

Project Memo: **Baggs Square Partners, LLC**

Use: Redevelopment of historic building in Baggs Square East district in the City of Utica. Conversion of historic four-story building into 24 market-rate, loft apartments on the second, third and fourth floors. The first floor will be build out to either office or commercial use. The building is adjacent to the MVCC’s construction trades facility and MVCC Foundation’s thINCubator.

Benefits: PILOT: **TBD (awaiting discussion with city assessor)** - Sales Tax - \$236,84 - Mortgage Recording Tax - \$26,930 Est. Total - **TBD**

<b>Criteria</b>	<b>Description of Criteria</b>	<b>Points</b>
Adaptive Reuse Projects	Projects that propose a change in use to an existing building (e.g., reuse of vacant or underutilized facility) or propose development on a vacant urban infill site <sup>1</sup> that is being repurposed or redeveloped for an eligible housing project.	<b>20/20</b>
Eligible Area Locations	Projects located within <i>Eligible Areas</i> (see attached map) that have 24 or more units of eligible housing units via new construction or renovation, except for urban infill development projects where the IDA will entertain applications for projects located on a vacant urban infill site that has less than 24 units of eligible housing. <b>Conversion of existing, vacant space to 24 apartment units.</b>	<b>20/20</b>
Utilizes Existing Infrastructure	Projects that <b>utilize existing infrastructure</b> (i.e. utilizing both existing sewer and water services and do not require system expansion. Modernizations, such as replacing existing pipes where service is already provided, are viewed favorably). <b>Municipal services already on site. Internal building upgrades as required for purpose.</b>	<b>15/15</b>
Community Benefits	Projects that create other benefits that inure to the benefit of the community that may include: rebuilding community infrastructure, pays sewer credits, creates or contributes to a community amenity, dedicates land to a municipality for a public improvement (e.g., municipal parking lot, trail, park or recreational improvement, community center/fitness center), removes slums and blighting influences (e.g., demolition or supports in-fill development within a neighborhood, commercial corridor, downtown, or main street area), provides an environmental enhancement (e.g., flooding wetlands creation/restoration, development of habitat areas/enhancements), is part of a Brownfield, utilizes federal/state historic tax credit programs, provides mixed income rental units to support workforce housing, or provides other benefits deemed important and relevant by OCIDA. <b>Project will prevent further physical degradation of a historic building in a targeted redevelopment area. There is a plan to create an urban park along Broad Street, which will soften the primarily asphalt domination of the existing landscape, which could also be used by residents.</b>	<b>10/10</b>
Mixed Use Development Projects	Projects that are mixed use development with housing being at least –50% or more of a building’s total area and the project induces job growth (mixed use development project proposes direct job creation with non-residential uses). To reach 20 points, must create at least 2 FTEs. <b>One job to be created.</b>	<b>10/20</b>
<b>Total Points:</b>	<b>Based upon the points system established by the IDA this project qualifies for 75 points.</b>	<b>75/85</b>

---

# APPLICATION FOR FINANCIAL ASSISTANCE

---

## Oneida County Industrial Development Agency

584 Phoenix Drive  
Rome, New York 13441-1405  
(315) 338-0393 telephone  
(315) 338-5694 fax

Shawna M. Papale, Executive Director

*A non-refundable application fee of \$500.00 must be submitted at the time of application along with a \$1,000 commitment fee; the \$1,000 commitment fee will be applied to closing fees.*

*Please submit the original and two (2) copies of the application, SEQR form and Cost/Benefit Analysis with the above fees. Please also deliver an electronic copy of all.*

***All applications must be submitted at least 10 days prior to meeting.***

Baggs Square Partners, LLC

---

Name of Applicant

Number (to be provided by the agency)

***Note to Applicant:***

The information requested by this application is necessary to determine the eligibility of your project for Agency benefits. Please answer all questions, inserting "none" or "not applicable" where appropriate. If you are providing an estimate, please indicate by inserting "est" after the figure. Attach additional sheets if more space is needed for a response than is provided.

Return the original application and two copies with a check in the amount of \$1500.00 made payable to: **Oneida County Industrial Development Agency (OCIDA)**, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director. \$1000 will be applied at closing against the IDA legal fees. In addition, an electronic version of the application (signed), SEQR form (signed), and Cost/benefit to [spapale@mvedge.org](mailto:spapale@mvedge.org).

Upon the submission of this application to OCIDA, this applicant becomes a public document. Be advised that any action brought before the OCIDA is public information. All agendas for OCIDA are issued prior to full agency meetings and posted in public domain. If there is information that the applicant feels is proprietary please identify as such and that information will be treated confidentially to the extent permitted by law.

By signing and submitting this Application, the Applicant acknowledges that it received a copy of the Uniform Tax Exemption Policy and the Oneida County IDA Penalty for Failure to Meet Employment Levels as adopted by the Agency and Agency Memorandums pertaining to the benefits of projects financed through the Agency.

A project financed through the Agency involves the preparation and execution of significant legal documents. Please consult with an attorney before signing any documents in connection with the proposed project. You will receive an engagement letter from the OCIDA legal counsel. You will be asked to sign the engagement letter acknowledging you will be responsible for all legal fees of OCIDA legal counsel and that you understand the process. Should you not close and legal services have been rendered by the OCIDA legal counsel, your company will be responsible for those costs.

If your project requires a public hearing, a representative of the applicant is required to be present. A date will be coordinated by the OCIDA legal counsel.

If you have questions how to calculate your company's IDA application fee please consult with the Memorandum to Companies Sale – Leaseback Transactions or please contact the IDA Executive Director.

**Part I: Applicant Information**

**Note:** In responding to the following questions, please keep in mind that the Applicant will be party to all of the documents and is the individual or entity which will receive the actual financial assistance from the Agency.

**Applicant**

1(a) Applicant's Legal Name: Baggs Square Partners, LLC

1(b) Principal Address: 4828 Cedarvale Road  
Syracuse, New York 13215

1(c) Telephone/Facsimile Numbers: 315 455-5941  
315 452-8294

1(d) Email Address: gthurston@haynerhoyt.com

1(e) Federal Identification Number: \_\_\_\_\_

1(f) Contact Person: Gary Thurston

1(g) Is the Applicant a  Corporation:  
If yes, Public  Private   
If public, on which exchange is it listed? \_\_\_\_\_

Subchapter S  
 Sole Proprietorship  
 General Partnership  
 Limited Partnership  
 Limited Liability Corporation/Partnership  
 Single-Member LLC (name and EIN below):  
Name: Gary Thurston  
EIN: 47-3161772

DISC  
 Other(specify) \_\_\_\_\_

1(h) State of Organization (if applicable) New York

**Applicant's Stockholders, Directors and Officers (or Partners)**

2(a) Provide the following information with respect to parties with 15% or more in equity holdings:

<u>Name</u>	<u>Address</u>	<u>Percentage of Ownership</u>
Gary Thurston;	4828 Cedarvale Road; Syracuse, New York 13215	100%

2(b) Is the Applicant, or any of the individuals listed in 2(a) above, related directly or indirectly to any other entity by more than 50% common ownership? If so, indicate name of such entity and the relationship.

Crane-Ballou, LLC Same  
Symphony Tower, LLC Same  
St. Patrick's Lofts, LLC Same  
Station #4, LLC, Same

2(c) Is the Applicant affiliated with any other entity, directly or indirectly, other than as listed in the response to 2(a) above? If yes, please indicate name and relationship of such other entity and the address thereof:

THHC Holding Company; Officer; stockholder  
Thurston Properties, LLC; Manager; General Partner  
6715 Joy Road Associates, LLP; General Partner  
Syracuse Community Hotel Restoration Company 1, LLC; Member  
Cornerston REO, LLC; Member  
506 Old Liverpool Road, LLC; Member

**Applicant's Counsel and Accountant**

3(a) Applicant's Attorney

Name/Title: Fredrick Marty  
Firm: MacKenzie Hughes, LLP  
Address: 440 So. Warren Street  
Syracuse, New York 13202  
Telephone/Fax: 315 233-8219 315 474-1216  
Email: fmarty@mackenziehughes.com

3(b) Applicant's Accountant

Name/Title: Jean Cole  
Firm: Firley Moran Freer & Eassa, CPA, PC  
Address: 5010 Campuswood Drive  
East Syracuse, New York 13057  
Telephone/Fax: 315 472-7045 315 474-1216  
Email: jcole@fmfeCPA.com

**Business Description**

4(a) Describe the nature of your business and principal products and/or services. Attach additional sheets if necessary.

Commercial real estate development

## **Part II: Project Information**

5(a) Explain your project in detail. This description should include explanation of all activities which will occur due to this project. Attach additional sheets if necessary.

The redevelopment of an historic building in Baggs Square East in the City of Utica. The plan is to convert the former Conmed Building into 24 market rate loft apartments on the second, third and fourth floors and to convert the first floor to either office or commercial uses.

Two other buildings on the former Conmed property have already been repurposed and are occupied by MVCC's construction trades program and MVCC Foundation's thINCubator.

### **Reasons for Project**

6(a) Please explain in detail why you want to undertake this project.

There is a need for market rate housing to serve the needs of young professionals and empty nesters. Our 24 units will add to the housing already in the Baggs Square East area and with the conversion of the Doyle building will begin to create a neighborhood.

The project also takes an historic building, circa 1913, converting it to a new use and therefor saving it from further decline and deterioration.

There's also the obvious economic benefit, but, I want to make a positive contribution to my native City. I want to add to the optimism that exists and continue to move both the City and Mohawk Valley forward.

6(b) Why are you requesting the involvement of the Agency in your project?

I need the benefits the Agency can offer to make the project affordable due to the cost of stabilization to exterior masonry and the storefront, removing asbestos containing materials, adding completely new mechanical and electric systems.

Incidental buildings that are connected/attached to the building will be removed and a new handicap accessible entry will be added on the Catherine Street side.

6(c) Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or  No

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

Renovation of historical buildings to convert them to housing is expensive. For instance in this case, new historically correct windows must be added to the East and West walls in order to meet the code for housing. The windows will be installed in multi whythe brick walls.

How will the Applicant's plans be affected or scaled back if Agency approval is not granted?

The area was/is primarily an industrial with seas of asphalt paving and the primary building at 310 Broad Street was impacted over the years by thoughtless renovation. To correct those issues and provide amenities for tenants our proposal includes creating an urban park setting and to correct damage to the building. Financial assistance is needed to make these changes possible.

6(d) Is the proposed project reasonably necessary to discourage the Applicant from removing such other plant or facility to a location outside the State of New York?

Yes  No **If yes, please explain briefly.**

6(e) Will financing by the Agency result in the removal or abandonment of a plant or other facility of the applicant or any related entity presently located in another area of New York State?

Yes  No

**If yes,** is the proposed project reasonably necessary to preserve the competitive position of the Applicant in its respective industry?  Yes  No

**If yes,** please provide a statement and evidence supporting the same. Include the name of all taxing jurisdictions in which the abandoned facility or plant lies, and whether Applicant has had any discussions with said taxing jurisdictions regarding the abandonment. Please provide as much detail as possible.



6(f) Has the Applicant or any related entity previously secured financial assistance in Oneida County (whether through the Agency, the Empire State Development Corporation, or any other entity) ?  Yes  No

If yes, please explain (indicate date of benefit, location of facility and outstanding balance).

The Agency supported our efforts for Crane Ballou, LLC in the redevelopment of another portion of the former Conmed property,

6(g) Has the Applicant or any related entity secured financial assistance anywhere within the United States within the last 90 days or does the Applicant or any related entity anticipate receiving financial assistance within the next 90 days?  Yes  No

If yes, please explain.

6(h) Check all categories best describing the type of project for all end users at project site (you may check more than one; if checking more than one indicate percentage of square footage the use represents):

- Manufacturing
- Industrial Assembly or Service
- Back office operations
- Research and Development
- Technology/Cybersecurity
- Warehousing
- Commercial or Recreational
- Retail
- Residential housing (specify) 24 Loft market rate apartments
- Pollution Control (specify) \_\_\_\_\_
- Environmental (e.g., Brownfield) (specify) \_\_\_\_\_
- Other (specify) \_\_\_\_\_

6(i) Check all categories best describing the **scope of the project**:

- Acquisition of land
- Acquisition of existing building
- Renovations to existing building
- Construction of addition to existing building
- Demolition of existing building or \_\_\_\_\_ part of building
- Construction of a new building
- Acquisition of machinery and/or equipment
- Installation of machinery and/or equipment
- Other (specify) \_\_\_\_\_

6(j) Please indicate the financial assistance you are requesting of the Agency, and provide the estimated value of said assistance. Attach a sheet labeled Annual PILOT that shows the annual utilization of the Real Property Tax Abatement by year and by taxing jurisdiction.

<b>Assistance</b>	<b>Estimated Value</b>
<input checked="" type="checkbox"/> Real Property Tax Abatement	\$ _____
<input checked="" type="checkbox"/> Mortgage Tax Exemption (.75%)	\$ 26,930
Amount of mortgage: \$ 3,590,737	_____
<input checked="" type="checkbox"/> Sales and Use Tax Exemption ** (8.75%)	\$ 236,846
<input type="checkbox"/> Issuance by the Agency of Tax Exempt Bonds	\$ _____

**\*\* Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents will include a covenant by the Applicant that the estimate, above, represents the maximum amount of sales and use tax benefit currently authorized by the Agency with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.**

**Part III: Facility Information (if project that you are applying for is a housing project please also complete questions 7(m) through 7(q))**

**Facility (Physical Information) If multiple locations please provide information on all.**

7(a) Street Address of Facility:

310 Broad Street

---

7(b) City, Town and/or Village (list ALL incorporated municipalities):

Utica, New York

---

7(c) School District:

Utica

---

7(d) Tax Map Number(s):

318.44-1-44

---

---

---

---

**Attach copies of the most recent real property tax bills. Include copies for all taxing jurisdictions for the site/ facility that IDA assistance is being sought.**

7(e) For what purpose was the facility site most recently used (i.e., light manufacturing, heavy manufacturing, assembly, etc.)?

light manufacturing

7(f) Zoning Classification of location of the project:

Community Commercial

---

7(g) Please describe in detail the facility to be acquired, constructed or renovated (including number of buildings, square footage, number of floors, type of construction,) and attach plot plans, photos or renderings, if available. If there are infrastructure improvements (water, sewer, gas, electrical, etc.) please provide details along with who will carry out those improvements and who will fund them. ***Please be as specific as possible.***

310 Broad Street, the former Rathbun Building is a four story building with a floor plate of approximately 13,500 square feet. The building is wood frame with brick exterior walls and a EPDM roof.

The interior of the building was occupied last by Conmed and includes office and lab spaces constructed of drywall partitions, acoustic ceilings, carpet and resilient floor materials. Subsequent to Conmed's occupancy, the building was sold to a "scraper" who removed most/all of the metals and other salvageable materials.

7(h) Has construction or renovation commenced?  Yes  No

If yes, please describe the work in detail that has been undertaken to date, including the date of commencement.

If no, indicate the estimated dates of commencement and completion:

Construction commencement: June/July 2017

Construction completion: December 2017

7(i) Will the construction or operation of the facility or any activity which will occur at the site require any local ordinance or variance to be obtained or require a permit or prior approval of any state or federal agency or body (other than normal occupancy and/or construction permits)?  
 Yes  No

If yes, please describe.

Has the Project received site plan approval from the planning department?  
 Yes  No  N/A

If Yes, please provide the Agency with a copy of the planning department approval along with the related SEQR determination. If no, please provide the status of approval:

7(j) Will the project have a significant effect on the environment?  Yes  No

**Important: please attach Environmental Assessment Form to this Application.**

7(k) What is the useful life of the facility? 50 \_\_\_\_\_ years

7(l) Is the site in a former Empire Zone?  Yes  No

If yes, which Empire Zone: Utica

Is project located in a Federal HUB Zone or distressed area:  Yes  No  
Provide detail.

#### Part IV: Housing Project Questionnaire

Complete the following questions only if your project is a Housing Project. Please reference the Oneida County Industrial Development Agency Uniform Tax Exemption and Agency Benefits Policy Market Rate Rental Housing Development Initiatives. (Add additional pages as needed).

7(m) Describe the housing project to be constructed or renovated in detail (type of housing, number of units, etc.):

24 loft units; 15 one bedroom; 6 two bedroom one bathroom and 3 two bedroom two bathroom units

7 (n) Describe how you will change the current use of the facility or property being utilized for the project. To assist the IDA in their determination of an eligible vacant urban infill site project please provide an extensive explanation as well as photos of what is being removed or replaced with the new construction.

The existing building was used for offices and other things in support of the Conmed Corporation. Our project completely removes all vestiges of that operation and provides for the new construction of the interior,

7 (o) Will the project have any impact on the existing infrastructure or upgrades to the current infrastructure (water, sewer, electrical, gas, etc.)? If yes please provide detail and who you are working with at the applicable organization.

Not anticipated

7 (p) If your project is a multi-use facility please provide details of the project, project square footage breakdown of non-housing to housing usage, detail the job creation and retention associated with the non-housing component.

The floor plates are approximately 13,500 square feet. The first floor includes spaces for an exercise room for the residential tenants and approximately 11,400 square feet is available for commercial and/or office uses. The upper three floors or approximately 40,500 square feet are planned residential.

7 (q) Does the project provide a community benefit? If yes provide detail substantiating (reference the IDA policy).

As mentioned earlier, the plan is to create an urban park along Broad Street. The park will soften the otherwise jungle of buildings and asphalt and could be used by other residents and occupants of buildings in the area,

**Part V: Retail Project Questionnaire**

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

- A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes or  No. If the answer is yes, please continue. If no, proceed to next section.

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

- B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? \_\_\_\_\_%. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to next section.**

**If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:**

1. Will the project be operated by a not-for-profit corporation  Yes or  No.

2. Is the Project location or facility likely to attract a significant number of visitors from outside Oneida County?

Yes or  No

If yes, please provide a third party market analysis or other documentation supporting your response.

3. Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes or  No

If yes, please provide a third party market analysis that demonstrates that a majority of the project's customers are expected to come from outside of Oneida County and the project will not directly compete with existing businesses located in Oneida County.

4. Will the project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

Yes or  No.

If yes, explain The commercial/office space on the first floor will provide space for existing local businesses to expand or provide space for new businesses to locate.

5. Is the project located in a Highly Distressed Area?  Yes or  No

#### Part VI: Facility (Legal Information)

8(a) With respect to the **present owner** of the facility, please give the following information: *(Note: the present owner is not necessarily the user of the facility, but that party which holds legal title to the facility.)*

Legal Name: Baggs Square Partners LLC

Address: 4828 Cedarvale Road

Syracuse, New York 13215

Telephone: (315) 455-5941

Balance of Mortgage: None

Holder of Mortgage: \_\_\_\_\_

If the Applicant is not the present owner of the facility, please attach any written agreements and contracts concerning the acquisition of the real property and/or equipment.

8(b) Is there a legal relationship, directly or indirectly, by virtue of common control or through related persons, between the Applicant and the present owner of the facility?

Yes  No. If yes, please explain.

The applicant is the present Owner.

8(c) Will a related real estate holding company, partnership or other entity, be involved in the ownership structure of the transaction?

Yes  No. If yes, please explain.

8(d) Will the title owner of the facility/property also be the user of the facility?

Yes  No. If no, please explain.

The apartments and commercial/office spaces will be leased to others.

8(e) Is the Applicant currently a tenant in the facility?  Yes  No

8(f) Are you planning to use the entire proposed facility?  
 Yes  No

If no, please give the following information with respect to tenant(s) which will remain in the facility after the completion of the project, including the square footage the Applicant will occupy:

<u>Name of Tenant</u>	<u>Floors Occupied</u>	<u>Square Feet Occupied</u>	<u>Nature of Business</u>
-----------------------	------------------------	-----------------------------	---------------------------

8(g) Are any of the tenants related to the owner of the facility?  
 Yes  No  
If yes, please explain.

8(h) Will there be any other users utilizing the facility?  
 Yes  No  
If yes, please explain. Provide detail of the contractual arrangement including any financial exchange for the use of the site or property.  
Loft apartments and the commercial/office space will be leased to others.

### Part VII: Equipment

9(a) List the principal items or categories of equipment to be acquired as part of the project. If you are requesting sales tax exemption it is important to be as detailed as possible. (If a complete list is not available at time of application, as soon as one is available but prior to final authorizing resolution, please submit a detailed inventory of said equipment to be covered.) Attach a sheet if needed.

None

9(b) Please provide a brief description of any equipment which has already been purchased or ordered, attach all invoices and purchase orders, list amounts paid and dates of expected delivery. Attach a sheet if needed.

9(c) What is the useful life of the equipment? \_\_\_\_\_ years



**Part VIII: Employment Information**

10(a) Estimate how many construction jobs will be created or retained as a result of this project.

Construction Jobs 50

10(b) Estimate how many jobs will be created as a result of this project.

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)				
Part Time (PTE)		One	One	
Total ***		One	One	

\*\*For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column. The Labor Market Area includes the Counties of Oneida, Lewis, Herkimer, Madison and

\*\*\* By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the THREE year time period following Project completion. An FTE works 35 hours or more per week. Agency staff converts PTE jobs into FTE jobs by dividing the number of PTE jobs by two (2).

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	\$25,000	\$7,500
Administrative		
Production		
Independent Contractor		
Other		

Employment at other locations in Oneida County:

	Address	Address	Address
Full time			
Part Time			
Total			

Will any of the facilities described above be closed or subject to reduced activity?

Yes or  No

*\*\* If any of the facilities described above are located within the State of New York and you answered Yes to the question above you must complete Part I Question 6(e) of this Application.*

*\*\* Please note that the Agency may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.*

10( c) Please list the NIC codes for the jobs affiliated with this project.

**Part IX: Estimated Project Cost and Financing**

11(a) List the costs necessary for the construction, acquisition or renovation of the facility.

Acquisition of Land	_____
Acquisition of Building(s)	\$143,440
Renovation Costs	\$5,752,626
New Construction of Buildings	_____
Machinery and Equipment (other than furniture costs)	_____
Fixtures	_____
Installation Costs	_____
Fees (other than your own broker and legal fees)	\$477,954
Legal Fees (IDA legal fees, Applicant legal fees)	\$70,000
Architectural/Engineering	\$134,700
Interest on Interim Financing	\$121,000
Other (specify)	_____
Subtotal	_____
<b>Agency Fee<sup>1</sup></b>	\$13,625
<b>Total Project Cost</b>	\$6,713,345

<sup>1</sup>See Attached Fee Schedule (Page 19) for Agency Fee amount to be placed on this line

11(b) **Sources of Funds for Project Costs:**

Bank Financing:	\$ <u>\$3,590,737</u>
Equity (excluding equity that is attributed to grants/tax credits)	\$ <u>\$381,468</u>
Tax Exempt Bond Issuance (if applicable)	\$ _____
Taxable Bond Issuance (if applicable)	\$ _____
Public Sources (Include sum total of all state and federal grants and tax credits)	\$ _____
Identify each state and federal grant/credit:	
CFA _____	\$ <u>\$900,000</u>
HTC _____	\$ <u>\$1,741,140</u>
National Grid _____	\$ <u>\$100,000</u>
_____	\$ _____
Total Sources of Funds for Project Costs:	\$ <u>\$6,713,345</u>

**Real Estate Taxes**

12(a) For each tax parcel which comprises the facility, please provide the following information, using figures from the most recent tax year.

Tax Map #	Current Assessed Value (Land)	Current Assessed Value (Building)	Real Estate Taxes
318.44-1-44	\$184,000		\$9,785

12(b) Address of Receiver of Town and/or Village Taxes:

City of Utica

---

---

---

12(c) Address of Receiver of School Taxes:

City of Utica

---

---

---

12(d) Will the completion of the proposed project result in the increase of the assessment of any of the parcels named above?  Yes  No

If yes, please indicate which tax account numbers will be affected.

### Financial Information

13(a) Has the Applicant contacted any bank, financial/lending institution or private investor with respect to the financing of the proposed project?

Yes  No

If yes, please provide details.

We have submitted the project to several lenders and historic tax investors including Five Star, Berkshire, Pathfinder

13(b) Has the Applicant received a commitment letter for said financing?

Yes  No

If yes, please submit a copy of said commitment letter along with this Application.

13(c) Please complete the Cost/Benefit Analysis form and attach to this Application. As you begin completing the form and have questions, please call the IDA office.

## REPRESENTATIONS AND CERTIFICATION BY APPLICANT

The undersigned requests that this Application be submitted for review to the Oneida County Industrial Development Agency (the "Agency") and its Board of Directors.

Approval of the Application can be granted solely by this Agency's Board of Directors. The undersigned acknowledges that Applicant shall be responsible for all costs incurred by the Agency and its counsel in connection with the attendant negotiations whether or not the transaction is carried to a successful conclusion.

The Applicant further understands and agrees with the Agency as follows:

- 1. Annual Sales Tax Filings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- 2. Annual Employment, Tax Exemption & Bond Status Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site as well as tax exemption benefits received with the action of the Agency. For Applicants not responding to the Agency's request for reports by the stated due date, a \$500 late fee will be charged to the Applicant for each 30-day period the report is late beyond the due date, up until the time the report is submitted. Failure to provide such reports as provided in the transaction documents will be an Event of Default under the Lease (or Leaseback) Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Annual Employment, Tax Exemption & Bond Status Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
- 3. Absence of Conflict of Interest.** The Applicant has consulted the Agency website of the list of the Agency members, officers and employees of the Agency. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described (if none, state "none"):
- 4. Hold Harmless.** Applicant hereby releases the Agency and its members, officers, servants, agents and employees from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to 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 processing of the Application, including attorneys' fees, if any.

5. The Applicant acknowledges that the Agency has disclosed that the actions and activities of the Agency are subject to the Public Authorities Accountability Act signed into law January 13, 2006 as Chapter 766 of the 2005 Laws of the State of New York.
6. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
7. The Applicant acknowledges that it has been provided with a copy of the Agency's recapture policy (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
8. 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.

9. 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.
10. 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 the Project.
11. 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.
12. The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent 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 statements contained herein not misleading.

STATE OF NEW YORK )  
COUNTY OF ONEIDA ) ss.:

Gary Thurston

, being first duly sworn, deposes and says:

1. That I am the Managing Member (Corporate Office) of Baggs Square Partners, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

Gary Thurston  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 17<sup>th</sup> day of April, 2017.

Sarah E Bishop  
(Notary Public)

Sarah E Bishop  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01KO6270798  
Qualified in Onondaga County  
My Commission Expires October 22, 2020

If the application has been completed by or in part by other than the person signing this application for the applicant please indicate who and in what capacity:

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Return the original application and two copies with a check in the amount of \$1500.00 made payable to: **Oneida County Industrial Development Agency (OCIDA)**, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director. \$1000 will be applied at closing against the IDA closing fee. In addition, please send an electronic version of the application (signed), SEQR form (signed), and Cost/benefit to [spapale@mvedge.org](mailto:spapale@mvedge.org).



## **Agency Fee Schedule**

Commitment Fee: \$1,000 – due following the initial inducement but prior to scheduling of the public hearing; this amount is non-refundable if the applicant fails to close on the project before the IDA. Upon closing with the IDA this amount is applied to the closing fees.

Bond Fees: ½ of 1% of total bond amount

IDA Agency Fee: PILOT, Mortgage Recording Exemption, Sales Tax Exemption:

- Up to a \$1.0 Million project - \$5,000
- Above \$1.0 Million project up to \$10.0 Million project – ½ of 1% of total project cost.
- Above \$10.0 Million project – ½ of 1% of total project cost up to \$10.0 Million plus incremental increase of ¼ of 1% of total project above \$10.0 Million.

Transaction Counsel/Agency Counsel fee:

Set by Bond/Transaction Counsel based upon the nature and complexity of the transaction. This applies to bond and non-bond transactions (leasebacks, sale-leasebacks, etc).

Transaction Counsel/Agency Counsel fees for bond transactions typically will not exceed 2% of the bond amount or project costs. Transaction Counsel/Agency Counsel fees for a sale-leaseback/lease-leaseback transaction are typically \$8,500 to \$10,000 if no commercial financing is involved or \$10,000 to \$12,000 if commercial financing is involved. You will receive an engagement letter with a quote based upon the scope of your project.

Annual Fee:

For the term in which the property remains in the IDA's name, an annual lease payment is due in the amount of \$500. The first payment is due at closing and subsequent payments are due each January 1. For annual fees not paid and delinquent, a late charge of \$50 per month will be levied until such time the fee plus late charges are paid.

Other fees:

If Applicant requests the IDA enter into subsequent transactions following closing (i.e., a facility refinance), the IDA will charge a closing fee equal to 1/8 of one percent of the total reissuance, redemption, new or revised mortgage, refinancing, spreading agreement or other transaction with a minimum payment due of \$500. Applicant will also be responsible to pay any legal fees the IDA incurs in connection with said transaction.

**ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
COST/BENEFIT ANALYSIS  
Required by §859-a(3) of the  
New York General Municipal Law**

---

**TO BE ATTACHED TO AND MADE PART OF APPLICATION TO THE  
OCIDA**

---

**NAME OF APPLICANT:** Baggs Square Lofts, LLC

**DESCRIPTION OF PROJECT:** Repurpose of former ConM<sub>4</sub>

**NAME OF ALL SUBLESSEES OR  
OTHER OCCUPANTS OF FACILITY:** \_\_\_\_\_  
\_\_\_\_\_

**PRINCIPALS OR PARENT OF APPLICANT:** \_\_\_\_\_  
\_\_\_\_\_

**PRINCIPALS OF ANY SUBLESSEE  
OR OCCUPANT:** \_\_\_\_\_  
\_\_\_\_\_

**PRODUCT/SERVICES:** \_\_\_\_\_

**ESTIMATED DATE OF COMPLETION OF PROJECT:** 2017

**TYPE OF FINANCING/STRUCTURE:**  Tax-Exempt Financing  
 Taxable Financing  
 Sale/Leaseback  
 Other \_\_\_\_\_

**TYPES OF BENEFITS RECEIVED:**

- Taxable Financing
- Tax-Exempt Bonds
- Sales Tax Until Completion Date
- Mortgage Tax Abatement
- Real Property Tax Abatement

**PROJECT COSTS – CAPITAL INVESTMENT**

Land	_____	Cost per Acre _____
Existing Building	143,340	_____
Rehab of Existing Building	5,752,626	_____
Construction of New Building	_____	Cost per Sq Ft. _____
Addition or Expansion	_____	Cost per Sq Ft. _____
Engineering and Architectural Fees	134,700	_____
Equipment	_____	Cost per Sq Ft. _____
Legal Fees		
Bank, Bond, Transaction, Company,		
Credit Provider, Trustee	70,000	_____
Finance Charges		
Title Insurance, Environmental		
Review, Bank Commitment Fee,		
Appraisals, etc.	598,954	_____
Agency Fee	13,625	_____
<b>TOTAL COST OF PROJECT</b>	6,713,345	_____
Job Revolving Fund Loan	_____	
Other Grants or Loans	_____	

**COMPANY INFORMATION**

Existing Jobs \_\_\_\_\_  
Created Jobs (Year 3) <sup>1</sup> \_\_\_\_\_  
Retained Jobs \_\_\_\_\_

**EARNINGS INFORMATION**

County Spec Average Direct Jobs \$ \_\_\_\_\_  
County Spec Average Indirect Jobs \$ \_\_\_\_\_  
County Spec Average Construction Jobs \$ \_\_\_\_\_

**MULTIPLIER INFORMATION**

Indirect Job Rate 2.5  
Sales Tax Rate (8.75%)  
Mortgage Tax Rate .75%

Assumed Real Property Tax Rate Per Thousand for Municipality where project is located: \_\_\_\_\_

Assumed Real Property Assessment of facility where IDA assistance is being sought: \_\_\_\_\_

Assumed NYS Income Tax rate on earnings 4.25%: \_\_\_\_\_

**Note:** \$1,000,000 in construction expenditures generates 15 person – years of employment

**CALCULATION OF BENEFITS (3 – YEAR PERIOD)**

**NYS PERSONAL INCOME TAX RECEIVED**

	<u>Total Earnings</u>	<u>Revenues</u>
Direct Jobs		
Created	_____	_____
Existing	_____	_____
Indirect Jobs		
Created	_____	_____
Existing	_____	_____
Construction		
Person Years	_____	_____
<b>TOTALS</b>	_____	_____

**TAXABLE GOODS AND SERVICES**

	<u>Spending Rate</u>	<u>Expenditures</u>	<u>State and Local Sales Tax Revenues</u> <small>(Expenditure Column x .0825)</small>
<b>Direct Jobs</b>			
Created <small>(total earnings for direct jobs created x .36)</small>	36.0%	_____	_____
Existing <small>(total earnings for direct jobs existing x .36)</small>	36.0%	_____	_____
<b>Indirect Jobs</b>			
Created <small>(total earnings for indirect jobs created x .36)</small>	36.0%	_____	_____
Existing <small>(total earnings for indirect jobs existing x .36)</small>	36.0%	_____	_____
<b>Construction</b>			
Person yrs. <small>(total earnings for construction person yrs. x .36)</small>	36.0%	_____	_____
<b>Totals</b>	_____	_____	_____

Local (3 year) real property tax benefit (assuming \_\_\_\_\_% of jobs existing and created own a residence) with an average assessment of \$ \_\_\_\_\_ and the remainder of jobs existing created pay real property taxes through rent based on an average assessment per apartment of \$ \_\_\_\_\_.

Real Property Taxes Paid \$ \_\_\_\_\_

**COSTS**

Real Property Taxes Abated on Improvements  
Only (3-year period) \$ \_\_\_\_\_

Mortgage Tax Abated \$ \_\_\_\_\_

Estimated Sales Tax Abated During Construction Period  
\$ \_\_\_\_\_

**NOTE:** If there is a tax-exempt financing of all or a portion of the project cost, there is a neutral cost/benefit because of lower interest rates by reason of exclusion of interest from gross income of bondholders for purposes of Federal and State income taxes. Taxable financing carries the same cost/benefit for State Income Tax purposes. Such cost/benefits cannot be quantified.

Please complete either a Short Form EAF or a Long Form EAF and consult with your project engineer or architect if you have any questions which form is appropriate for your project.

# Short Environmental Assessment Form

## Part 1 - Project Information

### 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.

<b>Part 1 - Project and Sponsor Information</b>				
Baggs Square Partners, LLC				
Name of Action or Project:				
Project Location (describe, and attach a location map): 310 Broad Street; Utica				
Brief Description of Proposed Action: Renovation of an existing historic 4 story building, converting is the a mixed use building with a combination of 24 market rate apartments and approximately 13,500 square feet of commercial/office space.				
Name of Applicant or Sponsor: Baggs Square PArtners, LLC		Telephone: 315 455-5941		
		E-Mail: gthurston@haynerhoyt.com		
Address: 4828 Cedarvael Road				
City/PO: Syracuse		State: New York	Zip Code: 13215	
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.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
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: City of Utica building permit			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional			
<input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> 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: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
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: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
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: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Gary Thurston, Managing Member</u> Date: <u>4-17-2017</u></p> <p>Signature: <u><i>Gary Thurston</i></u></p>		

# Short Environmental Assessment Form

## Part 1 - Project Information

### 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.

<b>Part 1 - Project and Sponsor Information</b>			
Baggs Square Partners, LLC			
Name of Action or Project: Baggs square Lofts			
Project Location (describe, and attach a location map): 310 Broad Street; Utica			
Brief Description of Proposed Action: Renovation of an existing historic 4 story building, converting is the a mixed use building with a combination of 24 market rate apartments and approximately 13,500 square feet of commercial/office space.			
Name of Applicant or Sponsor: Baggs Square PArtners, LLC		Telephone: 315 455-5941	
		E-Mail: gthurston@haynerhoyt.com	
Address: 4828 Cedarvael Road			
City/PO: Syracuse		State: New York	Zip Code: 13215
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.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
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: City of Utica building permit			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.924 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 2.298 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>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: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>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: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>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: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Baggs Square Lofts, LLC</u> Date: <u>4-24-2017</u>          Signature: <u>Gary Lent Manager</u></p>		