ONONDAGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

Project:	Marion Townhouses, LLC	**Project Number:**	3101-26-07A
Location:	Van Buren	**School District:**	Baldwinsville
		Project Type:	New Construction, Housing
Tax Parcel(s):	031.8-01-17.2	**Village:**	0

Total Project Cost:	**$**	**2,443,000**
Land Acquisition	$	-
Site Work/Demo	$	570,000
Building Construction & Renovation	$	1,648,000
Furniture & Fixtures	$	-
Equipment	$	-
Project Soft Cost	$	225,000

8. Total Jobs	0
8A. Job Retention	0
8B: Job Creation (Next 5 Years)	0

Community Investment /Abatement

	Fiscal Impact ($)
Abatement Summary	**$78,625**
Sales Tax Abatement	$64,000
Mortgage Tax Abatement	$14,625
Property Tax Relief (PILOT)	$0
Community Investment	**$3,243,723**
PILOT Payments	$0
Project Salaries and Benefits Estimated (10 yrs)	$0
Construction Benefit Estimate	$800,723
Total Project Cost	$2,443,000

Investment:Abatement Ratio 41.26 :1

Project Description

The Applicant is proposing to construct 8 market rate rental town houses on approximately 2.96 acres of land in the Town of Van Buren.

ONONDAGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR FINANCIAL ASSISTANCE

1. 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.

2. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any "financial assistance" (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes "public funds" within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant's obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.

3. If the OCIDA Board approves benefits, it is the company's responsibility to obtain and submit all necessary forms and documents.

4. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the OCIDA Board approval date. If this schedule cannot be met, the Applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to OCIDA Board for consideration.

5. 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 https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf

6. Public Officers Law stipulates all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and reproduction. Should the Applicant believe there are project elements which are trade secrets if publicly disclosed or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, the 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 Agency may also redact personal, private, and/or proprietary information from publicly disseminated documents.

7. A final Application (OCIDA staff reviewed/approved) and associated fees MUST be received at least 10 business days prior to the upcoming Board meeting to be placed on the agenda. A signed application may be submitted by mail and/or electronically in PDF format to Alexis Rodriguez at alexisrodriguez@ongov.net.
   - 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

This Application was adopted by the OCIDA Board on February 15, 2024.

Submit completed application to:
Onondaga County Industrial Development Agency
335 Montgomery Street, Floor 2M Syracuse, NY 13202
Phone: 315-435-3770
alexisrodriguez@ongov.net

Section I: Applicant Information

Submittal Date: 07/23/2026

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

1. Applicant/Project Operator: MARION TOWNHOUSES, LLC

   Applicant/Project Operator Address: 1 Marion Gardens Terrace, Van Buren NY 13027

   Phone: 315-380-4081 Fax: --

   Website: mariongardens.com Email: mario@darrigolaw.com

   Federal ID#: 33-3620972 NAICS: unknown

   State of Incorporation: New York State

   See link for your NYS incorporation information. https://apps.dos.ny.gov/publicInquiry

2. Owner (if different from Applicant/Project Operator): Same

   Owner Address: Same

   Federal ID#: Same

   State of Incorporation: Same

   List of stockholders, members, or partners of Owner: Mario D'Arrigo and Michael D'Arrigo, equal Members

B) Applicant Business Organization (check appropriate category):

- ☐ Corporation
- ☐ Partnership
- ☐ Public Corporation
- ☐ Joint Venture
- ☐ Sole Proprietorship
- ☑ Limited Liability Company
- ☐ Other, explain

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

Name	% of ownership
Mario D'Arrigo	50%
Michael M. D'Arrigo	50%

C) Applicant Business Description:

Estimated % of sales within Onondaga County: 100%

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-

Applicant /Owner History:

1. Is the Owner and/or Applicant or any manager or owner of the Owner and/or Applicant now a plaintiff or defendant in any civil or criminal litigation? ☑ No ☐ Yes, explain

2. Has any owner of manager of the Owner and/or Applicant listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☑ No ☐ Yes, explain

3. Has any person listed in Section I ever been in receivership or declared bankruptcy? ☑ No ☐ Yes, explain

D) **Has the Applicant/Owner** received assistance from Onondaga County Industrial Development Agency (OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past?

☑No ☐ Yes, explain (Provide year, project name, benefit description, amounts, address)

E) Individual Completing Application:

Name: Mario D'Arrigo Title: Member

Address: 40 Timberland Dr., Jamesville NY 13078 Phone: 315-380-4081

Cell Phone: 315-380-4081 E-mail: mario@darrigolaw.com

F) Company Contact (if different from individual completing application):

Name: Same Title: --

Address: -- Phone: --

Cell Phone: -- Email: --

G) Company Counsel:

Name of Attorney: Mario D'Arrigo

Firm Name: D'Arrigo & Cote

Address: 40 Timberland Dr., Jamesville, NY 13078

Phone: 315-380-4081

Cell Phone: Same

Email: mario@darrigolaw.com

Section II: Project and Site Information

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

Address: 1 Marion Gardens Terrace, Van Buren NY 13027

Legal Address (if different): same

City: N/A Town: Van Buren Village: N/A

Zip Code: 13027 School District: Baldwinsville

Tax Map Parcel ID(s): 031.8-01-17.2

Full Market Value: $115,385 Square Footage of Existing Building(s): Vacant Land

B) Project Activity (Check all that apply):

- ☑ New construction
- ☐ Expansion to current facilities
- ☐ Renovation of existing facility
- ☐ Acquisition of existing facility
- ☐ Brownfield/Remediated Brownfield
- ☐ Demolition and construction
- ☐ Purchase of machinery/equipment

C) Select Project Type or Project End Use at site (you may check more than one):

- ☐ Manufacturing
- ☐ Retail (see Section V)
- ☑ Housing Project (see Section VII)
- ☐ Civic Facility (not for profit)
- ☐ Industrial
- ☐ Other, explain
- ☐ Mixed Use
- ☐ Facility of Aging
- ☐ Distribution/Wholesale
- ☐ Commercial
- ☐ Renewable Energy Project (see Section VI)

D) Project Narrative: Please check one of the two boxes below and attach statement.

☑ A statement that the Project described in this application would not be undertaken but for the financial assistance provided by the Agency.

☐ If the Project is going to advance regardless of any financial assistance from the Agency, please provide a statement indicating why the project should be considered by the Agency for any financial assistance.

E) Description of Project: Please attach a detailed narrative of the proposed Project. Please attached copies of site plans, sketches or maps. This narrative should include, but is not limited to:

☑ (i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;

☑ (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;

☑ (iii) the size of the lot upon which the Project sits or is to be constructed;

☑ (iv) the current use of the site and the intended use of the site upon completion of the Project;

☑ (v) describe your method for site control (Own, lease, other).

F) 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?

☑ No ☐ Yes

G) Please describe any compelling circumstances the Agency should be aware of while reviewing this application.

H) Local Approvals (Site Plan and Environmental Review)

Have site plans been submitted to the appropriate town or local planning department?

☐ No. When will the plans be submitted? _____ ☑ Yes, what is the status? Approved

Has the project received site plan approval from the town or local planning board?

☐ No, anticipated approval date. _____ ☑ Yes, date 2020

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.)**

1. Environmental Review Information
   a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf
   b. Has Lead Agency been established? ☐ No ☑ Yes, name of Lead Agency

      Van Buren Planning Board
   c. Have any environmental issues been identified on the property?

      ☑ No ☐ Yes, explain

Section III: FINANCIAL AND EMPLOYMENT INFORMATION

A) Project Costs and Finances

Description of Costs	Total Budget Amount
Land Acquisition	Land is currently owned by Applicant
Site Work/Demo	$ 570,000
Building Construction & Renovation	1,648,000
Furniture & Fixtures	N/A
Equipment	N/A
Project Soft Cost	225,000
Total Project Cost	$2,443,000

Please have documentation available upon request. Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost.

Sources of Funds for Project Costs:

1. Bank Financing $ 1,950,000
2. Equity $ 453,000
3. Tax Exempt Bond Issuance (if applicable) $ N/A
4. Taxable Bond Issuance (if applicable) $ N/A
5. Total Sources of Funds for Project Costs $ 2,403,000.

6. Public Sources (Include sum total of all state and federal grants and tax credits) $ $40,000

   -Identify each state and federal grant/credit:

   O-CHIP $ $40,000

   ______________________ $______

   ______________________ $______

B) Employment and Payroll Information

Full Time Equivalent (FTE) is defined as one employee working no less than 35 hours per week or two or more employees together working a total of 35 hours per week.

1. Are there people currently employed at the project site?
   ☑ No ☐ Yes, provide number of FTE jobs at the project site ________
   If you are relocating, are all employees moving to new site? ☐ No, explain ☐ Yes
2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	-0- No current employees
Estimate the number of construction jobs to be created by this Project:	65
Estimate the average length of construction jobs to be created (months):	3 months
Current annual payroll including the benefit cost:	-0- No employees by Applicant
Average annual growth salary/wage rate (%)	N/A

C) New Employment Benefits

Complete the following chart indicating the number of FTE jobs currently employed by the Applicant, FTE jobs currently 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.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)
No current employees	N/A	N/A

Please use this chart to illustrate the projected employment growth:

Job Title/Category Contractors	Projected Annual Pay	FTE Jobs Created Year 1	FTE Jobs Created Year 2	FTE Jobs Created Year 3	FTE Jobs Created Year 4	FTE Jobs Created Year 5
No Direct Employees	-0-	-0-	-0-	-0-	-0-	-0-
Refer to Section II(E)	in Addendum					

D) Financial Assistance sought:

☐ Real Property Tax Abatement (PILOT): *Agency Staff will provide draft and final PILOT schedule:* ____________

☑ Mortgage Recording Tax Exemption (.75% of mortgage): $14,625

☑ Sales and Use Tax Exemption (4% Local, 4% State): $64,000

☐ Tax Exempt Bond Financing (Amount Requested): ____________

☐ Taxable Bond Financing (Amount Requested): ____________

E) 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): $ 1,950,000

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): $ 14,625

F) 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: $ 800,000 (est.)

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above): $ 64,000

Section IV: Estimate of Real Property Tax Abatement Benefits

This section of the Application will be: (i) completed by Agency 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 mount	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

   If yes, please answer, questions 2, 3 and/or 4 below.
   If yes, please explain how much the project will exceed one-third of the total project cost.

2. Is the Project located in a distressed area? A distressed area is a census tract that has a) A poverty rate of at 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

   If yes, please provide the data and explain.

3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?

   ☐ Yes ☐ No

   If yes, please provide a third party market study.

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

   If yes, please provide data and explain.

SECTION VI: For Solar Projects Only

Please answer all the questions as an addendum to this application:

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, and village where the Project is located?

   ☐ Yes, please provide copy of the letter.

   ☐ 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 of the letter.

   ☐ No

6. Is the entire parcel being used for the solar project?

   ☐ Yes

   ☐ No, 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 Agency meeting agenda, proposed solar projects must provide the Agency with the following in advance of the Project's first OCIDA Board meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating the municipality that is 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 local town, village, city, and/or school district outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. The Agency 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 Agency approval process. Agency staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please answer all the questions as an addendum to this application:

Defined terms:

"Market Rate Housing": Housing units priced at the current rental rate for the area.

"Workforce Housing": Housing consisting of a specified percentage of units (at least 10-15% per the PILOT Exemption Scale) with rent rates designated to an 80% household AMI as identified in the Workforce Housing AMI chart located in Housing Exhibit A on the Agency's website. Income levels for individuals living in the specified Workforce Housing units shall not exceed 120% AMI.

"Senior Lifestyle Communities": Housing communities for individuals 55 years or older. Communities may offer a variety of amenities, including but not limited to pools, community rooms, fitness centers, playgrounds, firepits, bocce/pickleball/tennis courts, picnic areas, spaces for relaxation and entertainment, safety amenities, on-site medical services, entertainment and dining, walkability, bike trails, and dog parks, playgrounds.

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. {Section II (D)}
2. Describe how the proposed housing project fulfills an unmet need in the community.
3. Please provide a market study documenting a need for the proposed project.
4. Describe how the proposed project aligns with the Plan Onondaga County comprehensive plan. (Plan Onondaga)
5. Is the Project considered infill in a populated area? If yes, please explain.
6. Is there additional infrastructure necessary to service the project? If yes, please explain.
7. Is the project a part of a larger mixed-use development? If yes, 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.

In consideration of the extension of financial assistance by the Agency Marion Townhouses, LLC (the Company understands the Local Access Policy and agrees to abide by it. 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 July 23, 2026 (date).

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Applicant(s) Company: MARION TOWNHOUSES, LLC

Representative for Contract: MARIO D'ARRIGO

Address: 106 Turning Leaf Dr. City: Manlius State: NY Zip: 13104

Phone: 315-380-4081 Email: mario@darrigolaw.com

Project Address: 1 Marion Gardens Terrace City: Van Buren State: NY Zip: 13027

Signature: [signature]

General Contractor: (Contract Manager):Zausmer Frisch Scruton &Aggarwal

Contact Person: Joe Toth

Address: 219 Burnet Ave City: Syracuse State: NY Zip: 13203

Phone: 315-263-4485 Email: joet@zausmerfrisch.com

Authorized Representative: Joe Toth Title: Manager

Signature: [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) Non-refundable Application Fee (Solar Projects Only)	$1,000 $10,000	Due at time of application
Legal Deposit (All projects except Solar Projects) Legal Deposit (Solar Projects Only)	$2,500 $5,000	Due at time of application
Minimum Fee of 1% of TPC 1. Sales and Use Tax Exemption 2. Mortgage Recording Tax 3. PILOT **is an additional fee** 4. Bond refinancing	.01 X TPC .0025 X TPC (total X .0125) .0025 X TPC (total X .015)	Due at closing
Projects that exceed $250,000,000 in Total Project Cost and/or create in excess of 500 new jobs, may be eligible to negotiate a non-standard Agency fee with the Executive Director.	TBD based on Executive Director determination	Due at closing
Agency Legal Fees Fee for first $20 million Fee for expenses above $20 million	.0025 X of the project cost or bond amount .00125 X of project cost or bond amount	Due at closing
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.	$2500 All Projects (except Solar Project) $4500 Solar Projects 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 the Company: 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 (UTEP).

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.

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company MARION TOWNHOUSES, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: Mario DArrigo, Member

Date: July 23 2026

Section XI: Conflict of Interest

Agency Board Members

Randy Wolken
Alan Marzullo
Mark Muthumbi
Deka Eysaman
Christina Hollenback
Sally Santangelo
Michael Greene

Agency Officers/Staff

Robert M. Petrovich, Executive Director
Nathaniel Stevens, Treasurer
Alexis Rodriguez, Secretary
Evan Carter, Assistant Secretary
Robert Schoeneck, Assistant Treasurer

Agency Legal Counsel & Auditor

Jeffrey Davis, Esq., Barclay Damon LLP
Amanda Fitzgerald, Esq., Barclay Damon LLP
Michael Lisson, CPA, Grossman St. Amour CPAs, PLLC

The Applicant(s) has received 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:

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company: MARION TOWNHOUSES, LLC

Signature of Officer or Authorized Representative: ____________

Name & Title of Officer or Authorized Representative: MARIO DARRIGO, MEMBER

Date: July 23, 2026

Section XII: Representations, Certifications, and Indemnification

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

MARIO DARRIGO (Name of CEO or other authorized representative of Applicant)(s) confirms and says that he/she is the MEMBER (title) of MARION TOWNHOUSES, 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. **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. For additional information on NYS sales and use tax see here.

C. **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.

D. **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 Project closing documents. Please see this page for ST-340 form required in the above referenced employment report.

E. **Housing Reports and Information**: The Applicant understands and agrees that if the Project is a housing project, the Applicant shall file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of revenue-generating units constructed or reconstructed and the household income or tenant age, as applicable. Upon request of the Agency, the Applicant shall provide supporting documentation for all housing related information provided. Failure to provide such reports and supporting information shall be an event of default under the Project closing documents

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. **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. 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.

H. 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.

I. 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.

J. 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.

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.

K. The Agency has the right to request and inspect supporting documentation regarding attestations made on this application.

L. **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, reconstruction, equipping 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: MARION TOWNHOUSES,LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: MARIO DARRIGO, MEMBER

Date: July 23,2026

STATE OF NEW YORK)

COUNTY OF ONONDAGA) ss.;

MARIO D'ARRIGO, being first duly sworn, deposes and says:

1. That I am the MEMBER (Corporate Officer) of MARION TOWNHOUSES, 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 28th day of July, 2026.

(Notary Public)

MICHELLE LYNN PICKARD
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PI6442367
Qualified in Onondaga County
My Commission Expires: 10/11/2026

End of Application

Rev 2.15.23

ADDENDUM

TO

OCIDA APPLICATION FOR FINANCIAL ASSISTANCE

BY

MARION TOWNHOUSES, LLC

Reference below is to Sections in the Application for Financial Assistance dated July 23, 2026.

SECTION II(D) (Project would not be undertaken without assistance): Due to the high cost of materials and labor, the high short term and long-term interest rates and the out of pocked expenditures required, the return on investment is very thin if not negative, and Applicant has put construction on hold for Section 3 of the project until economic conditions for multifamily housing improve. More specifically, based on prior experience with Sections 1 and 2 of the Project, Applicant budgeted a total cost of $2,300,000 for the 8 units in Section 3 as being the sum that would provide a minimum but acceptable return on investment. Unfortunately, the actual costs from bids and proposals from contractors and suppliers is closer to $2,450,000. At the higher cost the Project would not be financially viable when taking into account the limits of market rents for the units in the area and the costs associated with operating the Project. On the other hand, if OCIDA approves the Application, the savings from the sales tax abatement and the partial mortgage tax abatement would be enough to proceed with the project.

SECTION II(E) (Narrative on Project):

(i) Mario D'Arrigo is a retired attorney whose practice included practicing in various towns in Onondaga County representing developers and builders seeking site plan approval on projects and subdivision of land, among other matters. Some 15 years ago, Mr. D'Arrigo and a partners began developing residential subdivisions beginning with Highland Meadows in the Town of Lysander (107 lots) and then Marion Meadows in the Town of van Buren, a PUD with 91 residential building lots, **6.9 acres** (rounded to 7 acres) designated as "Apartment" (location of the current Project) and about 3.5-acre parcel fronting Van Buren Road designated "Commercial" currently vacant. In late 2018 Mr. D'Arrigo and his son, Michael D'Arrigo formed a limited liability company in which they were/are the sole Members at 50% each, for the purpose of building **market rate rental** townhouses in the Marion Meadows PUD designated for apartments.

By the time the Members were ready to begin construction of Section 2, mortgage rates had gone up dramatically as did the equity requirements of the owner. Accordingly, the number of units for section 2 was reduced to 14 units, the total cost of which rivaled the total cost of the 20 units in Section 1. The assistance we received from the O-CHIP program made the difference in moving ahead. Construction of Section 2 began in the late Spring 2023 and was completed in late Spring 2024.

If the requested financial assistance from OCIDA is approved, the Applicant hopes to commence construction of Section 3 by September 2026 and should be completed by Summer of 2027.

While Applicant has no direct employees, management of Section 3 will be contracted out to a management company at an estimated annual contract price of $20,000, employing 2 persons. Additionally, Applicant will contract out snow removal (one employee, $6,000, est.), landscaping/lawn maintenance (one employee, $5,000 est.), and general maintenance of the units (one employee, $4,000, est.). These contracts will begin upon completion of Section 3 and will continue annually thereafter.

(ii) The units in Section 3 comprise 1,344 sq ft gross area per unit and 10,752 sq ft total for the 8 units. Each unit has 2 bedrooms upstairs each with a private bathroom; there's a half-bath downstairs. The appliances are stainless steel, and the countertops are granite or similar. Each unit also has a concrete pad at the rear that is 8 ft by 12 ft.

(iii) Following completion of Section 2 in 2024, the Members made application to refinance the debt on Sections 1 and 2 under a HUD program which reduced the interest rates and extended the amortization period. However, because the local bank's mortgage was on the whole parcel, a refinance under HUD would preclude local financing of Sections 3 and 4 (18 units). To avoid this result, the seven acres was formally subdivided into 2 lots, 91A containing the 34 units and other improvements (3.93 acres), and 91B (2.96 acres) containing the future Sections 3 and 4, with appropriate cross easement agreements and title insurance. Lot 91A remains owned by Marion Garden Apartments, LLC and Lot 91B was transferred to the Applicant, Marion Townhouses, LLC, both entities having Mario and Michael D'Arrigo as the sole Members with each owning 50% interest.

(iv) The use of the site has remained apartments/multifamily since the PUD of Marion Meadows was approved over a dozen years ago and will not change upon construction of Section 3. The current use, however, is vacant land.

(v) The Project was conceived and remains a market rate rental project owned by the Members of the Applicant.

SECTION II(G) (Compelling Circumstances): It is believed that the Project site was once a dumping ground for fill and organics during the construction of NY 690 which abuts the Project. During the site work in Section 2 we encountered organics which were dug out and filled with clean fill and gravel at an extra cost of about $100,000. The Applicant expects that there will be some organics in Section 3 but to a lesser extent than Section 2.

SECTION II(H) (Local Approvals; Site Plan; Environmental Review):

Applicant's Members submitted its application for Site Plan approval from the Town of Van Buren Planning Board in February 2020 and received such approval at the June 2020 meeting of the Planning Board. Copies of the minutes and the original Site Plan approval are attached to this Addendum as **Exhibits 1 and 2** respectively. Construction of Section 1, comprising 20 units in four buildings, commenced in the spring of 2021 and the section was completed and rented in late summer 2022. The four building are identified in the attached plan (Exh. 2) as numbers 43-47, 48-50, and 55-63. During construction a change was made to the nine-unit building (55-63), with the Town's knowledge and approval, to reduce the number of units from 9 to 8 larger units. The units in Section 1 averaged about 1,400 gross square feet, including a one car garage, for total square footage of about 28,000 square feet for Section 1.

It is noted that in August 2022 the site plan was modified by reducing the number of units from a total of 64 units to 52 and increasing the number of parking spaces for the tenants and their guests. The modified site plan is attached to this addendum as **Exhibit 3**. The Members have obtained quotes from suppliers and contractors for Section 3 and have discussed financing with various lenders.

As noted, a copy of the site plan application for site plan approval of the whole Project site was submitted in February 2020, a copy of which is attached as **Exhibit 4**. The Application includes the Short Environmental Assessment Form. Please note that at the top of the form is the legend: "SQERA WAS ADDRESSED AND DETERMINED AT PRELIMINARY SUBDIVISION APPROVAL OF THE PUD". Hence, while SEQR is discussed in the resolution of approval of the site plan (June 9, 2020, minutes, Exh. 1), the negative declaration was made for the whole PUD during preliminary plat approval of the PUD more than a dozen years ago, including the anticipated multiple family housing on the Project site.

SECTION VII (Housing Projects):

1. Economic and construction circumstances in the housing industry have changed dramatically for the worst since Applicant financed and constructed Section 1 of the Project in 2021. As noted above, due to the high cost of materials and labor, the high short term and long-term interest rates and the out of pocked expenditures required by banks, and the additional costs unique to the site associated with digging up organics, the return on investment is very thin if not negative, and Applicant has put construction on hold until economic conditions improve or some assistance is granted.

2. The Project is located in Van Buren, NY not far from the Micron mega factory to be built. If projections of influx of people made by municipalities are close, there will be significant demand for housing, including the top-of-the-line market rate townhouses built by Applicant. Indeed, there appears to be a housing shortage now.

3. An appraisal was requested as part of the refinancing under the HUD program:

APPRAISAL REPORT
As of January 6, 2025
Prepared For:
Harper Capital Partners, LLC
440 Sylvan Avenue, Suite 140
Englewood Cliffs, NJ 07632
Prepared By:
Cushman & Wakefield, Inc.
Valuation & Advisory
247 W. Fayette Street, Suite 201
Portland, NY 13202
C&W File ID: 25-12002-900111-001

The Appraisal contains a section entitled APARTMENT MARKET ANALYSIS (pages 38 to 45 of the Report), which is attached to this Addendum as **Exhibit 5**.

In addition, a current **Market Study** dated July 26, 2026 has been submitted to support the conclusion that additional multifamily housing is needed in Onondaga County, and especially in the northern suburbs where Applicant's Project is located.

4. At page 103-04 of the County Comprehensive Plan, the Plan addresses a trend of shifting needs for "development of more alternatives to single-family housing options." Increasing adequate supplies of housing options "will become more important over time and especially considering the pending Micron investment in the Town of Clay." Micron's investment "will lead to a tremendous increase in jobs and concomitant growth in demand for housing." Applicant believes that its Project is in furtherance of the County's Comprehensive plan and is well situated to help meet the need addressed by the Plan.

5. The project is not considered infill in a populated area, but rather part of a PUD as explained below.

6. No additional infrastructure is needed for the Project.

7. The Project is part of a PUD approved by the town over a dozen years ago, comprising 91 residential lots, all but 2 have been improved with homes; a commercial parcel on Van Buren Road of some 3.5 acres (vacant) and the Project parcel zoned for multifamily housing.

Dated: July 23, 2026

MARION TOWNHOUSES, LLC

By____________________________

Mario D'Arrigo, Member

+

The June meeting of the Zoning/Planning Board of the Town of Van Buren, held at the Town building, 7575 Van Buren Rd, Baldwinsville, New York, was called to order at 6:05 p.m.

Those present joined in the Pledge Allegiance to the Flag.

Roll Call:	James Virginia	present-via Zoom
	Mark Budosh	present
	Jamie Bowes	present
	Roger Roman	present
	James Ruddock	present
	Jim Schanzenbach	present
	Tony Geiss	present

See pp 3 & 4

Also Present: Nadine Bell, Attorney
Jason Hoy, Engineer
Casey Palmer, Codes Enforcement Officer
January Baker, Zoning Planning Board Secretary

MINUTES

Motion made to approve the May meeting minutes as amended. Motion carried first by Mr. Ruddock. Seconded by Mr. Budosh. Motion Carried.

Motion called to Adjourn to Public Hearing. Motion Carried first by Mr. Ruddock and seconded by Mr. Budosh. Motion Carried.

PUBLIC HEARING DANIEL DEFIO-SPECIAL USE PERMIT-7889 CREGO RD-TAX MAP ID #034-03-09.1-(LB)

Mr. Daniel Defio was present to speak on his own behalf. Mr. Defio presented his site plan to the Board, discussing the handicapped parking spot added as well as showing the re-sodding and the plantings of the property to make the egress smaller. Mr. Defio went over his plans for adding a sidewalk, for which he had the contractor line up with the sidewalk around the Walgreen's next door to him. He stated he will be adding the sidewalk at same time that everything else is being done, not needing the within 2 year agreement with the Town. Chairman asked for any comments or questions. The Public Hearing will remain open until our July meeting. Chairman called for a motion to move out of the Public Hearing, back into regular session. Mr Ruddock carried the first motion, followed by Mr. Bowes. Motion Carried.

DANIEL DEFIO-SPECIAL USE PERMIT-7889 CREGO RD-TAX MAP ID #034-03-09.1-(LB)

Mr. Geiss asked Mr. Defio if the sidewalk will be going in all at once. Mr. Defio asked the board about the curb closest to Walgreens- it being a grassy area that he owns about a foot of that curb. Mr. Defio stated he will fill that in, but will not go onto Walgreens property. Mr. Defio will put the 10ft of sidewalk in, with the small portion on the curb, graded with the driveway. Mr. Defio

EXHIBIT 1

asked if there were any way to move this along faster. The answer was inside work only, unfortunately, following proper permits. Mr. Geiss informed Mr. Defio any work prior to the Boards approval, is at an Applicants own risk. Public Hearing will be left open until the July 14th meeting, for any comments. Motion was called to adjourn the Public Hearing. Carried first by Mr. Ruddock, seconded by Mr. Bowes.

PUBLIC HEARING- DG NEW YORK CS, LLC-SUBDIVISION-BETWEEN W SORRELL HILL AND E SORRELL HILL RD-TAX MAP ID #033.6-06-01.2, 033.-06-05.1 & 032.-04-02.2 (AR-80)

Mr. Brian Harper of 205 Cambridge St. was present for the Applicant. Mr. Harper discussed the revised plans for the Subdivision- there will be 3 parcels dividing, making 2 separate properties on either side of the easement. Mr. Ruddock asked about the transmission lines running through the easement, why was it not being added to the property, as well. Mr. Harper stated it was not your typical easement, this one in particular, is utility owned. National Grid owns that piece of property. Chairman asked for any comments or questions. Public Hearing will be kept open until July meeting, for comments. The Chairman obtains a motion to adjourn Public Hearing. Mr. Ruddock carried first motion, seconded by Mr. Bowes.

DG NEW YORK CS, LLC-SUBDIVISION-BETWEEN W SORRELL HILL AND E SORRELL HILL RD-TAX MAP ID #033.6-06-01.2, 033.-06-05.1 & 032.-04-02.2 (AR-80)

Chairman asked Mr. Brian Harper if Tract 1 on map will be going from West Sorrell Hill to the high voltage line. Mr. Harper answered that is correct. Tract 2, per the map, will be added to parcels 2,3,& 4, making that all combined. The Board mentioned, the map isn't showing a setback along the electrical. There was originally a 50ft set back, that needs to be pushed back another 50ft to meet the 100ft setback. Currently, it is showing a 100ft from center of the easement, which is owned by National Grid. Mr. Harper makes note that he will change that on the plans, to meet code. Mr. Ruddock noted about the easement property, owned by Nimo, if it is roughly 150ft wide, then it needs to have another 60-65ft, ensuring that it is brought back 100ft from that property line.

This Public Hearing is to be kept open until our July meeting, for comment and decision. Chairman called a motion for a Public Hearing for their Solar Permit. Mr. Ruddock carried first, seconded by Mr. Bowes. (West Sorrell Hill. Chairman called PH for July 14th for East Sorrell Hill Rd. Solar Permit. Mr. Ruddock carried first, seconded by Mr. Bowes. Chairman adjourns regular meeting to move into Public Hearing. Motion called by Mr. Ruddock, seconded by Mr. Bowes.

PUBLIC HEARING-TERPENING SITE PLAN- 115 FARREL RD. TAX MAP ID 059-02-02/01 (LB)

Mr. Craig Billinson, Attorney for the applicant, address 342 South Salina St., Syracuse was present for the Hearing. The property lies on Farrell Rd. making half the property in Van Buren and half in the Town Of Geddess. Mr. Billinson explains one of the businesses Mr. Terpening runs out of this property is Tri-Tank for the sale of trailers. There is a lower parcel developed years ago, however the higher (upper) subject property, they wanted to fill back in 2013. The purpose of the fill back in '13, was to have another parking area for their display of tractor sales. Mr. Billinson stated it was County and Town approved then. Now they are back in front of the Board due to a complaint on the display of a trailer for sales. Mr. Billinson said it is a Tri-Tank job Trailer, with the company logo and phone number displayed on it. The Chairman informs him he is in front of the Board for outdoor sales approval on site plan. Mr. Geiss informed the applicant in 2013, Mr. Paul Billings ceased the project with the Town of Van Buren and went through Town of Geddes only. There was no approval for outdoor sales from Van Buren, only a fill permit met approval. Chairman informs applicant the public hearing will be held open until July meeting for written comments. A Motion to adjourn public hearing called. Mr. Ruddock carried first, seconded by Mr. Bowes.

TERPENING SITE PLAN- 115 FARREL RD. TAX MAP ID 059-02-02/01 (LB)

Chairman stated back in 2013, the Town asked Terpening for a SWPP and was told one was not needed. Mr. Geiss asked how many acres is actually in the Town. Mr. Billinson answered roughly 5 acres, and Mr. Geiss said then a SWPPP would have been required, because more of an acre of land was involved. Paul Billings challenged the need for a SWPP. Mr. Geiss informs the applicant to have a meeting set up with the DEC to determine if a SWPP is needed. Mr. Jason Hoy spoke on the DEC input as being needed, based on work being ceased and then work that was still done in Geddes. The Town would need DEC to sign off on this matter, because there is no way to determine what was disturbed, as far as land goes. Mr. Geiss informs the applicant to contact Mr. Hoy when the meeting is set up, so that he may attend as well. Chairman discussed another issue, the setbacks. There needs to be note of setbacks on the map-minimum of 50ft., per code, for display. Mr. Billinson asked if it was 50ft. setback from buildings or are objects included. Mr. Geiss response was from objects as well, for it not to block sight.

SANTA BARBARA SUBDIVISION-1260 OLD ROUTE 31-MEMPHIS-TAX MAP ID# 046.-07-04.1 AR-80

Mr. Michael Santa Barbara was present from 1260 Old Route 31, Memphis. Chairman obtained a motion to formally close the Public Hearing from May 27th. Mr. Budosh called first motion, followed by Mr. Bowes. No comments in from the last meeting. Chairman asked Board for any comments or questions. No comments. Lot #1 will be 4.5 acres, leaving 37.1 acres left to original property. Motion with regard to SEQR review & reaffirmed Town of Van Buren lead agency. End of motion called. Mr.Ruddock carried first, seconded by Mr. Bowes. Chairman obtained a motion to approve subdivision map dated March 4, 2020, conditioned to a lot fee of $150. End of motion called. Mr. Ruddock called first motion, followed by Mr. Budosh.

MARION GARDEN TOWNHOUSES-PROPERTY LOCATED SOUTH OF TUSCANY LANE-MARION MEADOWS SUBDIVISION-TAX MAP ID #031.8-01-17.0-SITE PLAN-PUD

Mr. Mario D'Arrigo of 40 Timberland Dr., Jamesville was present on his own behalf. Mr. D'Arrigo presented new maps to the Board with updated changes. They added a vinyl fence to the entrance, extended fence down 690 to road, and revised the landscaping to show details-type, size and quantity of plantings. Mr. D'Arrigo has to work with OCWA on easement plantings. Mr. Ruddock was pleased with the planting plans. Mr. D'Arrigo noted they added to plans the size and specs of each building, as Mr. Virginia suggested. Park fees were discussed-there has been something in place for apartments, concerning the fees, that can be worked out into phases. Discussion of how long construction will take, roughly. This will be worked into the phases. Chairman asked if there was any questions. No questions presented. Chairman obtained a motion to close Public Hearing from May 27th. Mr. Ruddock carried first motion, seconded by Mr. Bowes. Motion called with regard to SEQR, to ratify and reaffirm. Mr. Ruddock, carried first, followed by Mr. Bowes. Chairman called to obtain a motion to approve site plan based on map dated April 20, 2020, latest subdivision being dated June 8, 2020- (C-201 & C-203). All subject to park fees to apartments-based on the phasing of the project. End of motion called. Mr. Ruddock was first to carry. Followed by Mr. Bowes. Subject to SWPP approval from Engineer.

DG NEW YORK LLC-SPECIAL USE PERMIT-BITZ PROPERTY- 6719 POTTERY RD.-WARNERS-TAX MAP ID #055.-01-10.1-ZONED IND-A

Mr. Brian Harper of 118 E. Genessee St., Syracuse, was present on the Applicants behalf. Mr. Harper presented the board with updated maps of the solar site. Mr. Harper added two more Winter Kings to the drawings, with shrubs. They moved the driveway to the north of the site, across from the Industrial rather than Residential. Mr. Harper also showed the neighboring properties in the plans. A discussion on noise study, was had with the Applicant . Mr. Geiss asked if the neighbors would hear any noise, to which Mr. Harper replied no. Chairman asked what does 20 decibels sound like? Mr. Harper stated a refrigerator at 6ft away produces 40 decibels of noise, the motors here being half of that. The Chairman asked how many motors there will be to which Mr. Harper replied that would depend on the final design, but could be up to 100 motors. Mr. Geiss asked will there be noise across the street. Mr. Harper explained the panels, during the course of the night, will rotate back to a resting position, parallel to the ground. They then will rotate back toward the sun, when rising. All panels will be, programmed, to rotate with the sun.

Mr. Harper asked if they switched to non-moving panels, if this would make a difference. Mr. Harper informs the board that would just leave the inverter, and one inverter makes less than 50 decibels from 150ft away. Mr. Hoy asked what the change from moving to fixed as far as storm water. It would slightly change, but not much. The inverter would be, positioned, at the end of the driveway, across from Industrial zone.

Mr. Geiss made statement to the neighbors being concerned about the noise this farm will produce. Mr. Harper asked The Board for conditional approval based on fixed panels, not moving. Mr. Ruddock asked how much the fixed panels change the plans. Capacity wise it would decrease, but with a larger amount of panels, the change would not be that significant. Mr. Ruddock addressed a solar farm, in Town, off Kingdom Rd. Maybe do a comparison there to the noise, what the neighbors actually hear. Mr. Geiss stated he hears no sound when by there. Conditioned approval granted, based on fixed panels. Chairman informs Mr. Harper, this can always be amended at a later date, with noise sound studies and description of operation. Willing to grant approval, based on the fixed panel change. Mr. Bowes made comment to a sound study, if they would like to use motorized panels in the future. The Board can grant approval based on fixed panels now, subject to SWPP approval. The Chairman obtained a motion in regard, to SEQR, and reaffirmed lead agency. 3MW of solar power per map dated June 20, 2020. End of motion. Mr. Ruddock carried first, seconded by Mr. Bowes. Motion carried.

Ms. Nadine Bell spoke on the special use permit. Sating that DG NY LLC seeks SUP to operate 3MW ground mounted solar facility on 23 acres of 33 acres of property. Zoned IND-A, for project "Van Buren II DG Solar Project" (C-101, C-102, C-201, C-202, C-401-C403) on amended plans to install fixed panels instead of motorized and taking into consideration comments from the County. Original Public Hearing was March 10th. No one spoke at the Public Hearing.

Conditioned to as follows:

A) Proposed Use is within code
B) IND-A consistent with long-term development, within code.
C) Placement of site should be visually appealing.
D) No Traffic issues
E) Use of Natural Resources
F) Emissions Minimal
G) Conditions Suitable
H) Cumulative Array- 23.1 acre/ 32.9 acre parcel will not hinder the growth.

Subject to above conditions and SWPP approval, as well as signed and stamped drawings, by Tuesday, June 16, in order to proceed. End of motion. Mr. Ruddock carried first motion, seconded by Mr. Budosh. Motion carried. No further comments.

RONALD GILBERT-2370 WARNERS ROAD-FILL PERMIT-TAX MAP ID #054-04-09.1 #054-04-09.2 & #054-04-08.1-(AR-80)

Mr. Ron Gilbert of 2307 Warners Rd. was present on his own behalf. Mr. Gilbert discussed plans on wanting to keep his ponds, and the two driveways. Mr. Gilbert explained plans where red was marked on the map, and the storm water was marked in blue. According to Mr. Gilbert, Army Corps is ok with his fill plan. Also, Mr. Gilbert discussed water run-off, and keeping the fill to under an acre. Discussion was had on what plans were presented to the Board. The plans do not show a driveway, drainage details, silk fencing, Etc. As well as no conditions on the plans, how long will the fill be taking place. Mr. Gilbert was not happy with the Town's requests. He stated he has federal approval, and will fill regardless. Mr. Gilbert said he does not need a SWPP, since he is keeping it under 1 acre, as well as, he has Army Corps approval for this project.

Mr. Gilbert stated he has made this particular property, better than it was before, and he will not spend more money than he has to, to get this fill permit, he will just proceed. Chairman informed Mr. Gilbert, he has not obtained approval for any work, the proper steps must be followed, as well as conditions placed by The Board. All conditions, were in the process of being discussed, when Mr. Gilbert walked out, leaving the meeting. He then returned to hear the Boards requirements, which were as follows:

A) Must have a property map with property lines shown with driveways and fill plan.
B) Must have drainage details i.e. silk fencing, drainage location, etc.
C) List conditions on fill, as well as cover in between fill
D) Show the exact area of fill

MARIANI PROPERTY-6489 NEWPORT RD-SUBDIVISION-TAX MAP ID #054-04-18.0 (RHD)

Mr. Steve Sehnert, land surveyor, Baldwinsville, was present on the Applicants behalf. The Mariani property is about 18 acres on Newport Rd., bounded North by the CXL Railroads. There is an existing house on the parcel, currently, being renovated. Mr. Sehnert stated, The Mariani's would like to cut out a legal one acre parcel. An existing gravel road gives access to Newport Rd. (right of way) and plans show access to utility and access to 17 acres West of the property. The Chairman would like all the way to the West showing on the plans, with pole barn and house way to the back, to show a 20ft easement.

Ms. Nadine Bell asked if the Lot 2 easement was intended for the beneficiary of one property-could the property to the West prevent the usage of the easement to Lot 2 property. Mr. Sehnert answered that yes, Lot 2 will be the intended beneficiary, adding that Lot 2 is only accessible by the easement. Mr. Sehenert was made aware that this was a recorded easement, it needs to have a known beneficiary to that easement, as this may cause an issue in the future. Mr. Sehnert will provide an easement agreement at next meeting, and it must have the property listed as a parcel to benefit. Mr. Sehnert said, he will get all that to Ms. Bell.

Chairman opened SEQR, and resolution to declare Town Lead Agency under SEQR. End of motion called. Mr. Ruddock carried first motion, seconded by Mr. Budosh. Motion to call a Public Hearing for the Mariani Property July 14, 2020, for subdivision. Motion carried by Mr. Ruddock, seconded by Mr. Bowes. An Area Variance will be required, since it will be a non-conforming lot. This can be done concurrent, must be referred to County Planning. Motion to hold called, until variance application is done-Mr. Bowes carried first, followed by Mr. Ruddock.

Adjournment at 8:45pm Mr. Ruddock carried first motion to adjourn, seconded by Mr. Budosh.

Mr. Hoy made comment to Arrow Space signing off on SWPP, making it ok for them to proceed. As well as, Mr. Mike McConnell, of Winchell Rd by Hotel, will be submitting a new site plan.

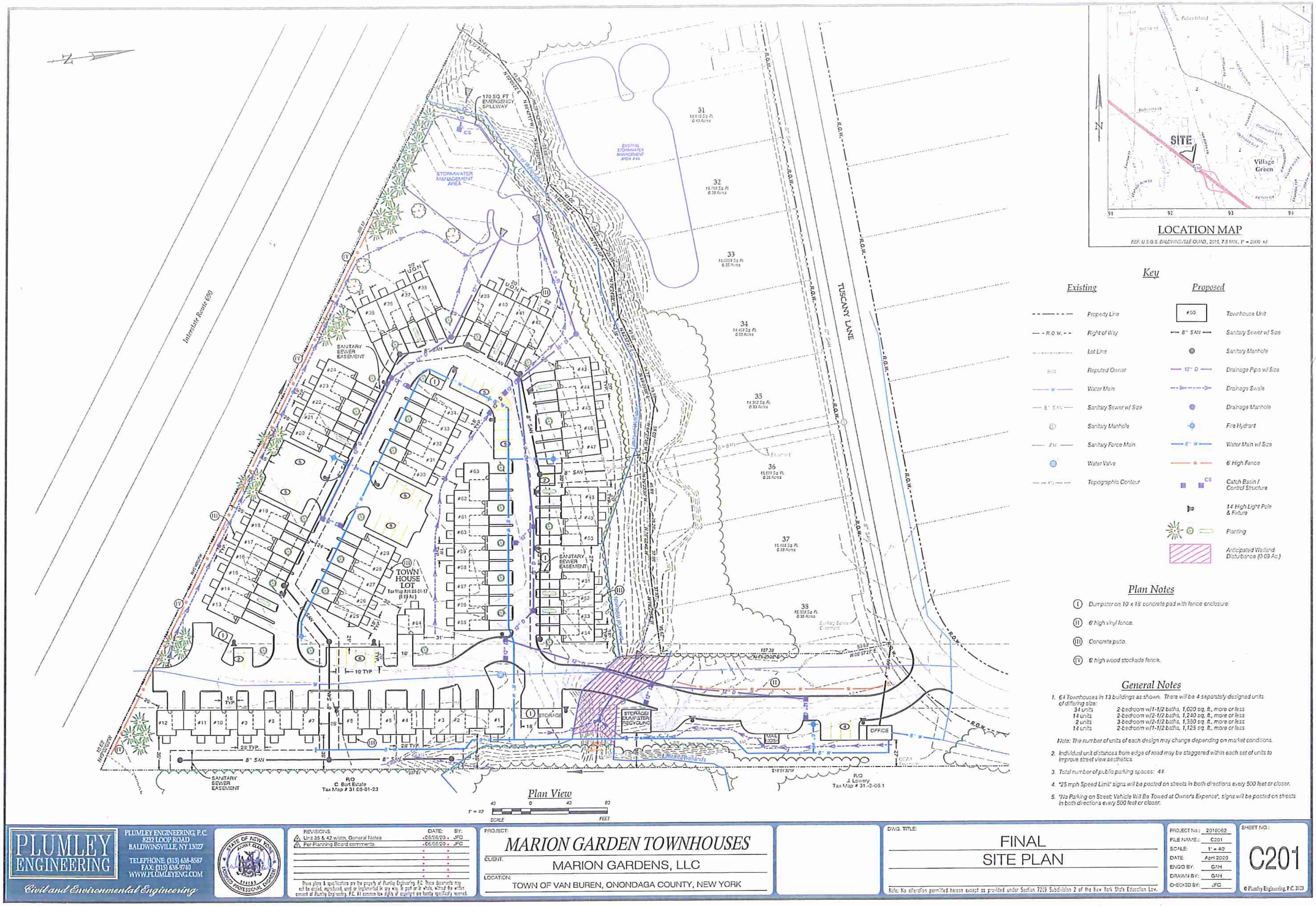
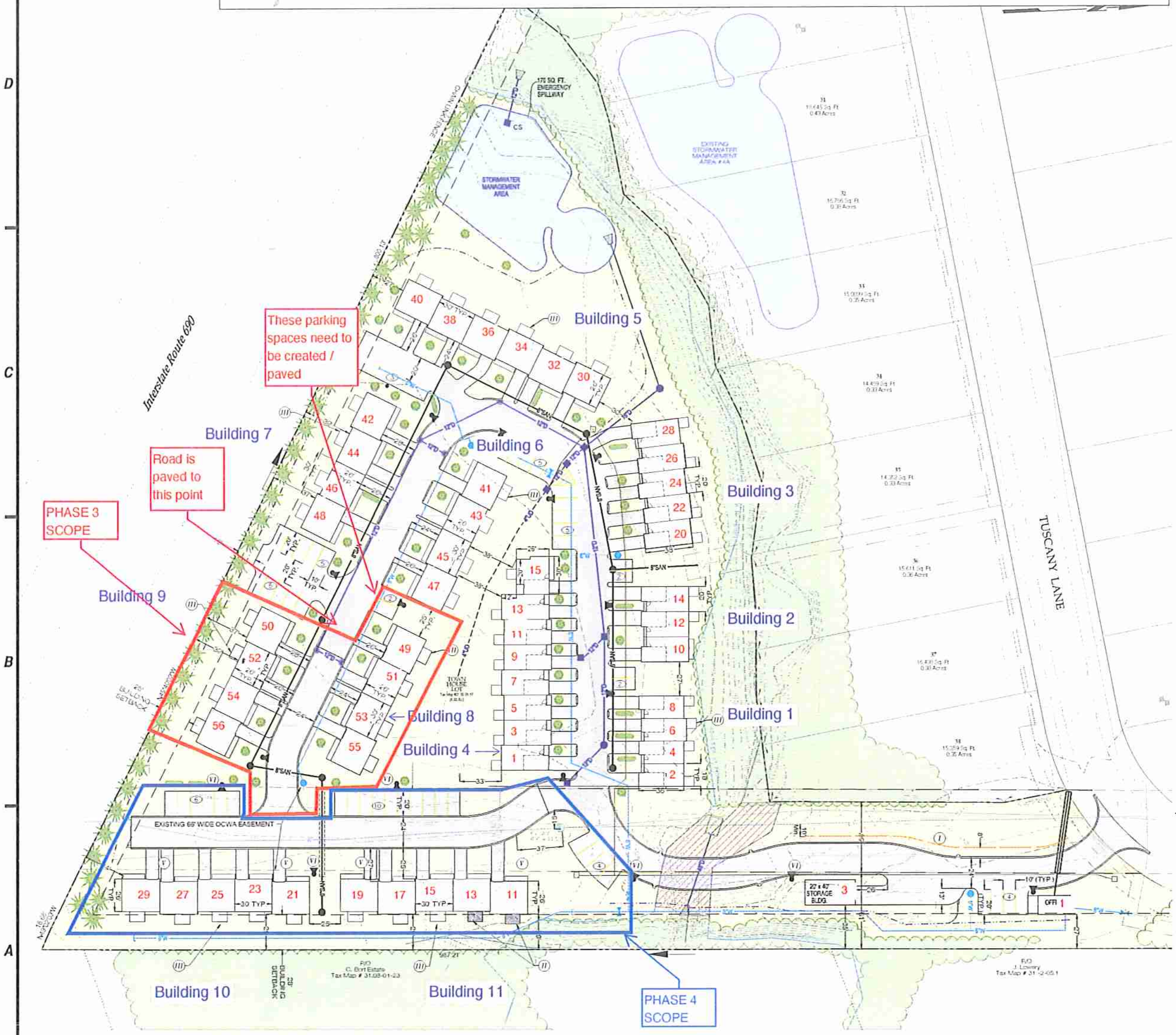
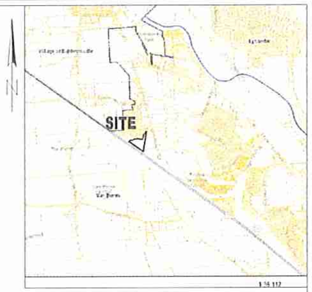

Interstate Route 690
TUSCANY LANE
STORMWATER MANAGEMENT AREA
EXISTING STORMWATER MANAGEMENT AREA #44
170 SQ. FT. EMERGENCY SPILLWAY
SANITARY SEWER EASEMENT
TOWN HOUSE LOT
STORAGE
STORAGE/ DUMPSTER/ RECYCLING
OFFICE
R.O. C. Bort Estate Tax Map # 31.08-01-23
R.O. J. Lowery Tax Map # 31.-2-05.1
Plan View
1" = 40'
SCALE
FEET
LOCATION MAP
REF. U.S.G.S. BALDWINSVILLE QUAD, 2016, 7.5 MIN., 1" = 2000 +/-
SITE
Village Green
Key
Existing
Property Line
Right of Way
Lot Line
Reputed Owner
Water Main
Sanitary Sewer w/ Size
Sanitary Manhole
Sanitary Force Main
Water Valve
Topographic Contour
Proposed
Townhouse Unit
Sanitary Sewer w/ Size
Sanitary Manhole
Drainage Pipe w/ Size
Drainage Swale
Drainage Manhole
Fire Hydrant
Water Main w/ Size
6' High Fence
Catch Basin / Control Structure
14' High Light Pole & Fixture
Planting
Anticipated Wetland Disturbance (0.09 Ac.)
Plan Notes
I Dumpster on 10' x 18' concrete pad with fence enclosure.
II 6' high vinyl fence.
III Concrete patio.
IV 6' high wood stockade fence.
General Notes
1. 64 Townhouses in 13 buildings as shown. There will be 4 separately designed units of differing size:
34 units 2-bedroom w/1-1/2 baths, 1,020 sq. ft., more or less
14 units 2-bedroom w/2-1/2 baths, 1,240 sq. ft., more or less
2 units 3-bedroom w/2-1/2 baths, 1,330 sq. ft., more or less
14 units 2-bedroom w/1-1/2 baths, 1,125 sq. ft., more or less
Note: The number of units of each design may change depending on market conditions.
2. Individual unit distances from edge of road may be staggered within each set of units to improve street view aesthetics.
3. Total number of public parking spaces: 44
4. "25 mph Speed Limit" signs will be posted on streets in both directions every 500 feet or closer.
5. "No Parking on Street; Vehicle Will Be Towed at Owner's Expense", signs will be posted on streets in both directions every 500 feet or closer.
PLUMLEY ENGINEERING
Civil and Environmental Engineering
PLUMLEY ENGINEERING, P.C.
8232 LOOP ROAD
BALDWINSVILLE, NY 13027
TELEPHONE (315) 638-8587
FAX (315) 638-9740
WWW.PLUMLEYENG.COM
REVISIONS: DATE: BY:
Unit 35 & 42 width, General Notes 05/26/20 JFC
Per Planning Board comments 06/08/20 JFC
PROJECT:
MARION GARDEN TOWNHOUSES
CLIENT:
MARION GARDENS, LLC
LOCATION:
TOWN OF VAN BUREN, ONONDAGA COUNTY, NEW YORK
DWG. TITLE:
FINAL
SITE PLAN
Note: No alteration permitted hereon except as provided under Section 7209 Subdivision 2 of the New York State Education Law.
PROJECT No.: 2016062
FILE NAME: C201
SCALE: 1" = 40'
DATE: April 2020
ENGD BY: GAH
DRAWN BY: GAH
CHECKED BY: JFC
SHEET NO.:
C201
© Plumley Engineering, P.C. 2020

EXHIBIT 2

MARION GARDENS PHASE 3 SCOPE



A1 PLAN



LOCATION MAP

N.T.S.

Key

Existing		Proposal	
	Property Line		Townhouse Unit
	Right of Way		Sanitary Sewer w/ Size
	Lot Line		Sanitary Manhole
	Reputed Owner		Drainage Pipe w/ Size
	Water Main		Drainage Swale
	Sanitary Sewer w/ Size		Drainage Manhole
	Sanitary Manhole		Fire Hydrant
	Sanitary Force Main		Water Main w/ Size
	Water Valve		Catch Basin / Control Structure
	Topographic Contour		14' High Light Pole & Fixture
			Planting
			Anticipated Wetland Disturbance (0.09 Ac.)

Plan Notes

(I) 6' high vinyl fence. Fence posts not to be placed within 10' of centerline of OCWA 60" dia. transmission water main.

(II) Wood Deck.

(III) Concrete patio.

(IV) ~~6' high wood stockade fence. Fence posts not to be placed within 10' of centerline of OCWA 60" dia. transmission water main.~~

(V) OCWA easement and building corners to be field staked and reviewed by OCWA before building construction begins.

(VI) OCWA easement and light poles to be field staked and reviewed by OCWA before building construction begins.

General Notes

1. ~~Up to [illegible] Townhomes in [illegible] buildings are proposed. There will be [illegible] separately designed units of differing sizes.~~

~~XX units [illegible] bedrooms, [illegible] baths, 1,020 sq. ft., more or less~~

~~XX units [illegible] bedrooms, [illegible] baths, 1,240 sq. ft., more or less~~

~~XX units [illegible] bedrooms, [illegible] baths, 1,380 sq. ft., more or less~~

~~Note: The number of units of each design may change depending on market conditions.~~

2. Individual unit distances from edge of road may be staggered within each set of units to improve street view aesthetics.

3. Parking required: 2 per unit = 104 Total

Parking provided: 2 per unit = 104 (one garage, one driveway)
office 4
public 49

157Total

4. "25 mph Speed Limit" signs will be posted on streets in both directions every 500 feet or closer. Sign posts not to be placed within 10' of centerline of OCWA 60" dia. transmission water main.

5. "No Parking on Street, Vehicle Will Be Towed at Owner's Expense", signs will be posted on streets in both directions every 500 feet or closer. Sign posts not to be placed within 10' of centerline of OCWA 60" dia. transmission water main.

Calocerinos Engineering, PLLC
P.O. Box 2187
Syracuse, New York 13220
Phone (315)214-5561
Fax (315)214-5904

MARION GARDEN TOWNHOMES

Tuscany Lane
Baldwinsville, New York 13027
Tax Parcel ID #031.8-01-17.0

For:

Marion Gardens, LLC
106 Turning Leaf Drive
Manlius, New York 13104

Town Of Van Buren
Onondaga County, New York

MARK	DATE	DESCRIPTION
4	07.12.24	REVISED PER OWNER COMMENTS
3	02.20.24	REVISED PER OWNER COMMENTS
2	05.03.23	REVISED DRIVEWAYS AND PADS
1	04.15.23	REVISED SEWER LATERALS

REVISIONS

PROJECT NO.	1058.001
DATE	08.24.2022
DRAWN BY	MPD
DESIGNED BY	S. CALOCERINOS, P.E.
CHECKED BY	S. CALOCERINOS, P.E.

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW

CIVIL

FINAL SITE PLAN

C-201

EXHIBIT 3

APPLICATION TO VAN BUREN PLANNING BOARD
FOR
SITE PLAN APPROVAL

Town of Ban Buren
7575 Van Buren Road
Baldwinsville NY 13027
Phone 315-635-3604

Type of Application: Site Plan approval for 64 townhouses project, to be privately owned

Property Location: South of Tuscany Lane, Marion Meadows Subdivision, part of PUD

Applicant Name, Address: Marion Garden Apartments, LLC
106 Turning Lead Dr.
Manlius NY 13104
Phone 315-380-4081
md@darrigolaw.com
Contact: Mario D'Arrigo
7513 Morgan Road
Liverpool NY 13090
Cell: 315-380-4081
darrigolaw@gmail.com

Fee Owner of Property: Applicant is the fee owner of parcel/Project with same name and address

Property Tax Map No: 031.8-01-07.0

Zoning Classification: PUD, Apartments; Existing Use: Apartments

Proposed Use of Property: Marion Meadows Subdivision is a mixed use PUD which includes a 6.9 acre parcel to the south of Tuscany Lane, bearing the referenced tax map number, zoned for apartments. Specifically, Applicant seeks Site Plan approval of a 64-unit Townhouse Project of the Property to be built and owned privately.

Total gross area of the 64 Townhouses plus utility buildings proposed: 71,500 Square feet

Total gross area Authorized in PUD: 25% of Parcel area 75,924 Square feet

Total Area of Parcel: 6.88 Acres (299,693sq. ft.)

EXHIBIT 4

Number of Parking Proposed: 64 garage, 64 driveways, 40 free-standing spaces, for a total of 168 parking spaces

Number of Parking Required: 2 per unit, 128

No easements required with adjacent owners.

Landscaping Changes: Trees have had to be removed in the entrance strip between Tuscany Lane and the stream that crosses the property. In addition, other than the trees along the stream and some along route 690, the trees on the main site need to be removed. The Project will be landscapped as noted in the plan.

Water Supply: Water will be provided by OCWA

Sewage Disposal: Public sewers are tied to the Marion Meadows Subdivision as originally planned.

Project Information: Marion Meadows Subdivision is a mixed use PUD which includes a 6.9 acre parcel to the south of Tuscany Lane, bearing the referenced tax map number, zoned for apartments. Specifically, Applicant seeks Site Plan approval of a 64-unit Townhouse Project of the Property, as shown on the Plan, the use of which is as approved by the Town Board in the PUD, the Project to be built and owned privately. The Site Plan complies with all Town requirements.

Plans Submitted with Application: The Site Plan is submitted with this Application, which includes landscaping and lighting. Stormwater and any other relevant plans will be submitted within 2-3 weeks from date.

Professionals: Surveyors: Ianuzi & Romans 5251 Witz Dr., N. Syracuse NY, Ph. 315-457-7200
Fax. 315-457-9251 mail@romanspc.com
Engineers: Plumley, 8232 Loop Rd, Baldwinsville, NY 315-638-8587
Fax. 315-638-9740
Attorneys: D'Arrigo & Cote, 7513 Morgan Rd, Liverpool NY 315-380-4081
md@darrigolaw.com

Applicant hereby certifies under penalty of perjury that all statements made herein are accurate and true to the best of Applicant's knowledge.

Dated: February 28, 2020

Marion Garden Apartments, LLC

Applicant's Signature - Mario D'Arrigo, Member

AGRICULTURAL DATA STATEMENT

(to be completed for Special Use Permit, Site Plan Review, Use Variance and Subdivision Applications)

Applicant: MARION GARDEN APT. LLC Address SEE APPL. Tax Map # 031.8-01-07.0

A. Number of acres involved with project: 6.85

B. Is Project within Agricultural District? Yes _______ No X

Is Project within 500 feet of an Agricultural District? Yes _______ No X

C. Is any portion of the project site currently being farmed? Yes _______ No X

If so, how many acres? _______ acres

If A, B, and C are answered "no", skip to bottom of form, sign and date, if answered "yes", continue to D-H.

D. Name and address of person(s) farming the project site and/or any sites within 500 feet:

E. Indicate what the intentions are for use of the remainder of the project site, including description of farm operation:

F. Who will maintain the remainder of the property not being used for this project?

G. Other project information: Include information about the existing land cover of the site, any known impacts on existing storm water drainage (including field tiles), or other significant plant materials:

H. Make a copy of the overall (original) parcel from the Town's tax maps on file with the Town Assessor's Office. Identify the subject site by marking with an "X". Include the tax map with this completed agricultural data statement.

Farm Note

Prospective residents should be aware that such farm operations might generate dust, odor, smoke, noise, vibration and other conditions, which routinely result from agricultural activities.

MARIO D'ARRIGO, MEMBER

Print Name and Title of Person Completing Form

Signature

2/28/2020

Date

617.20

Appendix B

Short Environmental Assessment Form

SQERA WAS ADDRESSED AND DETERMINED AT PRELIMINARY SUBDIVISION APPROVAL OF THE PUD

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

MARION GARDEN APTS, LLC

Name of Action or Project:

SOUTH OF TUSCANY LANE, MARION MEAD, PART OF PUD.

Project Location (describe, and attach a location map):

Brief Description of Proposed Action:

Marion Meadows Subdivision is a mixed use PUD which includes a 6.9 acre parcel to the south of Tuscany Lane, bearing the referenced tax map number, zoned for apartments. Specifically, Applicant seeks Site Plan approval of a 64-unit Townhouse Project of the Property, as shown on the Plan, the use of which is as approved by the Town Board in the PUD, the Project to be built and owned privately. The Site Plan complies with all Town requirements.

Name of Applicant or Sponsor: MARION GARDEN APTS, LLC	Telephone: 315 350 4081 E-Mail: md@darrigolaw.com
Address: 7513 MORGAN RD	

City/PO:	State:	Zip Code:
LIVERPOOL	NY	13090

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☒	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: SITE PLAN APPOVAL – VAN BUREN PL. Bd.	☐	☒

3.a. Total acreage of the site of the proposed action? 6.88 acres

b. Total acreage to be physically disturbed? 5.00 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.88 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

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

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

☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	X	☐
b. Consistent with the adopted comprehensive plan?	☐	X	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: ____________________	X	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	X	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	X	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: ____________________	☐	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: ____________________	☐	X	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: ____________________	☐	X	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	X	☐	
b. Is the proposed action located in an archeological sensitive area?	X	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	X	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ____________________	X	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- ☐ Shoreline
- ☒ Forest
- ☐ Agricultural/grasslands
- ☐ Early mid-successional
- ☒ Wetland
- ☐ Urban
- ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	X	☐
16. Is the project site located in the 100 year flood plain?	X	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	X	☐

If Yes,

a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☒ YES

If Yes, briefly describe: ON SITE DETENTION AREA

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: DETENTION AREA ONSITE PER PLAN	☐	☒
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☒	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: MARION ~~AREA~~ GARDEN APT, LLC Date: 2/28/2020

Signature: [signature], MEMBER

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

In total, the micro market inventory surveyed, including the subject property, represents 1,203 units. The comparable projects were constructed between 2008 and 2017 and range in size from 34 to 416 units. Individual unit sizes range from 1,067 to 1,279 square feet. The comparable apartment projects revealed occupancy levels ranging from 95 percent to 98 percent, with an average of 96.2 percent.

A comparison of the subject's quoted rents to the comparables is presented in the Income Capitalization Approach. Presently, no hard money rent concessions are offered at competitive projects.

Although it varies, most of the properties require tenants to pay for electric and gas costs, while all other utility expenses are generally paid by the landlord. At the subject, residential tenants are required to pay electric costs, while the landlord pays water/sewer and trash removal costs.

COMPETITION SUMMARY

Overall, the properties presented represent a good sampling of competition to the subject property

DEMOGRAPHIC PROFILE

Understanding the demographics of a region helps to ascertain the underlying fundamentals of real estate supply and demand. The foundation of our analysis in the delineation of the subject's profile area may be summarized as follows:

- Highway accessibility, including area traffic patterns, and geographical constraints;
- The position and nature of the area's residential structure, including its location within a heavily developed apartment area, which adds competition for the subject and at the same time adds strength and composition to the appeal for tenants; and
- The project and unit amenity composition of the subject property as compared to its competition

Given all of the above, we believe that a primary market for the subject property would likely span an area encompassing about five miles. The subject's secondary market might span up to ten miles from the site given its regional accessibility and location of competitive properties.

Based on these observations, we analyzed a primary demographic profile for the subject based upon a radius of approximately five miles from the property. To add perspective to this analysis, we segregated our survey into three, five, and ten mile concentric circles with a comparison to the county, CBSA, and state. The report on the following page presents this data.

POPULATION

Having established the subject's trade area, our analysis focuses on the trade area's population. Experian Marketing Solutions, Inc., provides historical, current and forecasted population estimates for the total area. Patterns of development density and migration are reflected in the current levels of population estimates.

Between 2010 and 2023, Experian Marketing Solutions, Inc., reports that the population within the primary trade area (5.0-mile radius) increased at a compound annual rate of 0.53 percent. This is characteristic of suburban areas in this market. This trend is expected to continue into the near future albeit at a slightly slower pace. Expanding to the total trade area (10.0-mile radius), population is expected to remain stable over the next five years.

EXHIBIT 5

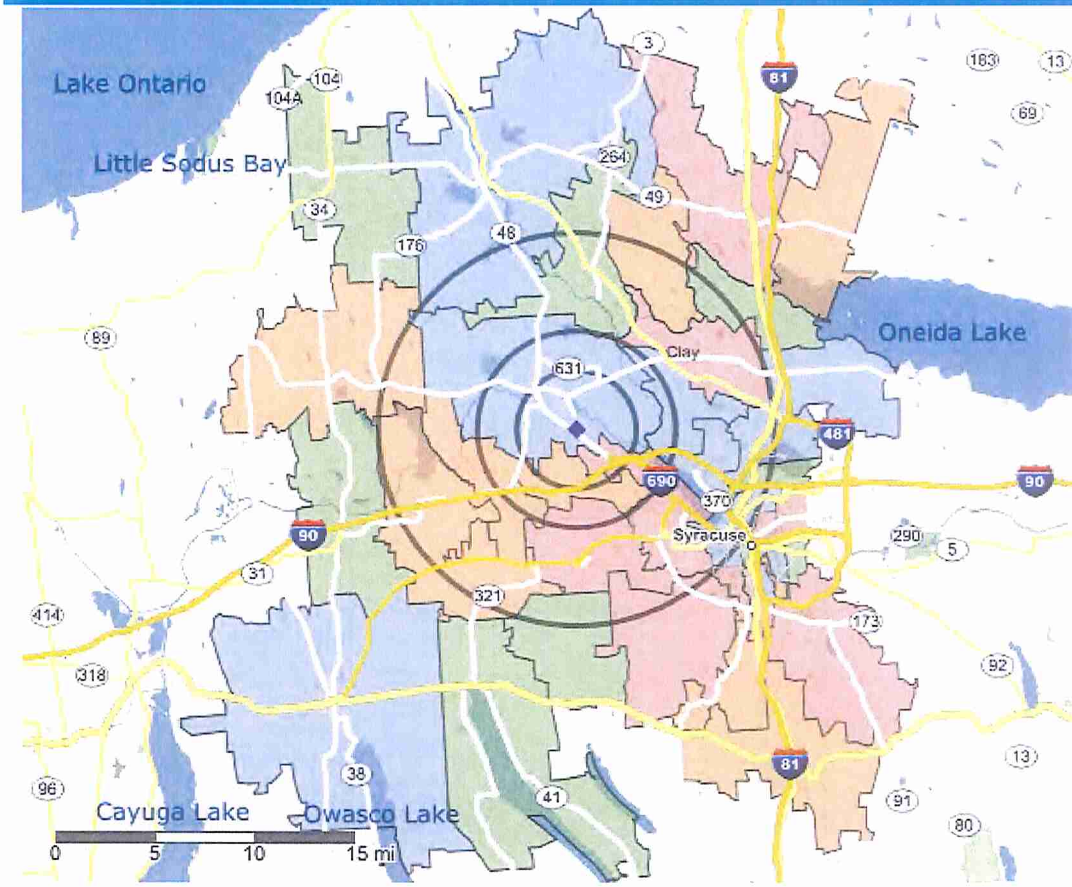
The following page contains a graphic representation of the current population distribution within the subject's region.

The graphic on the second following page illustrates projected population growth within the trade area over the next five years (2023 - 2028). The trade area is clearly characterized by various levels of growth.

DEMOGRAPHIC SUMMARY	3.0-mile Radius	5.0-mile Radius	10.0-mile Radius	Onondaga County	Syracuse CBSA	New York State
POPULATION STATISTICS						
2010	20,381	46,562	215,881	467,031	662,582	19,377,985
2023	22,255	49,836	222,108	476,428	664,860	19,959,733
2025	22,164	49,637	222,063	475,811	665,822	20,195,909
Compound Annual Change						
2010 - 2023	0.68%	0.52%	0.22%	0.15%	0.03%	0.23%
2023 - 2025	-0.20%	-0.20%	-0.01%	-0.06%	0.07%	0.59%
HOUSEHOLD STATISTICS						
2010	8,401	19,104	89,196	187,686	261,841	7,317,691
2023	9,445	20,857	93,543	195,654	269,329	7,780,002
2025	9,434	20,820	93,685	195,737	270,261	7,896,353
Compound Annual Change						
2010 - 2023	0.91%	0.68%	0.37%	0.32%	0.22%	0.47%
2023 - 2025	-0.06%	-0.09%	0.08%	0.02%	0.17%	0.74%
AVERAGE HOUSEHOLD INCOME						
2010	$71,031	$77,337	$67,817	$68,562	$66,310	$82,465
2023	$91,958	$101,755	$87,402	$90,359	$87,367	$111,427
2025	$107,359	$117,918	$100,936	$104,605	$100,889	$129,135
Compound Annual Change						
2010 - 2023	2.01%	2.13%	1.97%	2.15%	2.14%	2.34%
2023 - 2025	8.05%	7.65%	7.46%	7.59%	7.46%	7.65%
OCCUPANCY						
2023 Occupied Housing Units	9,445	20,857	93,543	195,654	269,330	7,780,002
Owner Occupied	68.50%	72.62%	68.97%	64.75%	67.62%	53.54%
Renter Occupied	31.50%	27.38%	31.03%	35.25%	32.38%	46.46%

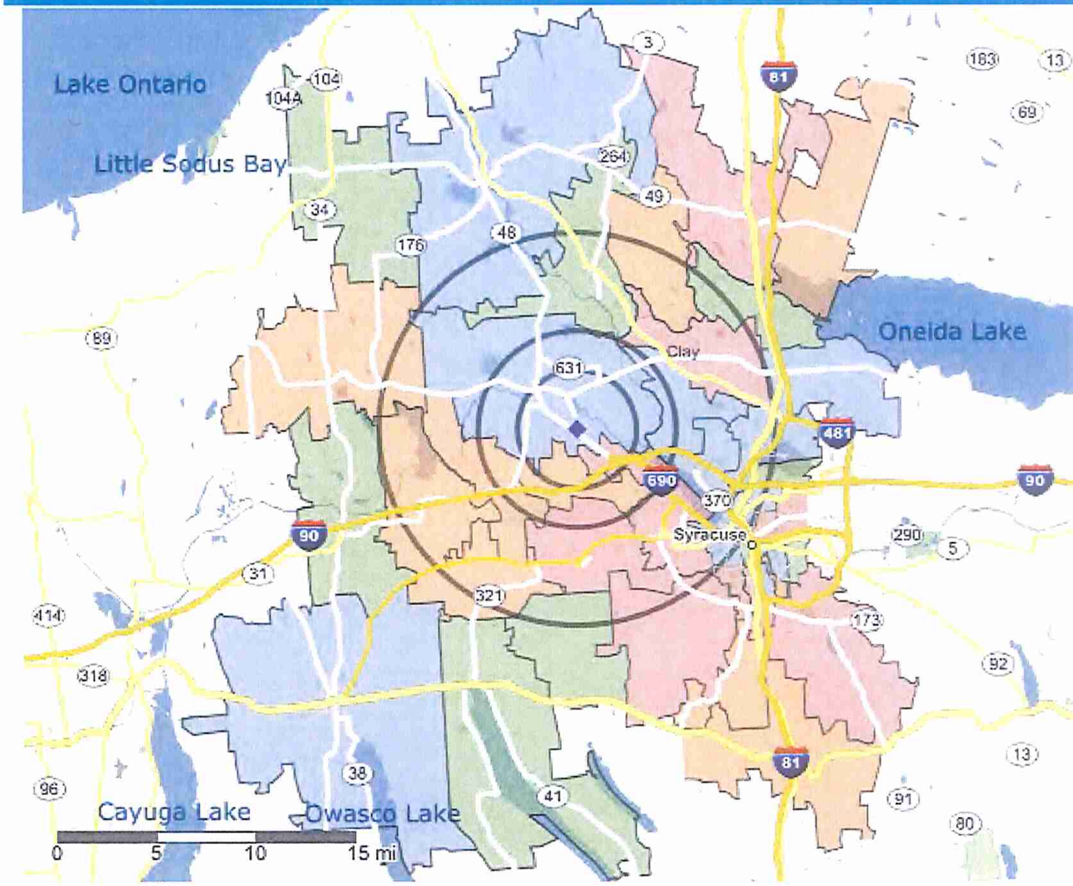
SOURCE: © 2019 Experian Marketing Solutions, Inc. •All rights reserved

CURRENT POPULATION MAP



Population - 1: 18,003 - 40,441
Population - 2: 8,836 - 18,002
Population - 3: 4,626 - 8,835
Population - 4: 151 - 4,625

POPULATION GROWTH MAP



Population Growth - 1: 17,976 - 40,485
Population Growth - 2: 8,835 - 17,975
Population Growth - 3: 4,645 - 8,834
Population Growth - 4: 151 - 4,644

HOUSEHOLDS

A household consists of a person or group of people occupying a single housing unit, and is not necessarily a family unit. When an individual purchases goods and services, these purchases are a reflection of the entire household's needs and decisions, making the household a critical unit to be considered when reviewing market data and forming conclusions about the trade area as it impacts the subject property.

Figures provided by Experian Marketing Solutions, Inc., indicate that the number of households is increasing at a faster rate than the growth of the population. Several changes in the way households are being formed have caused this acceleration, specifically:

- The population is living longer on average. This results in an increase of single- and two-person households;
- Higher divorce rates have resulted in an increase in single-person households; and
- Many individuals have postponed marriage, also resulting in more single-person households.

According to Experian Marketing Solutions, Inc., the Primary Trade Area grew at a compound annual rate of 0.68 percent between 2010 and 2023. Consistent with national trends the trade area is experiencing household changes at a rate that varies from population changes. That pace is expected to decline through 2028, and is estimated at -0.04 percent.

Correspondingly, a greater number of smaller households with fewer children generally indicates more disposable income. In 2010, there were 2.43 persons per household in the Primary Trade Area and by 2023, this number is estimated to have decreased to 2.37 persons. Through 2028, the average number of persons per household is forecasted to decline to 2.36 persons.

AVERAGE HOUSEHOLD INCOME

A significant statistic driving the success of an apartment market is the income potential of the area's population. Income levels, either on a per capita, per family or household basis, indicate the economic level of the residents of the market area and form an important component of this total analysis.

Trade area income figures for the subject support the profile of a broad middle- to upper-income market. According to Experian Marketing Solutions, Inc., average household income within the primary trade area in 2023 was approximately $101,755, 112.58 percent of the county average ($90,359) and 116.44 percent of the CBSA average ($87,367).

Further analysis shows a relatively broad-based distribution of income. This information is summarized as follows:

DISTRIBUTION OF HOUSEHOLD INCOME

Category	3.0-mile Radius	5.0-mile Radius	10.0-mile Radius	County Onondaga	Syracuse CBSA	New York State
$500,000+	1.12%	1.57%	1.07%	1.50%	1.32%	2.80%
$200,000 to $499,999	5.22%	6.36%	4.02%	5.10%	4.63%	9.08%
$150,000 to $199,999	7.72%	8.47%	6.48%	6.63%	6.23%	8.40%
$100,000 to $149,999	17.33%	19.01%	17.41%	16.36%	16.15%	16.05%
$75,000 to $99,999	13.29%	14.44%	14.30%	12.83%	13.10%	11.99%
$50,000 to $74,999	18.27%	18.90%	19.91%	18.09%	18.42%	15.17%
$35,000 to $49,999	11.56%	10.40%	11.80%	11.41%	11.75%	10.08%
$25,000 to $34,999	7.39%	6.46%	8.05%	8.02%	8.16%	7.32%
$15,000 to $24,999	7.91%	6.35%	8.20%	8.42%	8.97%	7.79%
Under $15,000	10.19%	8.04%	8.75%	11.63%	11.25%	11.32%
Median Income	$67,685	$74,794	$65,910	$63,942	$62,617	$72,000

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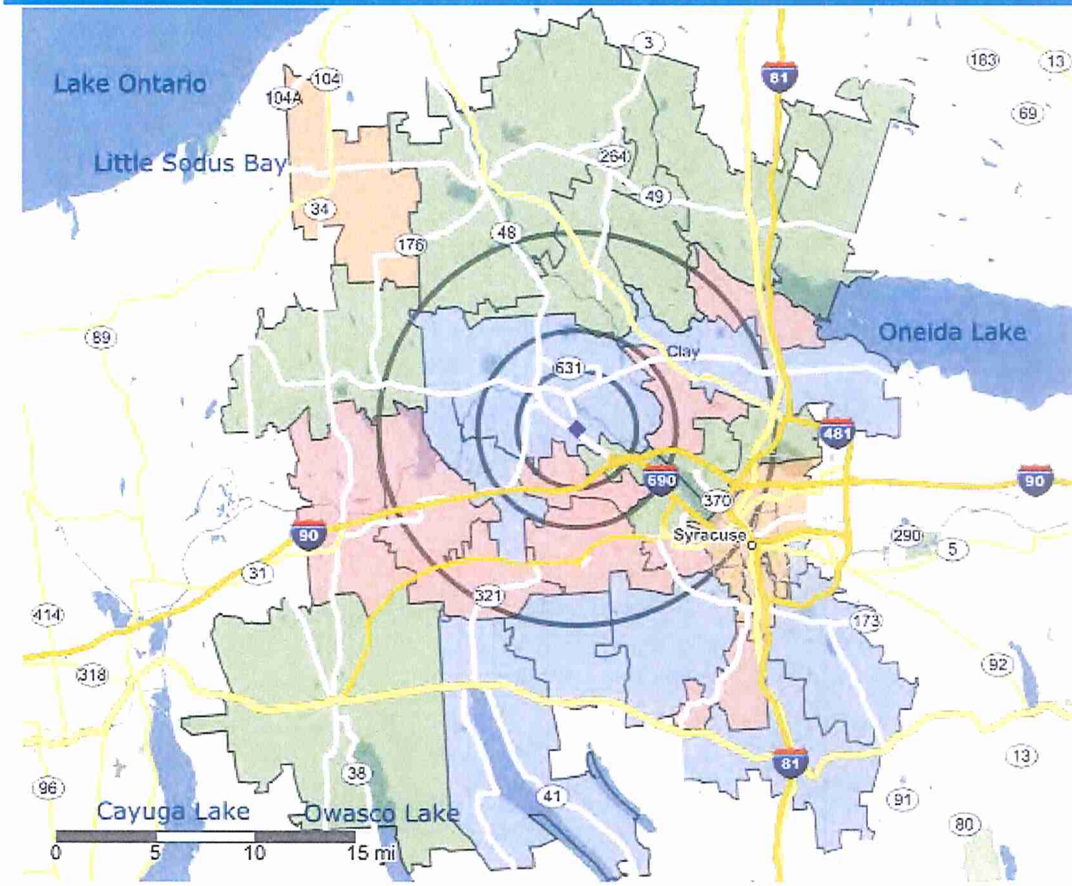
The following is a graphic presentation of the household income distribution throughout the trade area that clearly shows the area surrounding the subject to be characterized by middle- to upper-income households.

HOUSEHOLD INCOME MAP



Household Income - 1: $99,900 - 165,243
Household Income - 2: $84,408 - 99,899
Household Income - 3: $69,803 - 84,407
Household Income - 4: $41,368 - 69,802

HOUSING OCCUPANCY

As illustrated on the Demographic Summary Table presented earlier, there are 9,445 occupied housing units in the subject's three-mile radius, 20,811 occupied housing units in the primary trade area (5.0-mile), and 93,295 in the total ten-mile trade area.

The depth of the rental housing market can be measured by these demographic statistics. The percentage of occupied housing units that are renter occupied is an indicator of demand within an area. Markets that have a high percentage of renter units are indicative of a more transient population. For reference, we note that the United States has 46.46 percent of its occupied housing stock occupied by renters, while the subject's CBSA and county have 32.38 and 35.25 percent of this same stock occupied by renters. This compares to the local statistics, which reflect renter occupied ratios of 31.50 percent, 27.39 percent and 30.97 percent in the 3.0-, 5.0- and 10.0-mile trade areas, respectively.

LOCAL AREA HOUSING

Baldwinsville is a well-established community within Onondaga County. Residential development comprises mostly older single-family detached and multi-family residences and apartment complexes within planned communities throughout the local area. Residential growth is mostly located in outlying areas of the community with greater land area available for development.

According to Experian Marketing Solutions, Inc., there are 21,769 housing units within a five-mile radius of the subject property. The median year built of the existing housing stock is 1983. The median home value within a five-mile radius of the subject property as of 2023 was $194,933. There is a large proportion of owner-occupied housing, comprising about 73 percent of total occupied housing units within a five-mile radius of the subject. The following table reflects a housing summary including the total number of housing units, median housing value and median year built in the local area, as well as the Syracuse region and State of New York for comparative analysis.

HOUSING SUMMARY	3.0-mile Radius	5.0-mile Radius	10.0-mile Radius	Onondaga County	Syracuse CBSA	New York State
HOUSING STATISTICS						
2020 Estimated Housing Units	9,445	20,857	93,544	195,654	269,329	7,780,002
2023 Est. Median Housing Value	$189,882	$194,924	$169,043	$181,730	$169,671	$358,500
2023 Est. Median Year Built	1981	1983	1971	1966	1968	1961

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CONCLUSION

We analyzed the profile of the subject's region in order to make reasonable assumptions as to the continued performance of the property.

A regional and local overview was presented which highlighted important points about the study area. Demographic and economic data specific to the residential market were also presented. Demographic information relating to these sectors was presented and analyzed in order to determine patterns of change and growth as it impacts the subject property. The data quantifies the dimensions of the total trade area, while our comments provide qualitative insight into this market. A compilation of this data forms the basis for our projections and forecasts for the subject property. The following are our key conclusions.

The following are our key conclusions.

- Vacancy levels for the Syracuse Apartment market are up over last year and are expected to decrease from 3.6 percent next year to 3.3 percent in 2028. Reis forecasts that construction will trail absorption in the near future, and that rental rates should increase over the same period. In the subject's North/Airport submarket vacancy levels are expected to decrease to 2.9 percent by 2028, and rental rates are forecast to increase from $1,106 per month in 2024 to $1,225 per month during the same period.
- The subject property most directly competes with the other apartment complexes in the vicinity. These properties are generally well maintained and have moderate to high occupancy rates.
- As such we believe the property will serve a market encompassing a radius of 10.0-miles. Over the next five years, both the population and number of households in the subject's trade area are projected to remain fairly stable.
- The subject has very good accessibility via the regional Interstate network and local arterials that provide linkages throughout the Syracuse CBSA.
- Based on our analysis we concluded that the subject is well positioned within its market area and the prospect for net appreciation in real estate values is expected to be good.

MARION GARDENS TOWNHOMES | MULTIFAMILY MARKET STUDY

Baldwinsville (Town of Van Buren), Onondaga County, New York | July 2026

County and State analyses support the urgent need for continued multifamily construction. Onondaga County projects that more than 4,000 additional suburban rental units will be needed to accommodate Micron-related growth[1]; the State projects that up to 19,200 additional homes may be needed across the region by 2028 to meet increasing housing demand, including 9,100 rentals.[8] Marion Gardens' proposed 8 units (plus 10 approved, potential next-phase units) are a measured, near-term response.

2.5%[1] SUBURBAN MULTIFAMILY VACANCY - 2024	**4,000+**[1] ADDITIONAL SUBURBAN RENTALS NEEDED WITH MICRON	**~50%**[8] PROJECTED REGIONAL RENTAL DEMAND MAY REQUIRE SUBSIDY OR INCENTIVES	**100%** OCCUPANCY OF 34 EXISTING MARION GARDENS UNITS

MARKET DEMAND FINDINGS

- Low vacancy confirms a constrained suburban rental market.

Suburban multifamily vacancy was 2.5% in early 2024, compared with the County's 5% balanced-market benchmark. A separate Census analysis links low vacancy with limited available supply; New York's statewide rental vacancy rate was 5.3% in 2025.[1,2,3]

- Rental demand has been rising for years.

Suburban Onondaga County added nearly 4,000 renter households during the 2010s, almost twice homeowner growth. The State's regional study projects up to 9,100 additional regional rental homes by 2028.[1,8]

- Micron-related demand requires faster housing production.

Micron projects 50,000 New York jobs, including 9,000 direct positions. Meeting the minimum regional housing need through 2038 would require about 2,300 homes annually, more than twice the recent permitting rate.[6,8]

- Townhomes broaden the suburban housing mix.

County planning calls for more attached, higher-density housing. The State's feasibility analysis includes townhomes among formats suited to about 2,300 projected renter households, or 30% of analyzed 2028 demand. Marion Gardens provides this attached alternative with private entries, garages and outdoor space.[1,8]

MARION GARDENS: DIRECT, PROVEN RESPONSE

34 EXISTING UNITS 100% OCCUPIED	**8** UNITS PROPOSED FOR CONSTRUCTION	**10** UNITS TARGETED FOR THE NEXT PHASE	**52** TOTAL UNITS AT PLANNED BUILDOUT

Location and market fit. Marion Gardens is under a half mile from I-690, and the developer estimates a commute of 25 minutes to Micron. Its 2 and 3-bedroom attached homes give workers, couples and families a lower-maintenance alternative to detached housing while county rents and home prices are rising and the ownership market favors sellers.[4]

New York's 2026 regional fund responds to high borrowing costs, construction expenses and financing gaps.[5] The State estimates that only 30% of projected 2028 rental demand is financially feasible under current conditions, with 20% borderline and 50% likely to require subsidy.[8] The County similarly identifies funding gaps between development costs and market-supported rents, and has considered increasing O-CHIP support to $15,000 per unit.[1,7] Tax and other incentives can therefore advance suburban rental, attached-housing and Micron-readiness goals through further construction at Marion Gardens.

SOURCES: 1) Onondaga County HNA (June 2024), pp. 5-7; 2) U.S. Census, ACS Vacancy Report (May 2026); 3) U.S. Census/FRED, NY Rental Vacancy (2025); 4) Realtor.com, Onondaga County Market (June 2026); 5) ESD, Housing Central New York Fund (Feb. 2026); 6) Micron, New York Fab First Concrete (July 2026); 7) Onondaga County, 2026 State of the County; 8) ESD/HR&A, Central New York Housing Study, pp. 18-19, 25-27.