER RUBRUM	RED MAPLE	2 1/2"-3" CAL.	1	B & B, NYNS
LP	PLATANUS ACERIFOLIA	LONDON PLANETREE	2.5'-3' HT.	6	B & B
<b>SHRUBS</b>					
BW	BUXUS x 'WINTER GEM'	WINTER GEM BOXWOOD	18" HT.	7	CONTAINER GROWN

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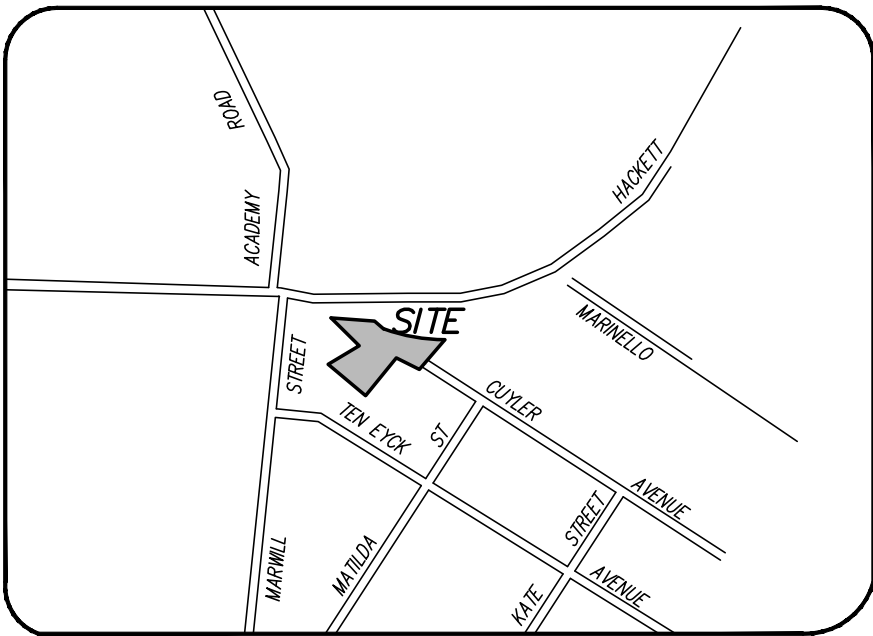


REVISIONS	
COMMENT LETTERS	4/27/23
REVISE PAYEMENT	5/24/23

LANDSCAPING PLAN  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

729	SCALE: 1"=20'	SHEET NO.	CITY, DRAW	DATE: 2/7/23	202329-1.DWG
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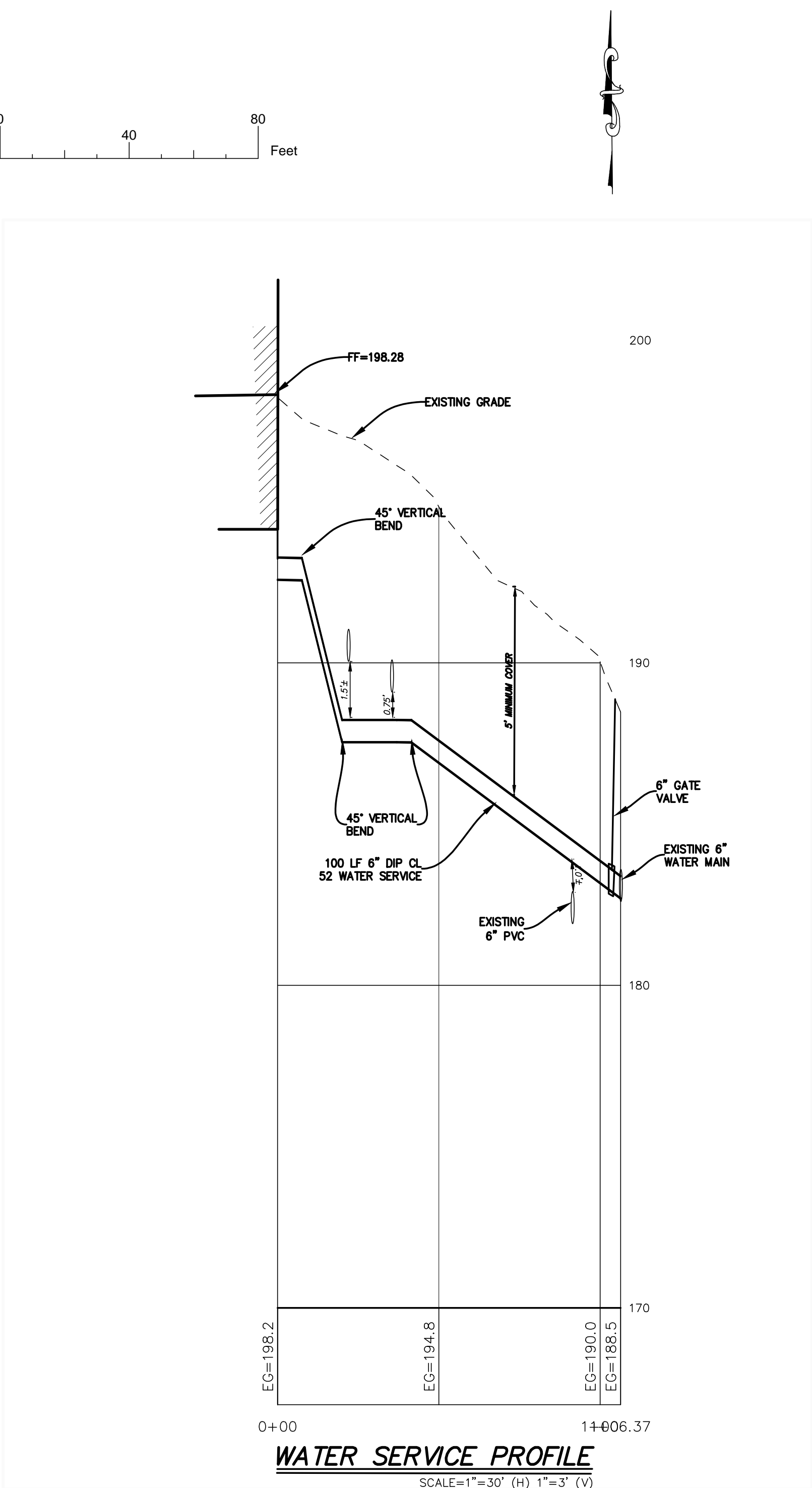
VICINITY MAP  
MAP NOT TO SCALE

LEGEND

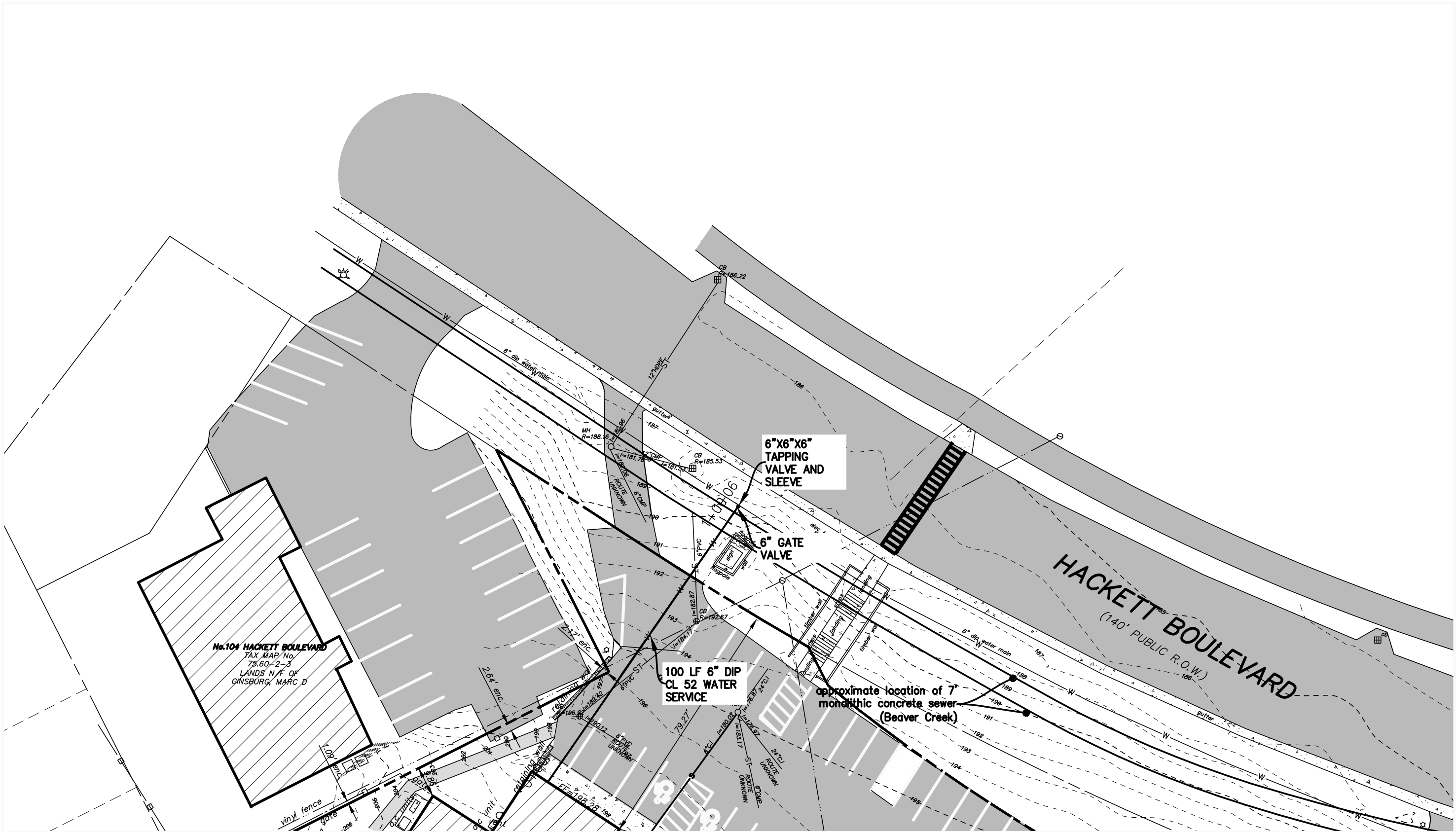
R.O.W.	RIGHT OF WAY	—+—	SIGN
No.	NUMBER	—X—	FENCE LINE
enc.	ENCROACHMENT	—+—	GUARD RAIL
P.O.B.	POINT OF BEGINNING	—○—	OVERHEAD WIRE, UTILITY POLE & GUY WIRE
S.F.	SQUARE FEET	—+—	TRAFFIC FLOW ACCESS AREA
N/F	NOW OR FORMERLY	—+—	WATER SHUT OFF
(357'-8")	RECORD	—+—	WATER VALVE
357.66'	MEASURED	—+—	GAS VALVE
N	NORTH	—+—	GAS VALVE
S	SOUTH	—+—	LIGHT POLE
E	EAST	—+—	CONCRETE
W	WEST	—+—	PAVEMENT
elec.	ELECTRIC	—+—	CRUSHED STONE
L	LIBER	—+—	EXISTING TREELINE
P	PAGE	—+—	
□	TELEPHONE PEDESTAL	—+—	

NOTES

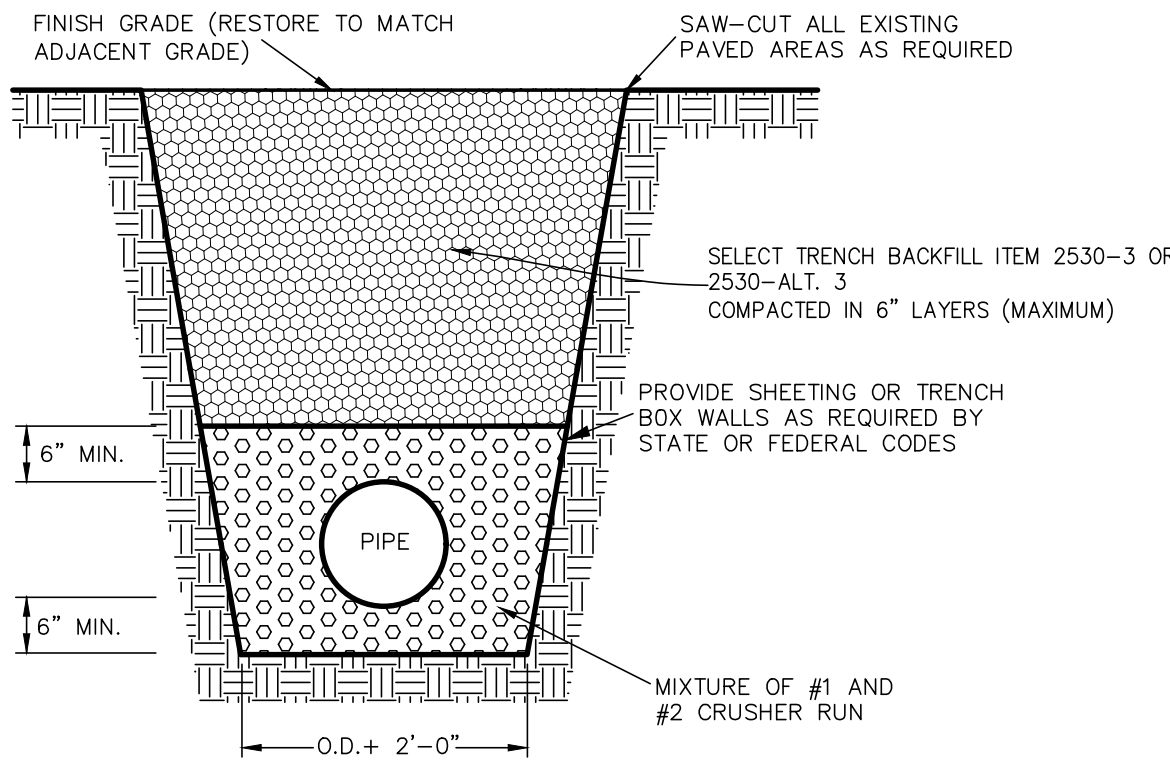
1. 48 HOURS NOTICE MUST BE GIVEN TO DEPARTMENT OF WATER FOR INSPECTIONS FOR THE SANITARY, WATER AND STORMWATER UTILITIES.
2. PRESSURE AND LEAKAGE TESTING OF THE WATER MAIN SHALL BE WITNESSED BY DEPARTMENT STAFF AND ACCEPTABLE BACTERIOLOGICAL TEST MUST BE SUBMITTED AND ACCEPTED BY THE DEPARTMENT PRIOR TO FINAL OF THE NEW WATER MAIN.
3. PRIOR TO USE, ALL WATER LINES MUST BE CHLORINATED AND HAVE A BACTERIOLOGICAL TEST PERFORMED IN ACCORDANCE WITH CITY OF ALBANY STANDARDS.



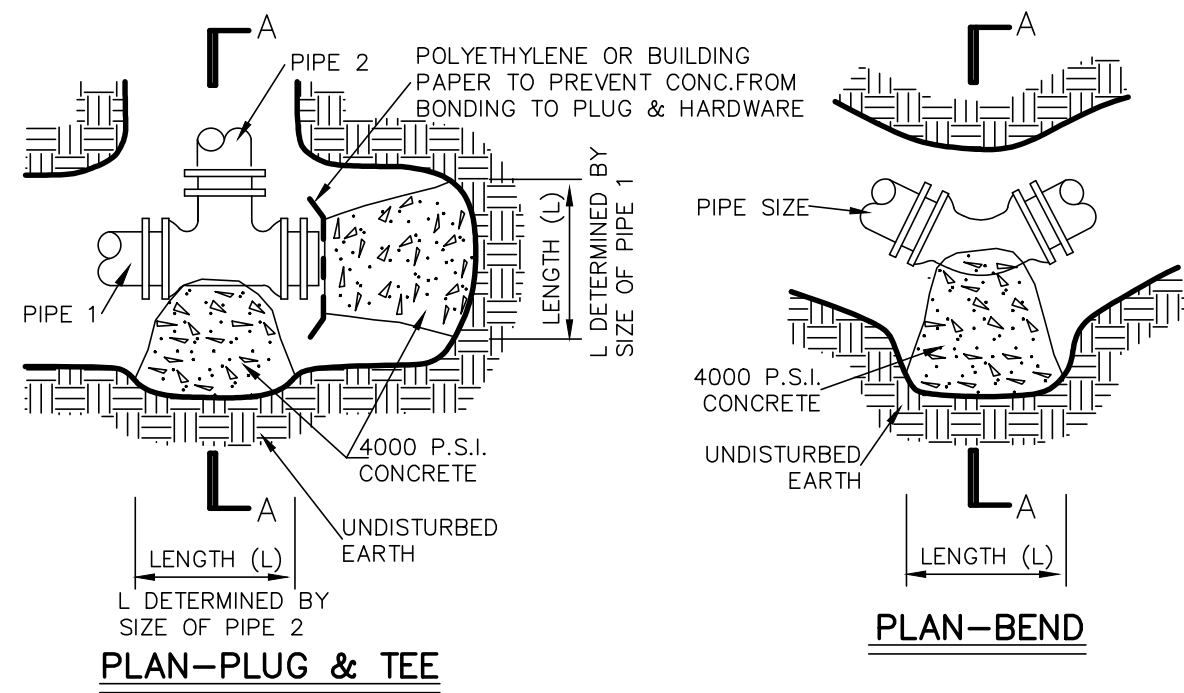
WATER SERVICE PROFILE  
SCALE=1"=30' (H) 1"=3' (V)



WATER SERVICE PLAN  
SCALE: 1"=30'

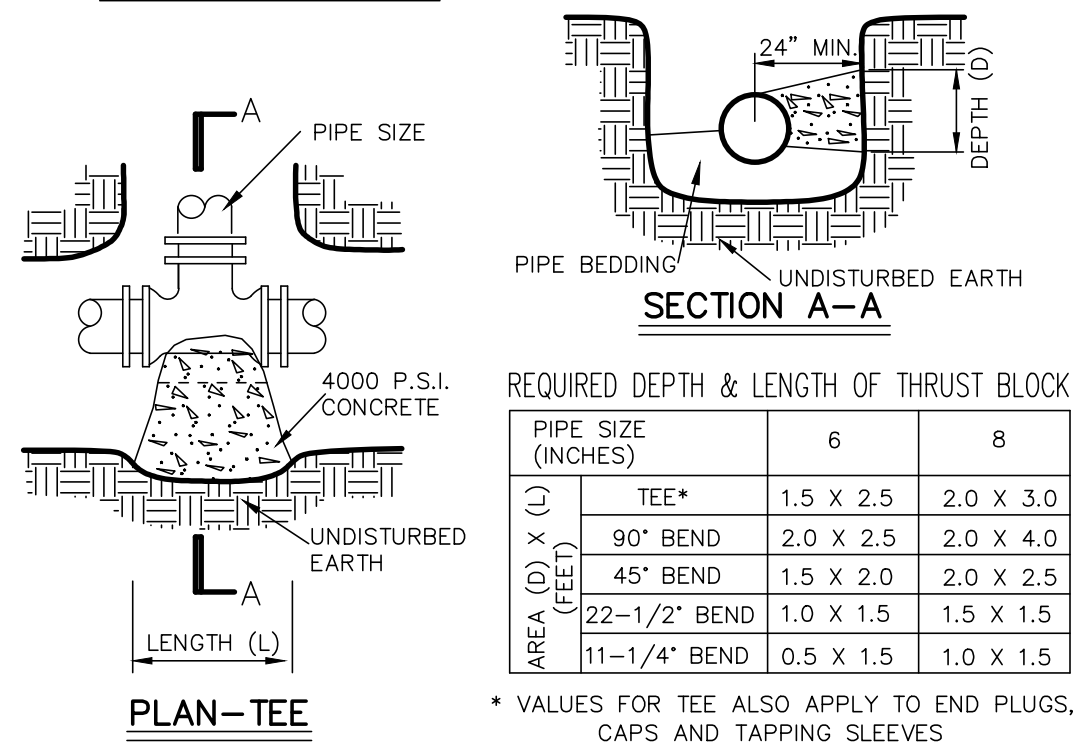


TYPICAL WATER SERVICE TRENCH DETAIL  
NOT TO SCALE



PLAN-PLUG & TEE

PLAN-BEND

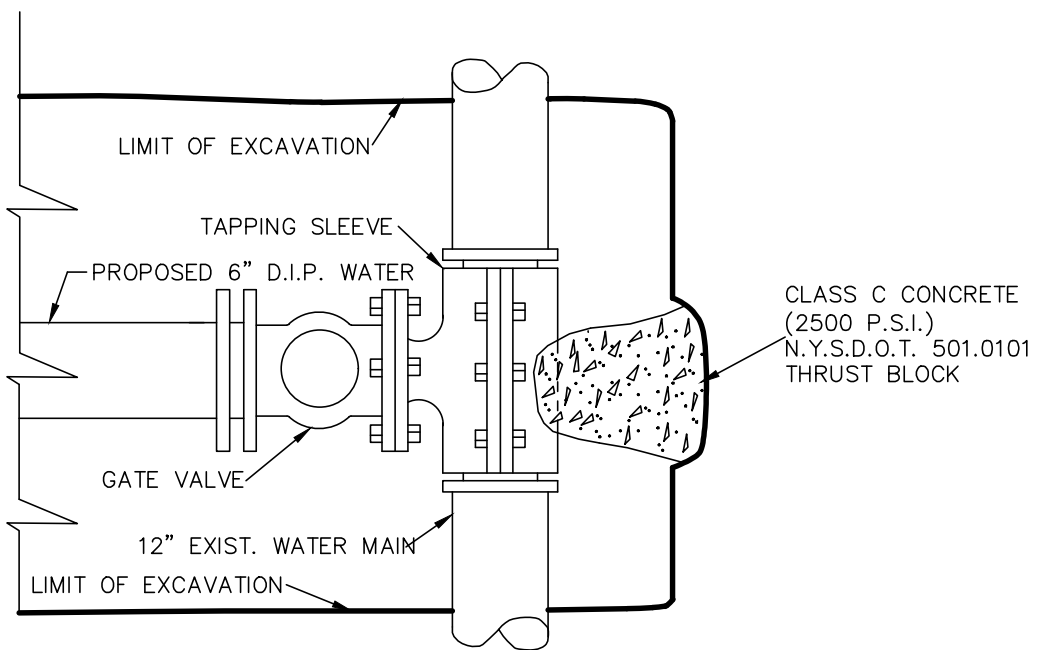


SECTION A-A

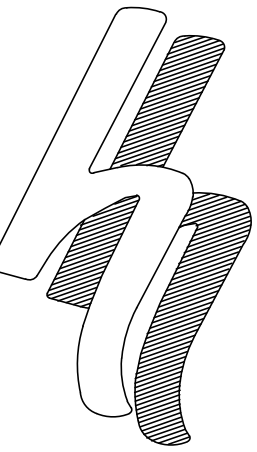
REQUIRED DEPTH & LENGTH OF THRUST BLOCK			
PIPE SIZE (INCHES)		6	8
TEE*	1.5 X 2.5	2.0 X 3.0	
90° BEND	2.0 X 2.5	2.0 X 4.0	
45° BEND	1.5 X 2.0	2.0 X 2.5	
22-1/2° BEND	1.0 X 1.5	1.5 X 1.5	
11-1/4° BEND	0.5 X 1.5	1.0 X 1.5	

\* VALUES FOR TEE ALSO APPLY TO END PLUGS, CAPS AND TAPPING SLEEVES

THRUST BLOCK DETAILS  
NOT TO SCALE



TRENCH TO BE BACKFILLED AS SHOWN IN TYPICAL TRENCH DETAIL  
TAPPING VALVE & SLEEVE DETAIL  
NOT TO SCALE

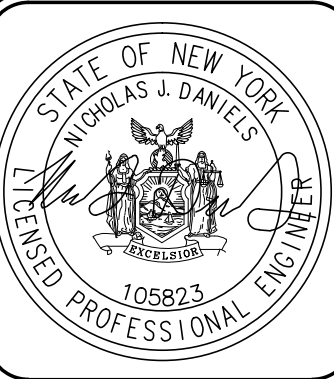


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REMARKS	DATE
COMMENT LETTERS	4/27/23
REVISE PAVEMENT	5/24/23
REVISIONS	

WATER SERVICE PLAN, PROFILE AND DETAILS  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

FILE: 220329  
SCALE: AS NOTED  
CHK: DRH  
DATE: 2/7/23  
220329-1.DWG  
BY: ND





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any, New York 1220

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REVISIONS		
COMMENT LETTERS	4/27/23	
REUSE PAYEMENT	5/24/23	

EROSION AND SEDIMENT CONTROL PLAN  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

THE CONSTRUCTION SEQUENCE FOR THIS PROJECT WILL BE GOVERNED BY THE EROSION AND SEDIMENT CONTROL PLAN.

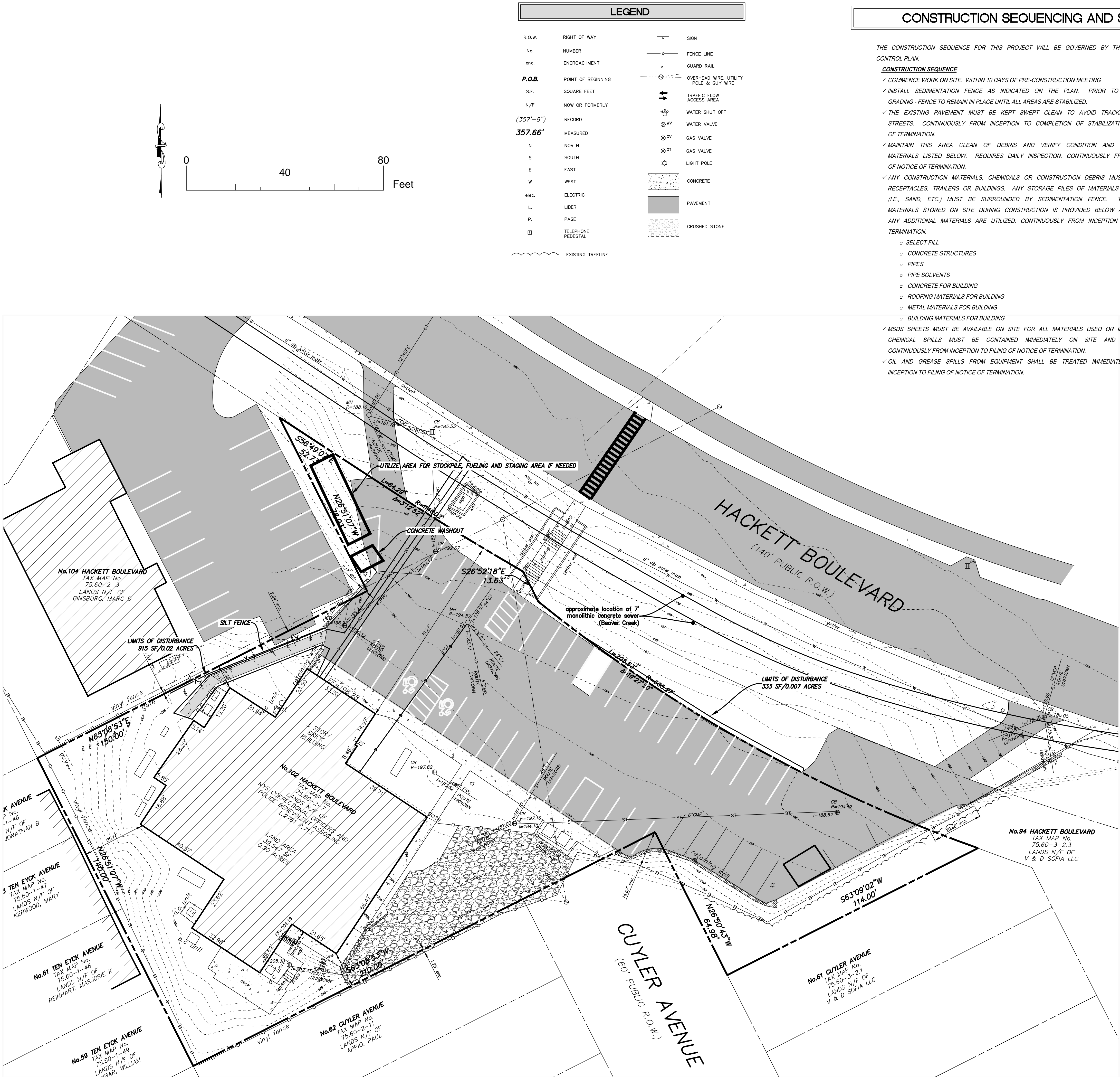
### CONSTRUCTION SEQUENCE

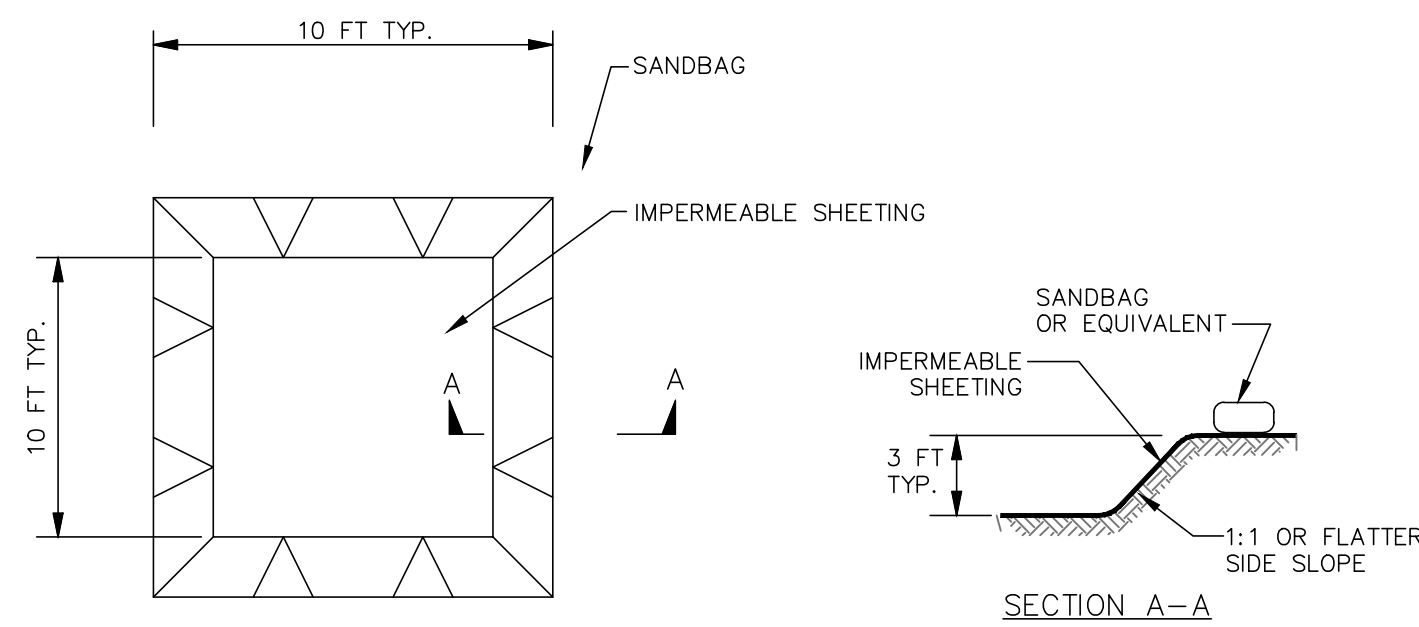
- ✓ COMMENCE WORK ON SITE. WITHIN 10 DAYS OF PRE-CONSTRUCTION MEETING
- ✓ INSTALL SEDIMENTATION FENCE AS INDICATED ON THE PLAN. PRIOR TO COMMENCEMENT OF ANY GRADING - FENCE TO REMAIN IN PLACE UNTIL ALL AREAS ARE STABILIZED.
- ✓ THE EXISTING PAVEMENT MUST BE KEPT SWEEP CLEAN TO AVOID TRACKING MATERIALS ONTO ANY STREETS. CONTINUOUSLY FROM INCEPTION TO COMPLETION OF STABILIZATION OR FILING OF NOTICE OF TERMINATION.
- ✓ MAINTAIN THIS AREA CLEAN OF DEBRIS AND VERIFY CONDITION AND SAFETY OF STORAGE OF MATERIALS LISTED BELOW. REQUIRES DAILY INSPECTION. CONTINUOUSLY FROM INCEPTION TO FILING OF NOTICE OF TERMINATION.
- ✓ ANY CONSTRUCTION MATERIALS, CHEMICALS OR CONSTRUCTION DEBRIS MUST BE STORED IN SEALED RECEPTACLES, TRAILERS OR BUILDINGS. ANY STORAGE PILES OF MATERIALS MEANT FOR INSTALLATION (I.E., SAND, ETC.) MUST BE SURROUNDED BY SEDIMENTATION FENCE. THE LIST OF ANTICIPATED MATERIALS STORED ON SITE DURING CONSTRUCTION IS PROVIDED BELOW AND MUST BE UPDATED IF ANY ADDITIONAL MATERIALS ARE UTILIZED. CONTINUOUSLY FROM INCEPTION TO FILING OF NOTICE OF TERMINATION.
  - SELECT FILL
  - CONCRETE STRUCTURES
  - PIPES
  - PIPE SOLVENTS
  - CONCRETE FOR BUILDING
  - ROOFING MATERIALS FOR BUILDING
  - METAL MATERIALS FOR BUILDING
  - BUILDING MATERIALS FOR BUILDING
- ✓ MSDS SHEETS MUST BE AVAILABLE ON SITE FOR ALL MATERIALS USED OR IMPORTED TO THE SITE. ANY CHEMICAL SPILLS MUST BE CONTAINED IMMEDIATELY ON SITE AND REPORTED TO NYSDEC. CONTINUOUSLY FROM INCEPTION TO FILING OF NOTICE OF TERMINATION.
- ✓ OIL AND GREASE SPILLS FROM EQUIPMENT SHALL BE TREATED IMMEDIATELY. CONTINUOUSLY FROM INCEPTION TO FILING OF NOTICE OF TERMINATION.

- ✓ INSTALL NEW CONCRETE SIDEWALK AND NEW WATER MAIN
- ✓ INSTALL NEW LANDSCAPING
- ✓ SEED AND MULCH ANY DISTURBED GRASSED AREAS

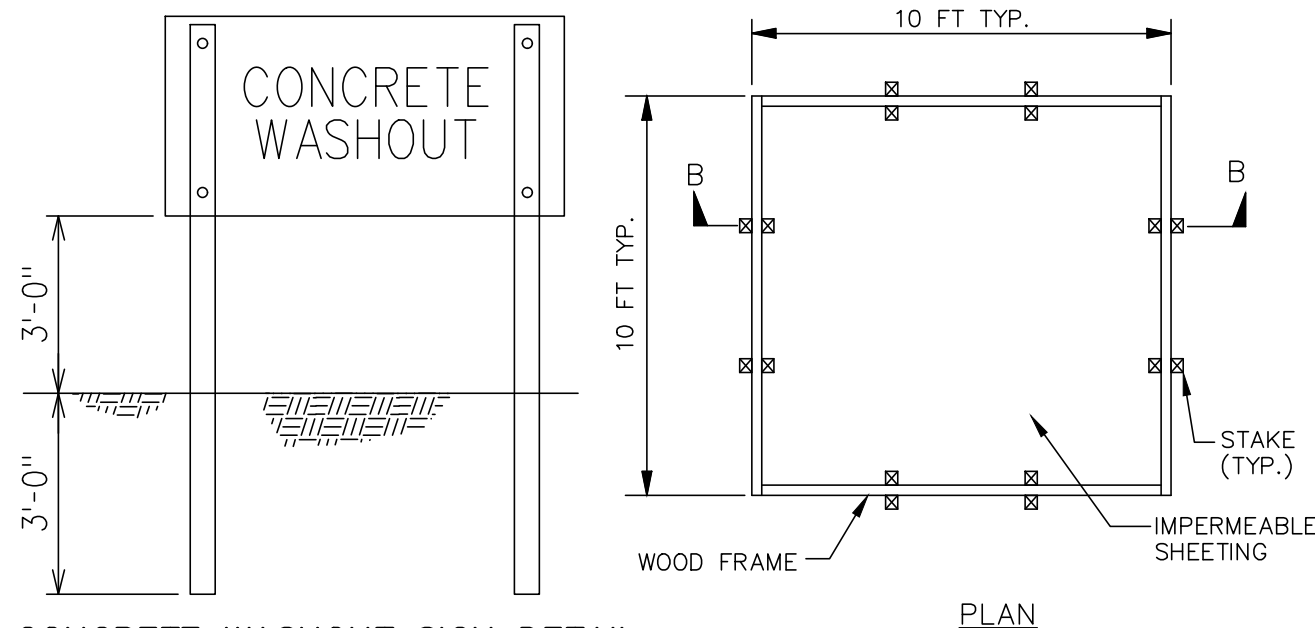
EROSION AND SEDIMENT CONTROL NOTES

1. AT NO TIME, SHALL MORE THAN FIVE (5) AREAS REMAIN UNSTABILIZED. THE CONTRACTOR SHALL MAINTAIN A CLEAN CONSTRUCTION AND EQUIPMENT ENTRANCE TO THE EARTHWORK ACTIVITIES AND IMPLEMENTATION OF SOIL STABILIZATION MEASURES TO ENSURE COMPLIANCE TO THIS PERMIT REQUIREMENT.
2. THE CONTRACTOR SHALL MAINTAIN A CLEAN CONSTRUCTION AND EQUIPMENT ENTRANCE WHENEVER PRACTICABLE.
3. DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF COMPLETION OR SUSPENSION OF GRADING OPERATIONS.
4. INSTALL TEMPORARY & PERMANENT SEEDING IN ACCORDANCE WITH THE JULY 2016 NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL STANDARD AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDING PAGE 4.58 AND FOR MULCHING PAGE 4.39.
5. PAVED AREAS ARE TO BE SWEEP DAILY TO REMOVE ANY SEDIMENT.





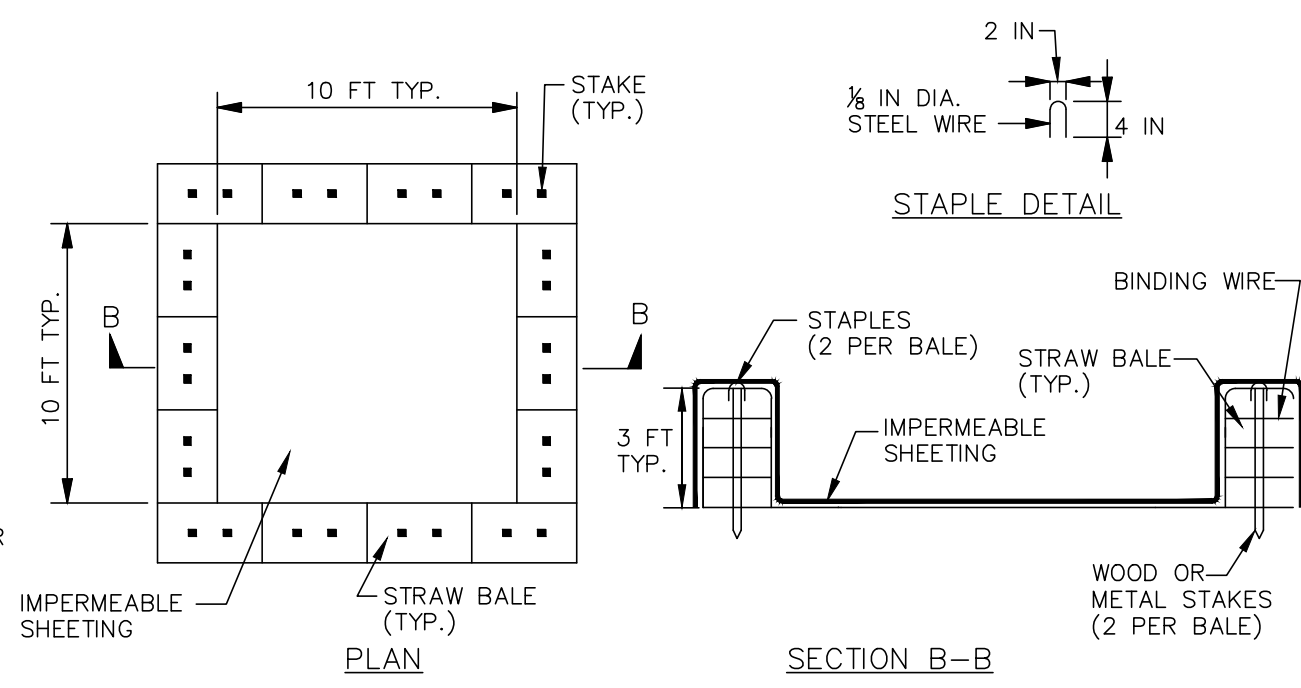
PLAN  
EXCAVATED WASHOUT STRUCTURE



CONCRETE WASHOUT SIGN DETAIL  
(OR EQUIVALENT) WASHOUT STRUCTURE WITH WOOD PLANKS

### ONSITE CONCRETE TRUCK WASHOUT STRUCTURE DETAIL

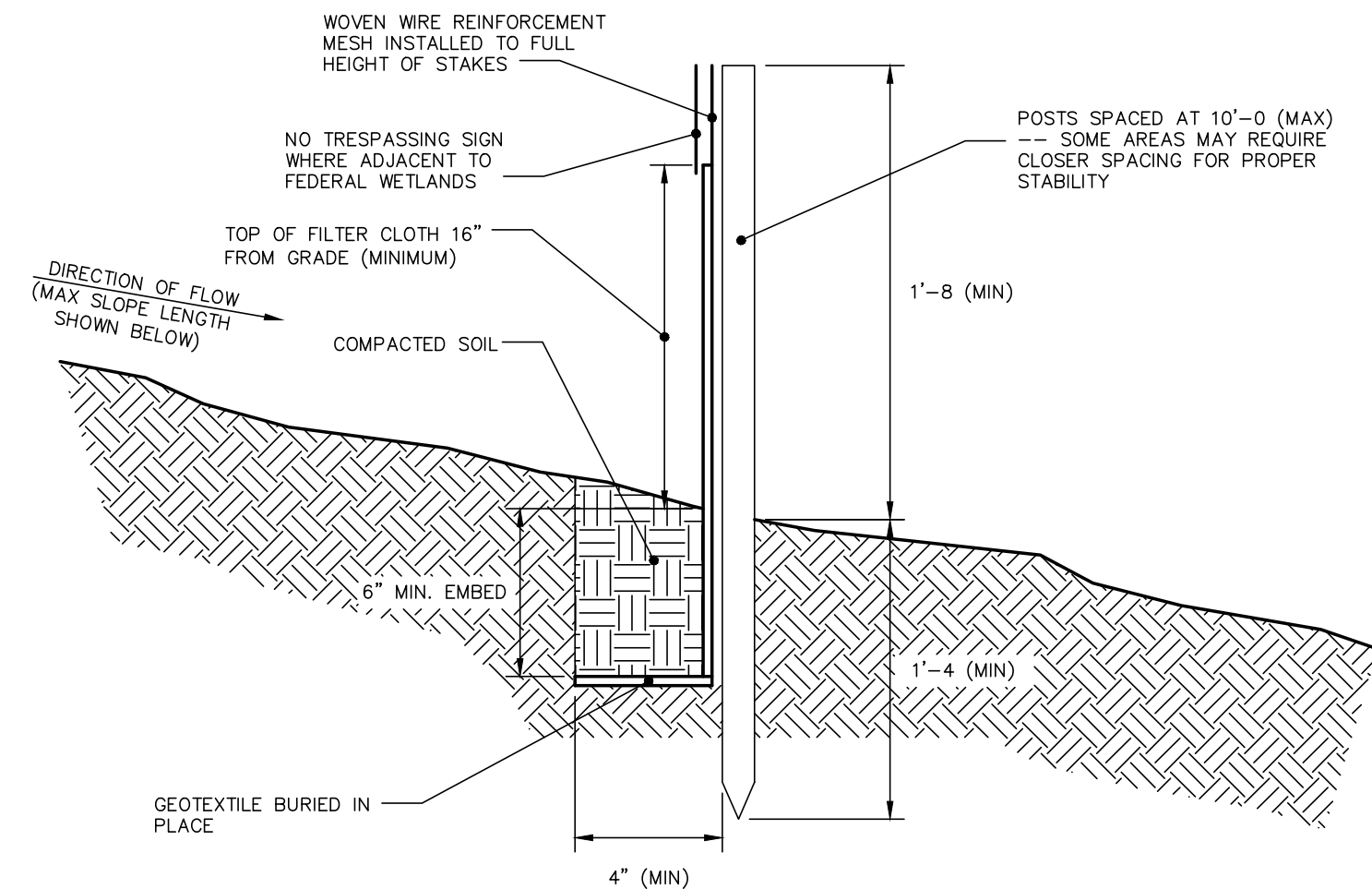
NOT TO SCALE



PLAN  
WASHOUT STRUCTURE WITH STRAW BALES

#### CONSTRUCTION SPECIFICATIONS

1. LOCATE WASHOUT STRUCTURE A MINIMUM OF 50 FEET AWAY FROM OPEN CHANNELS, STORM DRAIN INLETS, SENSITIVE AREAS, WETLANDS, BUFFERS AND WATER COURSES AND AWAY FROM CONSTRUCTION TRAFFIC.
2. SIZE WASHOUT STRUCTURE FOR VOLUME NECESSARY TO CONTAIN WASH WATER AND SOLIDS AND MAINTAIN AT LEAST 4 INCHES OF FREEBOARD. TYPICAL DIMENSIONS ARE 10 FEET X 10 FEET X 3 FEET DEEP.
3. PREPARE SOIL BASE FREE OF ROCKS OR OTHER DEBRIS THAT MAY CAUSE TEARS OR HOLES IN THE LINER. FOR LINER, USE 10 MIL OR THICKER UV RESISTANT, IMPERMEABLE SHEETING, FREE OF HOLES AND TEARS OR OTHER DEFECTS THAT COMPROMISE IMPERMEABILITY OF THE MATERIAL.
4. PROVIDE A SIGN FOR THE WASHOUT IN CLOSE PROXIMITY TO THE FACILITY.
5. KEEP CONCRETE WASHOUT STRUCTURE WATER TIGHT. REPLACE IMPERMEABLE LINER IF DAMAGED (E.G., RIPPED OR PUNCTURED). EMPTY OR REPLACE WASHOUT STRUCTURE THAT IS 75 PERCENT FULL, AND DISPOSE OF ACCUMULATED MATERIAL PROPERLY. DO NOT REUSE PLASTIC LINER. WET-VACUUM STORED LIQUIDS THAT HAVE NOT EVAPORATED AND DISPOSE OF IN AN APPROVED MANNER. PRIOR TO FORECASTED RAINSTORMS, REMOVE LIQUIDS OR COVER STRUCTURE TO PREVENT OVERFLOWS. REMOVE HARDENED SOLIDS, WHOLE OR BROKEN UP, FOR DISPOSAL OR RECYCLING. MAINTAIN RUNOFF DIVERSION AROUND EXCAVATED WASHOUT STRUCTURE UNTIL STRUCTURE IS REMOVED.



#### MAXIMUM ALLOWABLE SLOPE LENGTH

MAXIMUM ALLOWABLE SLOPE LENGTHS CONTRIBUTING RUNOFF TO A SECTION OF SILT FENCE SHALL BE AS FOLLOWS:

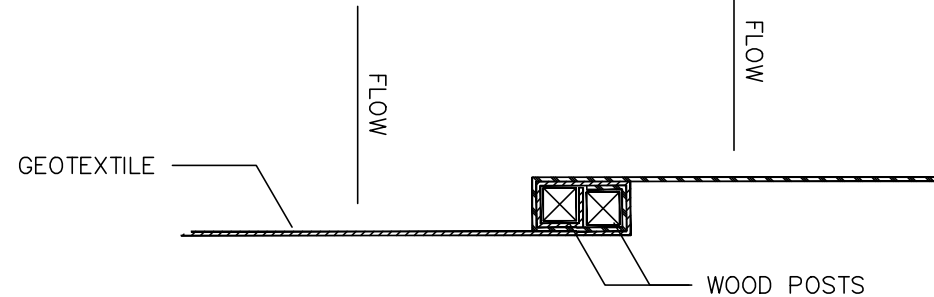
SLOPE STEEPNESS:	MAX. SLOPE LENGTH:
1:2	25 FT
1:3	50 FT
1:4	75 FT
1:5 OR FLATTER	100 FT

NOTE: MAXIMUM DRAINAGE AREA FOR OVERLAND FLOW TO SILT FENCE SECTION SHALL NOT EXCEED 1/4 ACRE PER 100 FT OF FENCE. CONCENTRATED DISCHARGE OF SEDIMENT LADEN WATER SHALL NOT BE ALLOWED TO FLOW DIRECTLY TO THE FENCING.

#### CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

1. INSTALL SILT FENCE IN ACCORDANCE WITH "THE NEW YORK STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL", SECTION 7A.
2. WOVEN WIRE FENCE SHALL BE 12 1/2 GA., 6" MAXIMUM MESH OPENING, FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
3. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
4. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE WRAPPED TOGETHER PER SILT FENCE JOINT DETAIL ON THIS SHEET.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND SEDIMENT REMOVED WHEN ACCUMULATION REACHES 1/2 OF DESIGN CAPACITY OF FENCE (1/2 HEIGHT OF FILTER FABRIC) OR WHEN "BULGES" DEVELOP IN FENCING.

POSTS: STEEL EITHER "T" OR "U" TYPE OR 2" HARDWOOD  
FENCE: WOVEN WIRE, 12 1/2 GA. 6" MAX. MESH OPENING  
FILTER CLOTH: FILTER X, MIRAFI 100X, STABILINKA T140N OR APPROVED EQUAL.  
PREFABRICATED UNIT: GEOFAB, ENVIROFENCE, OR APPROVED EQUAL.



WRAP ENDS OF SILT FENCE SECTIONS TOGETHER TO PREVENT FLOW OF SEDIMENT BETWEEN SECTIONS

#### SILT FENCE JOINT DETAIL

#### DESIGN CRITERIA:

1. DESIGN COMPUTATIONS ARE NOT REQUIRED FOR INSTALLATIONS OF 1 MONTH OR LESS. LONGER INSTALLATION PERIODS SHOULD BE DESIGNED FOR EXPECTED RUNOFF.
2. ALL SILT FENCES SHALL BE PLACED AS CLOSE TO THE AREA AS POSSIBLE, BUT AT LEAST 10 FEET FROM THE TOE OF A SLOPE STEEPER THAN 3H:1V. TO ALLOW FOR MAINTENANCE AND ROLL DOWN. THE AREA BEYOND THE FENCE MUST BE UNDISTURBED OR STABILIZED.
3. THE TYPE OF SILT FENCE SPECIFIED FOR EACH LOCATION ON THE PLAN SHALL NOT EXCEED THE MAXIMUM SLOPE LENGTH AND MAXIMUM FENCE LENGTH REQUIREMENTS SHOWN IN THE FOLLOWING TABLE.

Slope	Steepness	Slope Length/Fence Length (ft.)		Super (SSF)
		Standard (SF)	Reinforced (RSF)	
<2%	<50:1	300/1500	N/A	N/A
2-10%	50:1 to 10:1	125/1000	250/2000	300/2500
10-20%	10:0 to 5:1	100/750	150/1000	200/1000
20-33%	5:1 to 3:1	80/500	80/750	100/1000
33-50%	3:1 to 2:1	40/250	70/250	100/500
>50%	>2:1	20/125	30/175	50/250

STANDARD SILT FENCE (SF) IS FABRIC ROLLS STAPLED TO WOODEN STAKES DRIVEN 16 INCHES IN THE GROUND.

REINFORCED SILT FENCE (RSF) IS FABRIC PLACED AGAINST WELDED WIRE FABRIC WITH ANCHORED STEEL POSTS DRIVEN 16 INCHES IN THE GROUND.

SUPER SILT FENCE (SSF) IS FABRIC PLACED AGAINST CHAIN LINK FENCE AS SUPPORT BACKING WITH POSTS DRIVEN 3 FEET IN THE GROUND.

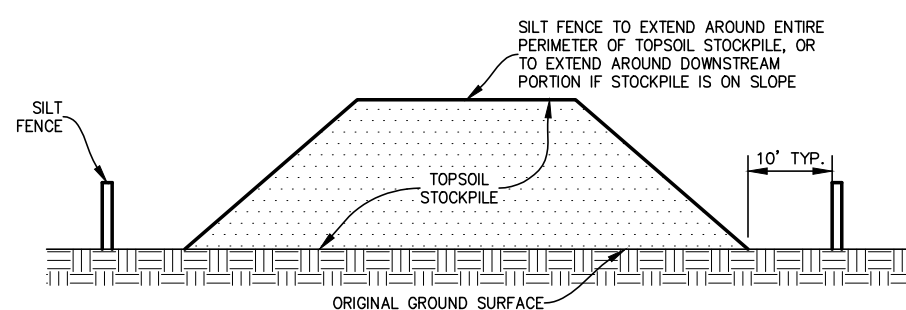
4. SILT FENCE SHALL BE REMOVED AS SOON AS THE DISTURBED AREA HAS ACHIEVED FINAL STABILIZATION.

THE SILT FENCE SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROPRIATE DETAILS WHERE ENDS OF FILTER CLOTH COME TOGETHER, THEY SHALL BE OVERLAPPED, FOLDED AND STAPLED TO PREVENT SEDIMENT BYPASS. BUTT JOINTS ARE NOT ACCEPTABLE.

5. SILT FENCE SHALL BE INSPECTED WEEKLY AND AFTER EVERY RAIN EVENT.

#### SEDIMENT CONTROL FENCE INSTALLATION DETAIL

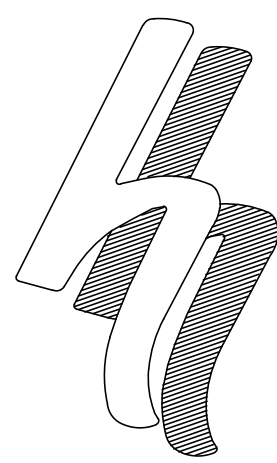
NOT TO SCALE



- NOTES:
1. AN ON-SITE DRAINAGE SWALE SHALL BE LOCATED BETWEEN THE TOPSOIL STOCKPILE AND OFF-SITE PROPERTY.
  2. REFERENCE IS MADE TO THE SILT FENCE DETAIL FOR MATERIALS AND INSTALLATION METHODS.
  3. IF THE STOCKPILE IS TO REMAIN FOR MORE THAN 14 DAYS, IT SHALL BE STABILIZED WITH BURLAP MATING OR SEEDED WITHIN 7 DAYS OF COMPLETION TO MINIMIZE EROSION.
  4. INSPECTION OF SILT FENCES SHALL BE AT LEAST ONCE PER WEEK AND AFTER RAIN EVENTS IN EXCESS OF 1/2". REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
  5. SEDIMENT TRAPPED BY THE FENCES SHALL BE REMOVED AND PROPERLY DISPOSED OF WHENEVER SIGNIFICANT ACCUMULATION OCCURS.
  6. SILT FENCES SHALL BE MAINTAINED IN PLACE UNTIL TOPSOIL STOCKPILE HAS BEEN ELIMINATED AND SHALL BE REMOVED ONLY WHEN DIRECTED BY THE TOWN.

#### TEMPORARY TOPSOIL STOCKPILE DETAIL

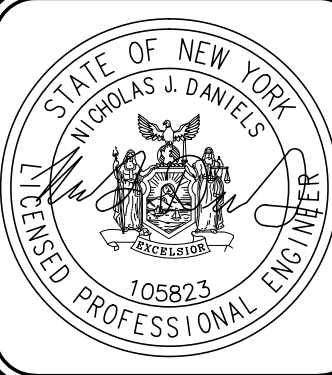
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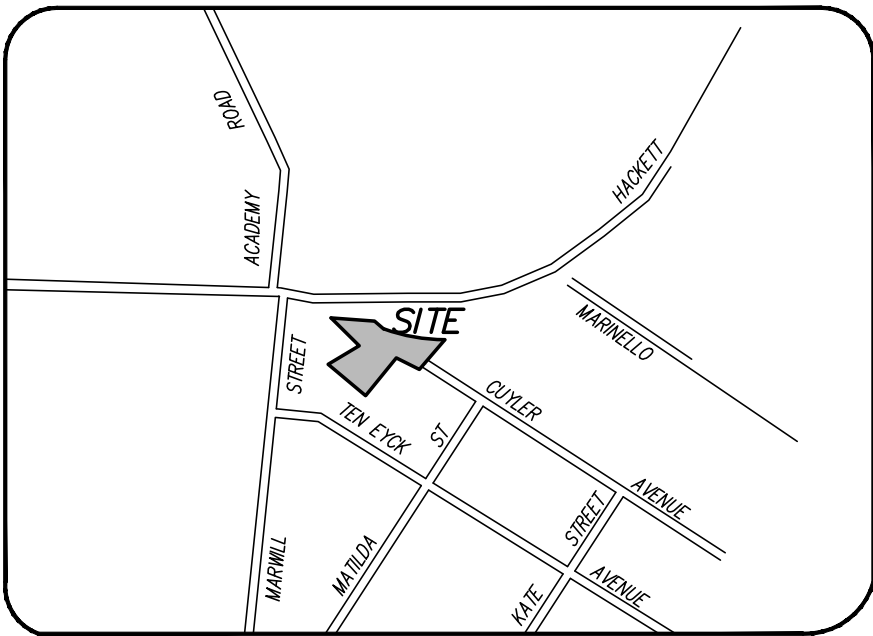


REMARKS	DATE	REVISIONS	
		NO.	DESCRIPTION
COMMENT LETTERS	4/27/23		
REVISE PAVEMENT	5/24/23		

EROSION AND SEDIMENT CONTROL DETAILS  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

FILE: 220329 SCALE: 1"=20' DATE: 2/7/23 CHK: DRH BY: ND 220329-1.DWG



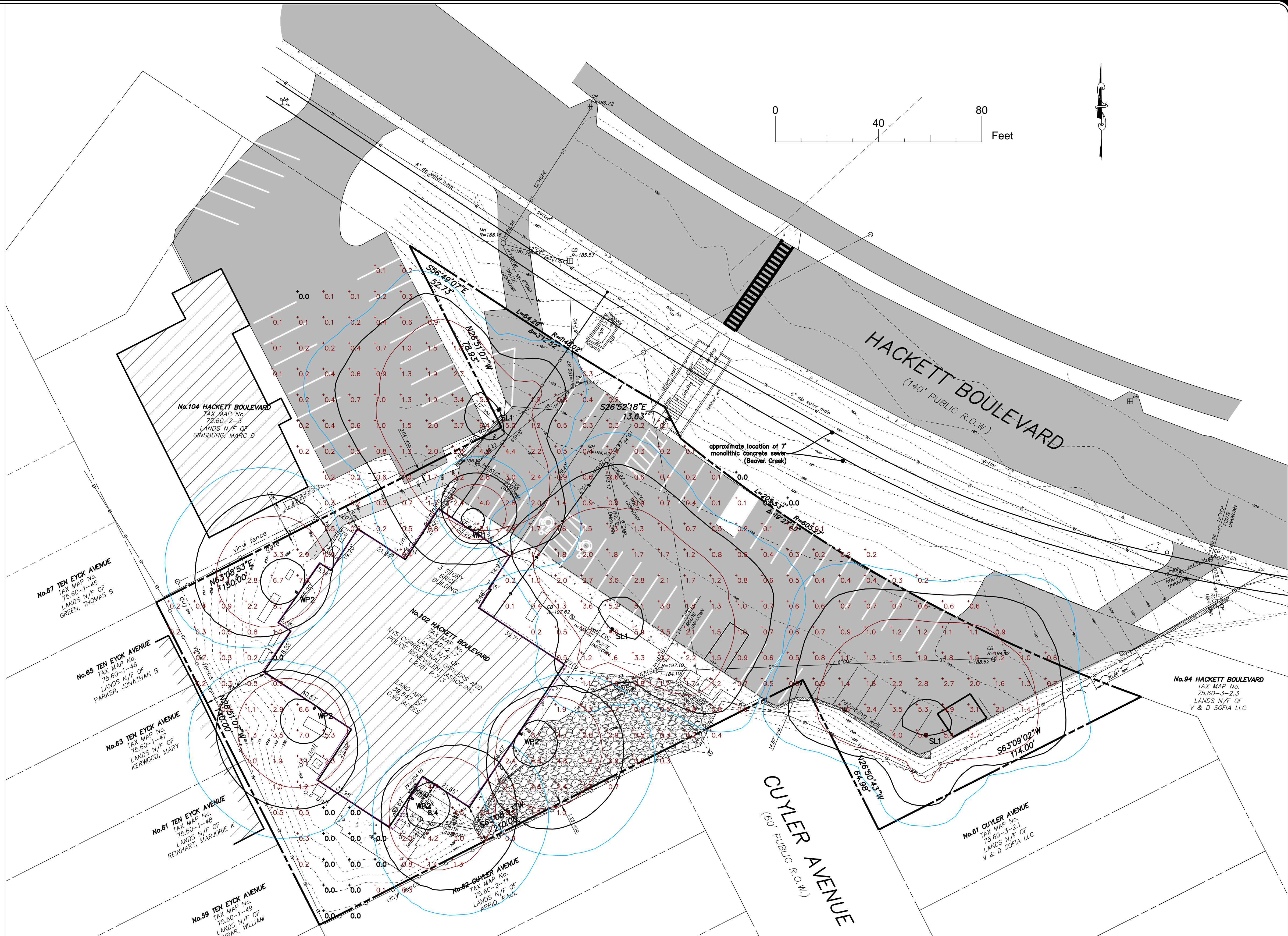


VICINITY MAP

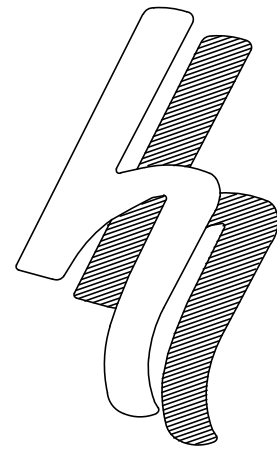
MAP NOT TO SCALE

LEGEND

R.O.W.	RIGHT OF WAY	—	SIGN
No.	NUMBER	—X—	FENCE LINE
enc.	ENCROACHMENT	—+—	GUARD RAIL
P.O.B.	POINT OF BEGINNING	—○—	OVERHEAD WIRE, UTILITY POLE & GUY WIRE
S.F.	SQUARE FEET	—	TRAFFIC FLOW ACCESS AREA
N/F	NOW OR FORMERLY	—	WATER SHUT OFF
(357'-8")	RECORD	—	WATER VALVE
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W	WEST	—	PAVEMENT
elec.	ELECTRIC	—	CRUSHED STONE
L	LIBER	—	
P	PAGE	—	
TD	TELEPHONE PEDESTAL	—	
	EXISTING TREELINE	—	



Schedule						
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Light Loss Factor
□	SL1	3	Lithonia Lighting	RSX1 LED P3 40K R4	RSX Area Fixture Size 1 P3 Lumen Package 4000K CCT Type R4 Distribution	0.9
□	WP1	1	Lithonia Lighting	TWR1 LED ALO-LOW 40K UVOLT	TWR1 LED, Low Lumen Setting, 4000K Setting, 120-347V	0.9
□	WP2	4	Lithonia Lighting	TWR1 LED ALO-HIGH 40K UVOLT	TWR1 LED, High Lumen Setting, 4000K Setting, 120-347V	0.9

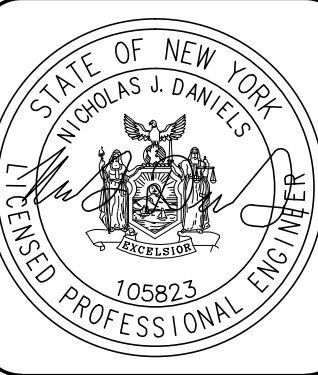


HERSHBERG & HERSHBERG

Consulting Engineers and Land Surveyors

18 Locust Street  
Albany, New York 12203

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, IS ILLEGAL



DATE	4/27/23	5/24/23			
REMARKS	COMMENT LETTERS	REVISE PAYMENT			
REVISIONS					

LIGHTING PLAN  
ACADEMY LOFTS  
102 HACKETT BOULEVARD  
CITY OF ALBANY, ALBANY COUNTY, NEW YORK STATE

FILE: 220329 CHK: DRH BY: MD DATE: 2/7/23 SCALE: 1"=20' 220329-1.DWG





CITY OF ALBANY  
DEPARTMENT OF ASSESSMENT  
24 EAGLE STREET-ROOM 302  
ALBANY, NEW YORK 12207  
TELEPHONE (518) 434-5155

KATHY SHEEHAN  
MAYOR

TREY KINGSTON  
CITY ASSESSOR

July 24, 2023

Andrew Corcione  
21 Lodge Street  
Albany, New York 12207

**Re: 102 Hackett Blvd**

Dear Mr. Corcione:

102 Hackett Boulevard's current assessment is \$1,513,900 with a market value of \$2,137,371, this assessment. Since there has not been a sale of this property since 2004, the assessment was last calculated in 2016 using market data to come to a market value at that time.

If a sale of this property occurs prior to March 1, 2024, there would be clear evidence of the market value of this property and therefore the assessment would be reduced to 70.83% of the sale price.

Sincerely,

Trey Kingston, Esq.  
Assessor, City of Albany

**DRAFT**

## **MEMO**

**TO:** Hon Darius Shahinfar, Treasurer

**FROM:** IDA Staff and BST

**RE:** City of Albany IDA Proposed 2024 Budget

**DATE:** August 31, 2023

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Based on current projections we anticipate the ending cash balance to be \$4,282,776 at December 31, 2023.

The agency is budgeting a deficit of \$278,759 in the 2024 budget.

Revenues for the agency are budgeted to be \$836,000 in 2024. The majority of this revenue is expected to be in the form of fee revenue, which is budgeted to be approximately \$761,000. The fee revenue budgeted for 2024 was determined projecting approximately five projects closing in 2024. The 9.5% LIHTC Fee is being increased by \$10,000 due to another project that will be paying the fee in 2024, interest income is budgeted to remain unchanged, and revenue budgeted from the CRC is budgeted to be \$20,000.

Expenses for the agency are budgeted to be \$1,038,999 in 2024. All budgeted expenses are the same as their budgeted expense for 2023 except for following expenses. Audit expenses are budgeted to be \$600 higher due to inflation; insurance expenses are budgeted to be \$286 higher due to projected increases in policy renewals. Sub-lease with AHCC is budgeted at \$35,000 lower due to the new contract that was executed with the City of Albany. IT expenses are not budgeted for 2024 due to the fact that purchases were completed in 2023 to upgrade conference room equipment. Professional services fees budget has increased by \$22,000 to cover the anticipated additional professional services. Strategic Activities, in keeping with prior suggestions of the Board, is budgeted to be \$75,760, which in the past has been used to fund studies or other strategic projects of the Agency.

The projected ending cash balance of the IDA is projected to be \$4,004,017 based on the proposed budget. This balance represents reserve of approximately 3.8 years at the current projected level of operating expenses.

**Albany Industrial Development Agency  
2024 Proposed Budget**

	2023 APPROVED Budget	2023 YTD Actual Through 6/30/23	2023 Projected Jul- Dec	2023 Total	2023 Projected Variance to Budget	2024 PROPOSED Budget
<b>REVENUE</b>						
Fees	\$ 1,233,594	\$ 373,698	\$ 246,530	\$ 620,228	\$ (613,366)	\$761,000
AFP107 Corp Community Development Fee	-	-	-	-	-	-
9 % LIHTC Fee (LV Apartments, Housing Visions)	20,000	20,000	-	20,000	-	30,000
Liberty Square agreement	-	137,072	49,831	186,903	186,903	-
CRC Agreement	20,000	-	20,000	20,000	-	20,000
Interest	25,000	12,312	12,688	25,000	-	25,000
<b>TOTAL REVENUE</b>	<u>\$ 1,298,594</u>	<u>\$ 543,082</u>	<u>\$ 329,049</u>	<u>\$ 872,131</u>	<u>\$ (426,463)</u>	<u>\$836,000</u>
<b>OPERATING EXPENSES</b>						
Economic Development and Community Development Support	\$ 250,000	\$ 125,000	\$ 125,000	\$ 250,000	\$ -	\$ 250,000
Sub-Lease AHCC	75,000	-	75,000	\$ 75,000	-	40,000
Legal Expenses	20,000	(20,000)	40,000	20,000	-	20,000
Liberty Square expenses	-	137,047	49,831	186,878	186,878	-
Professional Service Fees	2,000	4,999	27,000	31,999	29,999	24,000
Website Maintenance/IT Expenses	11,200	-	10,566	10,566	(634)	-
Management Contract	632,228	247,114	385,114	632,228	-	632,228
Agency Counsel	42,000	-	42,000	42,000	-	42,000
Audits	7,600	8,200	-	8,200	600	9,000
Depreciation Expense	1,771	469	1,302	1,771	-	1,771
Insurance	4,714	4,490	-	4,490	(224)	5,000
Miscellaneous	21,000	4,771	5,000	9,771	(11,229)	15,000
<b>TOTAL OPERATING EXPENSES</b>	<u>\$ 1,067,513</u>	<u>\$ 512,090</u>	<u>\$ 760,813</u>	<u>\$ 1,272,903</u>	<u>\$ 205,390</u>	<u>\$ 1,038,999</u>
<b>Surplus/(Deficit) Before Other Expenses</b>	<u>\$ 231,081</u>	<u>\$ 30,992</u>	<u>\$ (431,764)</u>	<u>\$ (400,772)</u>	<u>\$ (631,853)</u>	<u>\$ (202,999)</u>
<b>OTHER EXPENSES</b>						
Strategic Activities	100,000	24,240	-	24,240	(75,760)	75,760
<b>TOTAL OTHER EXPENSES</b>	<u>\$ 100,000</u>	<u>\$ 24,240</u>	<u>\$ -</u>	<u>\$ 24,240</u>	<u>\$ (75,760)</u>	<u>\$ 75,760</u>
<b>Surplus/(Deficit)</b>	<u>\$ 131,081</u>	<u>\$ 6,752</u>	<u>\$ (431,764)</u>	<u>\$ (425,012)</u>	<u>\$ (556,093)</u>	<u>\$ (278,759)</u>

<b>2023 Closed Projects</b>	<b>Project Amount</b>	<b>2023 Fee Collected</b>
Clinton Avenue Apartments	\$ 31,316,428	\$ 313,164
Indus PAD	11,206,638	\$ 56,034
Administrative fees	-	\$ 4,500
<b>Total</b>	<u>\$ 42,523,066</u>	<u>\$ 373,698</u>

<b>2023 Estimated Project Closings</b>	<b>Estimated Project Amount</b>	<b>Estimated 2023 Fee</b>
48 North Pearl	81,530,044	81,530
324 State		65,000
144 State		35,000
102 Hackett		43,000
Administrative fees/ application fees/professional service fees	-	22,000
<b>Total</b>	<u>\$ 81,530,044</u>	<u>\$ 246,530</u>

<b>2024 Estimated Closings</b>	<b>Estimated Project Amount</b>	<b>Estimated 2024 Fees</b>
Projected closings ( estimated 5 projects)	-	\$ 750,000
Administrative fees/ application fees/professional service fees	-	\$ 11,000
<b>Total</b>	<u>\$ -</u>	<u>\$ 761,000</u>

Notes:

(1) YTD projected ending cash balance at December 31, 2024 is projected to be \$4,004,017 This represents a reserve of approximately 3.8 years at current projected operating level.



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**City of Albany Industrial Development Agency**  
**SCHEDULE OF INSURANCE**

Line of Business	Policy Number	Effective Date	Expiration Date	Issuing Carrier	Limit	Purpose of Policy
Directors & Officers	106735138	05/12/2023	05/12/2026	Travelers Casualty and Surety Co of America	\$1,000,000	Responds to allegations of misrepresentation, breaches of fiduciary duty
Employment Practices Liability	106735138	05/12/2023	05/12/2026	Travelers Casualty and Surety Co of America	\$1,000,000	Responds to allegations of discrimination, harassment, wrongful termination
Cyber Liability	ESL0339688953	06/26/2023	06/26/2024	Underwriters at Lloyd's, London	\$1,000,000	First and third party coverage in the event of a breach incident

*IMPORTANT: This summary is only an outline of the insurance policy arranged through this office.*

*It does not include all of the terms, coverages, exclusions, limitations, and conditions in the actual insurance contract.*

*You must read the policy itself for those details. If in reading the policy you have any questions, please contact this office.*