

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
APPLICATION FOR BENEFITS**

1. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any "financial assistance" (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes "public funds" within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant's obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
2. Fill in all blanks using "none", "not applicable" or "not available". If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the "Agency" or "OCIDA") at 315-435-3770.
3. If providing an estimate put "(est.)" after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
4. If the OCIDA Board approves benefits, it is the company's responsibility to obtain and submit all necessary forms and documents.
5. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at [nancylowery@ongov.net](mailto:nancylowery@ongov.net). **An Application will not be considered by the Agency until the Application fee has been received.**
6. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
7. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer's Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
8. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.
9. A complete Application consists of the following 9 items:
  - This Application
  - Local Access Agreement
  - Employment Plan

- Conflict of Interest
- A feasibility statement indicating the need for the requested benefits
- Description of Project, Site Plans/Sketches, and Maps
- NYS Full Environmental Assessment Form
- A check payable to the Agency in the amount of \$1,000
- A check payable to Barclay Damon LLP in the amount of \$2,500

10. This Application was adopted by the OCIDA Board on January 18, 2022.

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

**Return to:**

Onondaga County Industrial Development Agency  
Attn: Nancy Lowery  
333 W. Washington Street, Suite 130  
Syracuse, NY 13202  
Phone: 315-435-3770 | Fax: 315-435-3669  
[nancylowery@ongov.net](mailto:nancylowery@ongov.net)

## Section I: Applicant Information

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

Submittal Date: August 8, 2022

**A) Applicant/Project Operator information (company receiving benefits):**

Applicant/Project Operator: Click here to enter text. OHB Redev, LLC and/or affiliate(s), subsidiary(ies), or entity(ies) to be formed

Applicant/ Project Operator Address: 321 S Salina Street, 1st Floor, Syracuse, NY 13202

Phone: 315.282.0808

Fax: None

Website: www.districteastssyr.com

E-mail: ryan@districteastssyr.com

Federal ID#: 86-3398125

NAICS: 521120

State and Year of Incorporation/Organization: New York, 2021

Owner (if different from Applicant/Project Operator): Not Applicable

Owner Address: Not Applicable

Federal ID#: Not Applicable

State and Year of Incorporation/Organization: Not Applicable

List of stockholders, members, or partners of Owner:

Benz DE, LLC; Case DE, LLC; AC Hammer, LLC; JJRD, LLC; 2GEJ, LLC

**B) Individual Completing Application:**

Name: Ryan Benz

Title: Member

Address: 321 S Salina Street, 1st Floor, Syracuse, NY 13202

Phone: 315.282.0808

Fax: None

E-mail: ryan@districteastssyr.com

**C) Company Contact (if different from individual completing application):**

Name: Not Applicable

Title: Not Applicable

Address: Not Applicable

Phone: Not Applicable Cell Phone: Not Applicable

E-mail: Not Applicable

**D) Company Counsel:**

Name of Attorney: Kevin Pole, Brody Smith and Brian Butler

Firm Name: Bond, Schoeneck & King, PLLC

Address: One Lincoln Center, Syracuse, NY 13202-1355

Phone: 315.218.8160 Cell Phone: 315.218.8160

E-mail: kpole@bsk.com; bsmith@bsk.com; bbutler@bsk.com

**E) Business Organization (check appropriate category):**

- ☐ Corporation ☐ Partnership  
☐ Public Corporation ☐ Joint Venture  
☐ Sole Proprietorship ☒ Limited Liability Company  
☐ Other (please specify): \_\_\_\_\_

Year Established: 2021

State in which Organization is established: New York

**F) List all stockholders, members, or partners with % of ownership greater than 5%:**

Name	% of ownership
<u>Ryan Benz</u>	<u>24%</u>
<u>Steve Case</u>	<u>24%</u>
<u>J. Andrew Breuer</u>	<u>24%</u>
<u>Charles Breuer</u>	<u>24%</u>

**G) Applicant Business Description:**

See Attached

Estimated % of sales within Onondaga County: \_\_\_\_\_

Estimated % of sales outside Onondaga County but within New York State: \_\_\_\_\_

Estimated % of sales outside New York State but within the U.S.: \_\_\_\_\_

Estimated % of sales outside the U.S.: \_\_\_\_\_

(\*Percentage to equal 100%)

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

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation? ☐ Yes ☒ No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐ Yes ☒ No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy?  
Please attach any explanations. ☐ Yes ☒ No

**I)** Has the Project Beneficiary received assistance from OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past? If yes please attach an explanation and please give year, project name, and description of benefits and address of project.

☐ Yes ☒ No

## Section II: Project and Site Information

A) Project Location: Location where the investment will take place. If Company is moving, the new location should be entered here and the current location should be in Section I.

Address: 3649 Erie Blvd East

Legal Address (if different): NA

City: Dewitt

Village/Town: Dewitt

Zip Code: 13214

School District: Jamesville-Dewitt

Tax Map Parcel ID(s): 063.-01-02.1, 063.-01-02.2, 063.-01-02.3, 063.-01-02.4, 063.-01-02.5, and 063.-01-10.0

Full Market Value: \$26,178,400

Footage of Existing Building: approx. 1.184m SF

Census Tract: 146

B) Type (Check all that apply):

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> New construction                | <input type="checkbox"/> Purchase of machinery and/or equipment               |
| <input type="checkbox"/> Expansion/Addition to current facilities   | <input type="checkbox"/> Brownfield/Remediated Brownfield                     |
| <input checked="" type="checkbox"/> Renovation of existing facility | <input type="checkbox"/> LEED Certification                                   |
| <input type="checkbox"/> Housing Project                            | <input checked="" type="checkbox"/> Demolition and Construction               |
| <input type="checkbox"/> Renewable Energy Project                   | <input checked="" type="checkbox"/> Acquisition of existing facility/property |
| <input type="checkbox"/> Retail                                     | <input type="checkbox"/> Other:   |

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency. Please see attached.

\* For a Retail Project (also see page 14)

\* For a Renewable Energy Project (also see page 15)

\* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to: Please see attached.

- ☒ i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
- ☒ (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☒ (iii) the size of the lot upon which the Project sits or is to be constructed;
- ☒ (iv) the current use of the site and the intended use of the site upon completion of the Project;
- ☒ (vi) describe your method for site control (Own, lease, other).

E) Select Project type for all end users at Project site (you may check more than one):

**\*\*Please check any and all end users as identified below**

- |  |  |
|--|--|
| <input type="checkbox"/> Industrial                                  | <input type="checkbox"/> Bank Office                     |
| <input checked="" type="checkbox"/> Acquisition of Existing Facility | <input type="checkbox"/> Retail ( see page 14)           |
| <input type="checkbox"/> Housing Project ( see page 17 )             | <input type="checkbox"/> Mixed Use                       |
| <input type="checkbox"/> Equipment Purchase                          | <input type="checkbox"/> Facility for Aging              |
| <input type="checkbox"/> Multi-Use Tenant                            | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project ( see page 15)     | <input type="checkbox"/> Other _____                     |
| <input type="checkbox"/> Commercial                                  |  |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease. Please see attached.

G) For the Agency to consider this Project, please provide the following information:

1. Does the Project consist of new construction or expansion or substantial renovation of an existing facility?  
☒ Yes ☐ No
2. Will the Project create new employment opportunities or retain existing jobs that may otherwise be lost?  
☒ Yes ☐ No
3. Does the Project beneficiary serve a customer base primarily outside of Onondaga County?  
☐ Yes ☒ No

H) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☒ No

I) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application. Please see attached.

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?  
☐ Yes. What is the status? ☒ No. When will the plans be submitted?

Q3 - 2022

2. Has the project received site plan approval from the town or local planning board?  
☐ Yes ☒ No
3. If no, what is the anticipated approval date? Q3 - 2022
4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)
5. Environmental Information
- a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>
- b. Have any environmental issues been identified on the property?  
☐ Yes ☒ No  
If yes, please attach an explanation.

## Section III: Construction

### A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition	\$14,000,000 est	100%	\$14,000,000 est
Site Work/Demo	\$4,000,000 est	80%	\$4,000,000 est
Building Construction & Renovation	\$23,650,000 est	80%	\$23,650,000 est
Furniture & Fixtures			
Equipment*			
Engineering/Architect	\$2,500,000 est	80%	\$2,500,000 est
Financial Charges	\$750,000 est	80%	\$750,000 est
Legal			
Other	\$100,000 est	80%	\$100,000 est
Management/Developer Fees			
<b>Total Project Cost</b>	<b>\$45,000,000 est</b>	<b>80%</b>	<b>\$45,000,000 est</b>

**Note: Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.**

### B) TOTAL Capital Costs

\$ 45,000,000 est.

Project refinancing: estimated amount  
(For refinancing of existing debt only)

\$ 0

#### Sources of Funds for Project Costs:

1. Bank Financing \$ 36,000,000 est.
2. Equity (excluding equity that is attributed to grants/tax credits) \$ 9,000,000 est.
3. Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_
4. Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_

5. Public Sources (Include sum total of all state and federal grants and tax credits)

\$ 0

-Identify each state and federal grant/credit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

6. Total Sources of Funds for Project Costs

\$ 45,000,000 est

C) Employment and Payroll Information

\*Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

1. Are there people currently employed at the project site?

☐ Yes

☒ No

If yes, provide number of FTE jobs at the facility: \_\_\_\_\_

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	0
Estimate the number of construction jobs to be created by this Project:	450 est
Estimate the average length of construction jobs to be created (months):	12-24 months
Current annual payroll at facility:	\$0
Please list, if any, benefits that will be available to either full and/or part time employees:	TBD - based on future tenants
Average annual benefit paid by the company (\$ or % salary) per FTE job:	TBD - based on future tenants
Amount or percent of wage employees pay for benefits:	TBD - based on future tenants
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	0

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.
- ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)
None	0	0

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3
Will occur in future phases				

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the Project.

E) Financial Assistance sought (estimated values):

- ☒ Real Property Tax Abatement (PILOT): \_\_\_\_\_
- ☒ Mortgage Recording Tax Exemption (.75% of amount mortgaged): \$270,000 est.
- ☒ Sales and Use Tax Exemption (4% Local, 4% State): 1,554,000 est.
- ☐ Tax Exempt Bond Financing (Amount Requested): \_\_\_\_\_
- ☐ Taxable Bond Financing (Amount Requested): \_\_\_\_\_

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ 36,000,000 est

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): \$ 270,000 est

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax – said amount to benefit from the Agency’s Sales and Use Tax exemption benefit:

\$ 19,425,000 est

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ 1,554,000 est

## Section IV: Estimate of Real Property Tax Abatement Benefits

Section IV of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

### A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff.

## SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?  
☐ Yes    ☐ No
2. Is the Project located in a distressed area? A distressed area is a census tract that has a) a poverty rate of a least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.  
☐ Yes    ☐ No
3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?  
☐ Yes    ☐ No
4. Is the predominate purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the Town, City, County or Village of where the Project will be located.  
☐ Yes    ☐ No

## SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?  
☐ Yes, please provide a copy of the lease  
☐ No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?  
☐ Yes  
☐ No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?  
☐ Yes. Please provide copy.  
☐ No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?  
☐ Yes. Please provide copy.  
☐ No
6. Is the entire parcel being used for the solar project?  
☐ Yes  
☐ No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: \_\_\_\_\_
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?  
☐ Yes, explain.  
☐ No

*\*PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR GUIDANCE & BEST PRACTICE*

## **OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE**

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.
8. Absent a showing otherwise by the Company, deemed acceptable by the Agency in the sole and absolute discretion, the Company must close with the Agency on a project prior to consideration of any requested organizational structure or project entity ownership changes.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

## SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

## Section VIII: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

**Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.**

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency.**

In consideration of the extension of financial assistance by the Agency OHB Redev, LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of \_\_\_\_\_(date).

Company: OHB Redev, LLC

Representative for Contract: Ryan Benz

Address: 321 S Salina Street, 1st Floor City: Syracuse State: NY Zip: 13202

Phone: 315.391.9654 Email: ryan@districteastssyr.com

Project Address: 3649 Erie Blvd E City: Dewitt State: NY Zip: 13214

General Contractor: Hueber-Breuer Construction Co

Contact Person: Charles Breuer

Address: 148 Berwyn Ave City: Syracuse State: NY Zip: 13210

Phone: (315) 476-7917 Email: cbreuer@hb1872.build

Authorized Representative: Charles F. Breuer Title: Executive Vice President

Signature: \_\_\_\_\_

## Section IX: Agency Fee Schedule

\* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee (All projects except Solar Projects)	\$1,000	Due at time of application
Non-refundable Application Fee (Solar Projects Only)	\$10,000	
Legal Deposit (All projects except Solar Projects)	\$2,500	Due at time of application
Legal Deposit (Solar Projects Only)	\$5,000	
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds Bond refinancing and refunding	.0025 of TPC	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	
Amendment or Modification of IDA documents, including but not limited to name or organization change, refinancing, etc. Consent to the amendment or modification of IDA documents prior to closing on the project shall be given at OCIDA's sole and absolute discretion.	Up to but not to exceed 5% of Agency Fee as noted on the Cost Benefit Analysis at time of project approval. Attorney fees determined by OCIDA Legal Representative.	Due at time of Request

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

## Section X: Recapture of Tax Abatement/Exemptions

**Information to be Provided by Companies:** Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

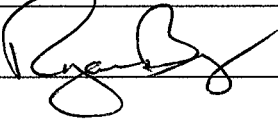
Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

**I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.**

Name of Applicant Company

OHB Redev, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative: Ryan Benz, Member

Date: 8/8/22

## Section XI: Conflict of Interest

### Agency Board Members

1. Patrick Hogan, Chairperson
2. Janice Herzog, Vice Chairperson
3. Steve Morgan, Director
4. Victor Ianno, Director
5. Sue Stanczyk, Director
6. Kevin Ryan, Director
7. Fanny Villarreal, Director

### Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Nancy Lowery, Secretary
4. Karen Doster, Recording Secretary
5. Christopher Cox, Assistant Treasurer

### Agency Legal Counsel & Auditor

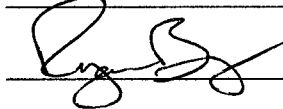
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

Name of Applicant Company

OHB Redev, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Ryan Benz, Co-managing Member

Date: 8/8/22

## Section XII: Representations, Certifications, and Indemnification

Ryan Benz (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Co-managing Member (title) of OHB Redev, 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. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.

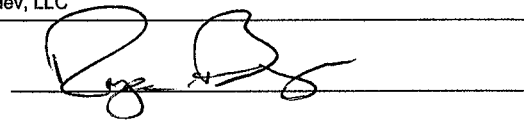
- F. Prevailing Wage:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a "covered project" pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.
- G. Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.
- H. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- I.** The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- J.** The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.
- K.** The Applicant confirms and acknowledges 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 exemption claimed by reason of the Agency's involvement in the Project.
- L.** The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

- M.** The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.
- N.** The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- O. Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company:

OHB Redev, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Ryan Benz, Co-managing Member


Date: 8-15-22

STATE OF NEW YORK )

COUNTY OF ONONDAGA ) ss.;

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

1. That I am the MANAGER (Corporate Officer) of OHB Redev, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and 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 15<sup>th</sup> day of 8, 20 22.



(Notary Public)

**BROOKE FRALICK**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01FR6396128  
Qualified in Oswego County  
Commission Expires August 12, 2023

End of Application

Rev 1.18.22



## **Section I: Question G – Applicant Business Description**

---

### **G) Applicant Business Description:**

#### *About Us:*

OHB Redev, LLC is a local, Central New York based Joint Venture Development team, that was assembled to create positive change and momentum in our shared community through the redevelopment of the former Shoppingtown Mall site. Comprised with the partners from Redev CNY, a CNY based development firm having completed or in development over \$90m in CNY based projects including the Penfield Manufacturing Building, Whitney Lofts, Acropolis Center, Isabella Lofts and more; and AC Hammer, LLC, the development arm of Hueber-Breuer Construction Company and developer of The Dietz Lantern Factory, Creekwalk Commons, The Doyle Building in Utica as well as other projects in CNY and throughout New York.

#### **For the initial infrastructure stage only, below is the anticipated breakdown of sales at the center, by dollar:**

Estimated % of sales within Onondaga County: 0%

Estimated % of sales outside Onondaga County but within New York State: 0%

Estimated % of sales outside New York State but within the U.S.: 0%

Estimated % of sales outside the U.S.: (\*Percentage to equal 100%) 0%



## **Section II: Project and Site Information**

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

---

The redevelopment of a parcel as large as this, complete with a significant demolition package and public infrastructure scope is impossible to finance and build without controls in place to alleviate some of the financial burdens. As future financing is secured, lenders and investors, as well as future prospective tenants, will require a fixed tax plan to properly evaluate the investment triggering the need for a PILOT agreement. To create a budget that is conducive to the new construction, managing the expenses such as the mortgage recording tax and the amount spent on sales tax allow for the project to move forward, particularly given the exceedingly high inflation rates leading to higher material and labor pricing.



# DISTRICT EAST

## Section II: Project and Site Information

D) Description of Project: Please provide a detailed narrative of the proposed project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to:

- a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
  - the size of the Project in square feet and a breakdown of square footage per each intended use;
  - the size of the lot upon which the Project sits or is to be constructed;
  - the current use of the site and the intended use of the site upon completion of the Project;
  - describe your method for site control (Own, lease, other).
- 

### *History:*

Shoppingtown Mall is a vacant regional shopping mall located in DeWitt, just East of the City of Syracuse. Constructed as an open-air shopping center in 1954, it was converted to an enclosed mall from 1973 to 1975 and remained a major retail center until undergoing rapid decline in the 2010's and closed entirely in March 2020. At its peak, the mall contained five anchor department stores, 125 in-line stores, shops and other services totaling ~1,184,426 feet of retail space. In its current condition the mall site is a blighted eyesore to the CNY Community.

### *About Us:*

OHB Redev, LLC is a local, Central New York based Joint Venture Development team, that was assembled to create positive change and momentum in our shared community through the redevelopment of the former Shoppingtown Mall site. Comprised by the partners of Redev CNY, a CNY based development firm having completed or in construction over \$90m in CNY based projects including the Penfield Manufacturing Building, Whitney Lofts, Acropolis Center, Isabella Lofts and more; and AC Hammer, LLC, the development arm of Hueber-Breuer Construction Company and developer of The Dietz Lantern Factory, Creekwalk Commons, The Doyle Building in Utica as well as other projects in CNY and throughout New York.

### *Project Summary:*

Constructed on a series of six parcels, the former Shoppingtown Mall bridges the City of Syracuse with its Eastern suburbs and encompasses more than 68 acres of land for potential redevelopment opportunity. OHB, as successful awardee of a County issued RFP, has developed a visionary proposal to reimagine Shoppingtown as "District East" with the goal of creating an experiential hub of connectivity that will hum with energy, excitement, and architectural beauty.

OHB applies today for the project's initial phase. With construction expected to begin in Q2 of 2023, OHB is proposing to demo the bulk of the existing shopping center leaving selected areas across the site which are flexible for adaptive reuse. This demolition will make way for an initial infrastructure project which will enable the site with improved primary, secondary and shared/festival streets; sidewalks; sewers; parks and green spaces; lighting and more.

As the construction wraps on the base demo/infrastructure scope, OHB plans to amend this application for future subsequent phases to commence work on the building of the medical/office, retail & hospitality, entertainment, and mixed-use buildings across the site. To achieve the overall vision, OHB has broken the master plan development into a series of stages – though said stages will not be built in a sequentially-phased order, but will be built mostly in parallel, to the extent market conditions will support the incremental stages. This approach will allow OHB to finance and build the overall master plan as expeditiously as possible.

*Method For Site Control and the Request for Eminent Domain:*

The lots currently under control by OHB include lots 063.-01-02.1 (53.48 acres), 063.-01-02.2 (10.32 acres) and 063.-01-10.0 (.66 acres). While OHB continues to attempt to negotiate purchase agreements with the adjacent entities, OHB may request the IDA utilize the authority granted to them to pursue eminent domain for the adjacent, contiguous parcels of 063.-01-02.3 (the former Macy's - 1.67 acres), 063.-01-02.4 (the former Sears Dept. Store - 1.85) acres, and 063.-01-02.5 (the former Sears Auto Center - .69 acres) for a total development site of 68.67 acres. It is important to note that due to the existing Reciprocal Easement Agreement (REA) governing the center, OHB, or in fact any other developer, will be unable to accommodate any redevelopment without first extinguishing the existing REA and consolidating ownership. Further, as the parcels are contiguous and adjacent to the main mall parcels, OHB's plans require the selective demolition and redevelopment of the parcels below, in an effort to maximize economic development for the community.

*TransformCo: (Sears Dept Store and Sears Auto Center)*

The largest roadblock to date has been the lack of engagement from TransformCo ("Transform"), who owns the former Sears Dept. Store and Sears Auto Center. Transform has been represented by Cushman Wakefield – Pyramid Brokerage Company locally and has had a "For Sale" sign on the premises for more than two years. To that end, OHB has made multiple purchase offers and have had a dialogue with both Transform directly, as well as their agents in an effort to come to terms on a sale. After being advised by their agents that they were looking for a "quick closing", OHB offered a value roughly twice the value of what comparable properties across the market have sold for. For purposes of clarity, in this and other similar markets, a vacant building of this size and adjacent to or part off a vacant or dead mall, has a market value of \$8-10 psf. Our initial offer was \$20 psf and was made April 21<sup>st</sup>, 2021 where Transform made no formal counter, nor offered any feedback.

OHB then made an updated offer July 9<sup>th</sup>, 2021 which again was ignored. We were advised September 1<sup>st</sup> (2021) in a call with their agents that Transform had no intent of countering, again despite continuing to market the property for sale.

Through the intervening weeks and months, OHB continued to press and engage with both Transform's reps and directly via phone calls, emails and through third party calls from attorneys representing the County, all working in unison towards soliciting a formal response from Transform. Again, no counters or formal responses were received.

On May 13, 2022, OHB submitted another offer to Transform increasing our purchase price and offering a "cash sale" hoping to elicit a response. Our offer deadline came and went with no formal counter or feedback provided. A week later, on May 26<sup>th</sup>, 2022, Transform's agents responded with their first counter in thirteen months offering a "counter" five times what the market value is for a comparable property. While OHB has been eager to come to an arms-length transaction and has been willing to pay a premium to do so, a counter so egregiously beyond market comps creates an inability to properly develop the building and charge market rents. OHB pushed back and provided comps to Transform on July 29<sup>th</sup> and continues to try and come to an agreeable value of the building.

TransformCo is a holding company based out of Illinois that was established in the bankruptcy of Sears, to hold their real estate holdings.

*Benderson: (the former Macy's Building)*

Similar to Transform, beginning July 14<sup>th</sup> of 2021, OHB has attempted to negotiate with Benderson, the owners of the former Macy's building and the owners of "Marshall's Plaza" across the street. OHB has engaged directly with Benderson's counsel and senior leadership with calls and meetings scheduled throughout July, August, September and October of 2021. Through those calls, OHB was able to put together a formal written offer which was submitted on October 6<sup>th</sup>, 2021. No formal response or counter was received from Benderson.

Through October and November, OHB solicited the help of other County elected officials including former Chairman David Knapp to make phone calls to help motivate Benderson to respond or accept to our offers. Again, no response was received.

Continuing into the new year, OHB continued to engage, discuss and meet with Benderson in an effort to either come to terms on a purchase and sale agreement or simply an agreement to abolish the REA. To date, Benderson has never formally countered any of the offers OHB has presented. That said, OHB continues to engage with Benderson directly in an effort to come to a mutually agreeable purchase and sale agreement.

Neither District East, nor any development of the Shoppingtown Mall site, can advance without consolidating the ownership of all parcels which would, at the same time, eliminate the REA.

*Economic Impact*

It is anticipated that upwards of 950 construction jobs will be needed throughout construction and once built, the master plan development is anticipated to create and maintain upwards of 1,500 full-time permanent jobs over the various uses. At completion, the projected sales tax revenue that District East is expected to generate exceeds \$12 million to the local and state governments annually with tens of millions more through state and federal payroll taxes. The return on public investment in this project is clear with the initial investment returned in the short-term with projected sales tax revenue, revenue that will increase over time.



## Section II: Project and Site Information

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

---

OHB, as Master Developer, will lay the vision for the development and secure the appropriate approvals, financing and coordinate the construction for the Project. Once complete, OHB will lease the various components to third parties.

To date, OHB has received several written letters of interest from various uses including office and medical which will be converted to leases as the project advances.



## Section II: Project and Site Information

I) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

---

OHB has worked, and continues to work, in good faith towards reaching terms for a potential sale for the Sears and Sears Auto buildings (with Transform Co) and the Macy's Building (Benderson) in an effort to not request the IDA to exercise their authority to use eminent domain to acquire said parcels. Our offers have been considerably above market value in an attempt to avoid the eminent domain process, while attempting to ensure we don't overpay so much that it makes any future development implausible. We ask to reserve the right to request this methodology to acquire the full development site because the site is completely undevelopable for us, nor any other potential party, without a consolidation of ownership.

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

**Instructions for Completing Part 1**

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

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

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

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Redevelopment of the former Shoppingtown Mall Site		
Project Location (describe, and attach a general location map): Former Shoppingtown Mall Site and ancillary parcels: 3649-3691 Erie Blvd. E., Dewitt, NY 13214		
Brief Description of Proposed Action (include purpose or need): OHB Redev, LLC (OHB), as applicant, makes application in pursuit of the redevelopment of the former Shoppingtown Mall Site into a new mixed-use village center to include the following uses: Green space, parks and bike paths; Retail; Residential Housing - both condo and rental; Entertainment to include movie theaters, restaurants & bars, bowling, and other market appropriate entertainment uses; Hotels; Continuing Education; Office & Medical; and Grocery uses.		
Name of Applicant/Sponsor: OHB Redev, LLC	Telephone: 315-282-0808 E-Mail: ryan@districteastsyr.com	
Address: 321 S Salina Street, 1st Floor		
City/PO: Syracuse	State: NY	Zip Code: 13202
Project Contact (if not same as sponsor; give name and title/role): Ryan Benz, Member	Telephone: 315-282-0808 E-Mail: ryan@districteastsyr.com	
Address: Same as above		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Onondaga County - Daniel Hammer, Purchasing Director	Telephone: 315-435-2244 E-Mail: DanielHammer@ongov.net	
Address: 421 Montgomery Street		
City/PO: Syracuse	State: NY	Zip Code: 13202

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town of Dewitt Town Board	Projected 09/2022
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town of Dewitt Planning Board	Projected 09/2022
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Dewitt Building Dept	Projected 09/2022
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Onondaga County Industrial Development Agency	Projected 08/2022
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dept of Transportation	Projected 01/2023
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning****C.1. Planning and zoning actions.**

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

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

**C.2. Adopted land use plans.**

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

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

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

If Yes, identify the plan(s):

The site is located within the Mixed-Use Village Floating Overlay District within the Town of Dewitt Zoning Ordinance (192-64.4)

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

If Yes, identify the plan(s):

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>The site is located within the Mixed-Use Village Floating Overlay District within the Town of Dewitt Zoning Ordinance (192-64.4).</u>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, i. What is the proposed new zoning for the site? <u>See attached.</u>	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located?	<u>Jamesville-Dewitt Central School District</u>
b. What police or other public protection forces serve the project site?	<u>Town of Dewitt Police</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Dewitt Fire District and rural metro for EMS services</u>
d. What parks serve the project site?	<u>Butternut Creek Trail is approximately .5 miles from the site. Old Erie Canal State Historic Park is approximately 2 miles from the site.</u>

## D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? The demolition of the bulk of the existing mall and new construction of approx. 1.2m SF for office/medical/institutional, retail, residential, entertainment, grocery, and hospitality uses	
b. a. Total acreage of the site of the proposed action?	<u>68.67</u> acres
b. Total acreage to be physically disturbed?	<u>68.67</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>64.46</u> acres
c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	<u>10</u>
• Anticipated commencement date of phase 1 (including demolition)	<u>05</u> month <u>2023</u> year
• Anticipated completion date of final phase	<u>05</u> month <u>2028</u> year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	
<u>The infrastructure scope is est. to commence in May of '23 and as that scope is near completion, work will immediately commence on the future phases. Those phases (stages) will be built mostly in parallel as market conditions allow.</u>	

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

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				
At completion				
of all phases	52			10

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

i. Total number of structures 48 total struct  
ii. Dimensions (in feet) of largest proposed structure: ~90' height; 110' width; and 110' length  
iii. Approximate extent of building space to be heated or cooled: 1,154,400 square feet

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

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

**D.2. Project Operations**

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

i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
• Volume (specify tons or cubic yards): \_\_\_\_\_  
• Over what duration of time? \_\_\_\_\_  
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No  
If yes, describe. \_\_\_\_\_  
v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
viii. Will the excavation require blasting? ☐ Yes ☐ No  
ix. Summarize site reclamation goals and plan: \_\_\_\_\_

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

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☒ Yes ☐ No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☒ No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 50,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

☒ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
A 10" main will be constructed to connect mains in Erie Blvd and Kinne St.
- Source(s) of supply for the district: Onondaga County Water Authority & City of Syracuse

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

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

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

\_\_\_\_\_

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

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 50,000 gallons/day

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

50,000 gallons per day of sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Metropolitan Wastewater Treatment Plant
- Name of district: Onondaga County Consolidated District and WEP
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

Page 6 of 13

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

If Yes:

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

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

---

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

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

---

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

If Yes:

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

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

Est. 10-20

iii. Parking spaces: Existing 4,703 Proposed 3,502 Net increase/decrease decrease of 1,201

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

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
A new grid of roadways will be constructed to service newly constructed buildings

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

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

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

---

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

If Yes:

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

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

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

---

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

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7am - 9pm</u></li> <li>• Saturday: <u>7am - 9pm</u></li> <li>• Sunday: <u>7am - 9pm</u></li> <li>• Holidays: <u>On occasion</u></li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>Tenant Specific</u></li> <li>• Saturday: <u>Tenant Specific</u></li> <li>• Sunday: <u>Tenant Specific</u></li> <li>• Holidays: <u>Tenant Specific</u></li> </ul>
--	---

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:  <u>Construction Equipment (cranes, bulldozers, excavators, load-offs)</u></p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: <u>The project is redeveloping an existing shopping mall. No noise barriers exist at the project site.</u></p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  <u>Pole mounted sharp cut-off fixture will illuminate parking areas in accordance with Town of Dewitt Dark sky standards</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ 5-10 tons per _____ week (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: <u>Construction disposal facilities</u></li> <li>• Operation: <u>County Transfer Stations</u></li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

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

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

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

## E. Site and Setting of Proposed Action

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

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Cemetery

ii. If mix of uses, generally describe:

While the existing mall site is vacant, it does have suburban residential homes to the East and South of the site. To the site's West (across Kinne Rd) is "Marshall's Plaza", an office park, and a Cemetery.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	66 +/-	60 +/-	- 6
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	2.67 +/-	8.67 +/-	+ 6
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

Page 10 of 13

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>													
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>													
<b>E.2. Natural Resources On or Near Project Site</b>													
a. What is the average depth to bedrock on the project site? _____ <span style="float: right;">&gt; 6.56 feet</span>													
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: right;">59.2 %</td> </tr> <tr> <td>Gravel Pits</td> <td style="text-align: right;">14.1 %</td> </tr> <tr> <td>Palmyra gravelly loam</td> <td style="text-align: right;">13.3 %</td> </tr> </table>			59.2 %	Gravel Pits	14.1 %	Palmyra gravelly loam	13.3 %						
	59.2 %												
Gravel Pits	14.1 %												
Palmyra gravelly loam	13.3 %												
d. What is the average depth to the water table on the project site? Average: _____ <span style="float: right;">&gt; 6.56 feet</span>													
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 60%; text-align: right;">86.8 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">13.2 % of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	86.8 % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	13.2 % of site	<input type="checkbox"/> Poorly Drained	_____ % of site						
<input checked="" type="checkbox"/> Well Drained:	86.8 % of site												
<input checked="" type="checkbox"/> Moderately Well Drained:	13.2 % of site												
<input type="checkbox"/> Poorly Drained	_____ % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	100 % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
<input checked="" type="checkbox"/> 0-10%:	100 % of site												
<input type="checkbox"/> 10-15%:	_____ % of site												
<input type="checkbox"/> 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, describe: _____													
h. Surface water features.													
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.													
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name SYE - 23</td> <td>Approximate Size 43.4</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name SYE - 23	Approximate Size 43.4	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name SYE - 23	Approximate Size 43.4											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:													
i. Name of aquifer: Principal Aquifer													

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: <u>Old Erie Canal State Historic Park (1.84 miles)</u></li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State historic park</u></li> <li>iii. Distance between project and resource: _____ <u>1.84 miles.</u></li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

#### F. Additional Information

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

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

#### G. Verification

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

Applicant/Sponsor Name OHB Redev, LLC Date 8.15.22

Signature  Title MANAGER

**PRINT FORM**