



2016 APPLICATION FOR FINANCIAL ASSISTANCE

470 Nepperhan Avenue | Suite 200 | Yonkers, New York 10701 | (914) 509-8651
www.yonkerida.com

A. APPLICANT'S INFORMATION

Applicant's Name: AvalonBay Communities, Inc. (or an entity to be formed)		
Name of Person Completing Application and Title: Todd Nicotra, Senior Development Director		
Name of Company (if applicable): AvalonBay Communities, Inc.		
Address: 1499 Post Road, 2nd floor, Fairfield, CT 06824		
Phone: 203-319-4933	Mobile:	Fax:
Email: Todd_Nicotra@avalonbay.com		Website: www.avalonbay.com
Date of Application Submission: 8/18/16		Date needed to begin utilizing benefits: TBD

APPLICANT'S COUNSEL

Name of Counsel: Mark P. Weingarten, Esq.		
Company/Firm Name: DelBello Donnellan Weingarten Wise & Wiederkehr, LLP		
Address: One North Lexington Avenue, White Plains, NY 10601		
Phone 914-681-0200	Mobile:	Fax: 914-684-0288
Email: MPW@ddw-law.com		

PRINCIPAL OWNERS DIRECTORS: (List owners with 15% or more in equity holdings with and their ownership percentage)

1. APPLICANT'S OPERATION TYPE:

☐ Commercial ☐ Manufacturing ☐ Not-for-Profit ☐ Retail (see attached) ☐ Service ☒ Other: residential

2. TYPE of ENTITY: ☒ Taxable ☐ Tax-Exempt Establishment Date: 06 / 03 / 1998

Place of Organization: Maryland

☒ Corporation

☐ Partnership: ☐ General _____ Number of General Partners: _____
☐ Limited _____ Number of Limited Partners: _____

☐ Limited Liability Company/Partnership: Number of Members: _____

☐ Sole Proprietorship _____

3. If a foreign organization, is the Applicant authorized to do business in the State of New York? ☒ Yes ☐ No**4. Corporate Structure – (Attach a schematic if Applicant is a subsidiary or otherwise affiliated with another entity)**



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B. PROJECT INFORMATION

Project Address:

78-91, 80-94 and 37-145 Alexander Street, Yonkers

Block(s) & Lot(s)

Block 2608, Lots 29, 35, & 37; Block 2610, Lots 10, 12, 14, 18, 22, 30, 35, 44 & 48; Block 2615, Lots 1, 23 & 29

Present Legal Owner of Site:

Alex I East, LLC (Block 2608 properties); CFS ATI, LLC (Block 2610 properties) & Alex II West, LLC (Block 2615 properties)

SITE ACQUISITION (if applicable)

How will the site be acquired:

Fee simple

When Is the site planned to be acquired:

TBD upon receipt of final approvals

ZONING OF PROJECT SITE

Current Zone:

I District
(Alexander Street URA)

Proposed Zone:

PUR

Is this project located in:

Distressed Area: ☒ Yes ☐ No

Former Empire Zone: ☐ Yes ☐ No

VARIANCES

Are any variances needed:

None.

PRINCIPAL USE OF PROJECT

Principal Use of Project Upon Completion:

Residential rental community

PROJECT NARRATIVE

Attach your Project Narrative Statement describing project (i.e: land acquisition, scope of construction, timeline, anticipated revenues, contribution to community, etc.) to the completed application upon final submission. Please see attached narrative.

ESTIMATED PROJECT COSTS (Use best estimates)

USES OF FUNDS		SOURCES OF FUNDS	
Value of property to be acquired	\$ 26,527,500	Bank Financing	\$
New construction	\$	Equity (excluding equity attributed to grants and tax credits)	\$ 183,021,234
Renovations/Improvements	\$ 135,411,609	Tax Exempt Bond Issuance	\$
Equipment/Machinery	\$	Taxable Bond Issuance	\$
Fees/Other Soft Costs	\$ 21,082,125	Public Sources (Include sum total of all state and federal grants and tax credits)	\$
Other (explain)	\$	Identify each State and Federal grant/credit:	
			\$
			\$
			\$
TOTAL PROJECT COST	\$ 183,021,234	Total Sources of Funds for Project Costs:	\$ 183,021,234



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B. PROJECT INFORMATION (Continued)

INTER-MUNICIPAL MOVE DETERMINATION

Will the project:

- a) Result in the removal or abandonment of a plant or facility of the applicant from one area of the State of New York to another? ☐ Yes ☒ No
- b) Result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York? ☐ Yes ☒ No
- c) Result in the abandonment of one or more plants or facilities located in the State of New York? ☐ Yes ☒ No

If Yes, to any of the above explain how, withstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupants position in its respective industry:

LIKELIHOOD OF UNDERTAKING PROJECT WITHOUT RECEIVING FINANCIAL ASSISTANCE

Is there likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?
☒ Yes ☐ No

If Yes, then provide a statement below indicating why the Project should be undertaken by the Agency:
Please see the attached narrative.



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C. FINANCIAL ASSISTANCE REQUEST

BENEFITS REQUESTED

- ☒ Sales Tax Exemption (8.875%) (STE)
☐ Mortgage Recording Tax Exemption (1.8%) (MRTE)
☒ Real Property Tax Agreement (PILOT)
☐ Industrial Revenue Bond (IRB)

VALUE OF INCENTIVES

<u>SALES AND USE TAX EXEMPTION:</u> Estimate value of STE for facility construction:	\$ <u>±6.0MM</u>
<u>MORTGAGE RECORDING TAX EXEMPTION:</u> Estimated value of MRTE	\$ <u>N/A</u>
<u>PILOT BENEFIT:</u> Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation. ESTIMATED DURATION OF PILOT: <u>TBD</u> YEARS ESTIMATED VALUE OF PILOT: \$ <u>TBD</u>	
<u>IRB BENEFIT:</u> Is a purchaser for the Bonds in place? <div style="text-align: right;"><input type="checkbox"/>Yes <input type="checkbox"/>No</div> VALUE OF BOND: \$ <u>N/A</u>	
PERCENTAGE OF PROJECT COSTS FINANCED FROM PUBLIC SECTOR SOURCES: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above under the heading "Estimated Project Costs" of the Application.	<u>0</u> %



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D. BUSINESS EMPLOYMENT PLAN

	CURRENT # of jobs at proposed project location	# of jobs to be RELOCATED TO project location	If financial assistance is granted		Estimate the # of residents of the Labor Market Area in which the Project is located that will fill the FT and PT jobs to be created upon THREE years after Project completion*
			Estimate # of FT and PT jobs to be RETAINED	Estimate the # of FT and PT jobs to be CREATED upon THREE years after project completion	
Full Time - FT	0	0	N/A	26	26
Part Time - PT	0	0	N/A		
Total	0	0	N/A	26	26**

*Labor Market Area includes (Hudson Valley) (or six other contiguous counties, including Westchester County, chosen at the Agency's discretion).

**AvalonBay anticipates that 14 of the 26 FTE positions will be employed directly by AvalonBay Communities, Inc.; 8 will be independent contractors who will provide cleaning, concierge and security services; 2 are anticipated to be FTE jobs based on 3rd party hiring (e.g. landscaping and snow removal).

SALARY FRINGE BENEFITS FOR JOBS TO BE RETAINED AND/OR CREATED:

Job Category (Retained/Created)	Salary (\$ Average or \$ Range)	Fringe Benefits (\$ Average or \$ Range)
Management	100,000	31,188-46,188
Professional	62,000-65,000	20,636-28,111
Administrative	40,000	10,984
Production/Skilled Worker	38,000-48,000	10,465-13,060
Independent Contractor	44,250	23,506
Other (not including construction jobs)		



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E. CONSTRUCTION

Estimate how many construction jobs will be created as a result of this project: ±387 FTE construction jobs

If the cost of the total project (in II G above) exceeds \$5,000,000 and involves:

construction of a new facility, or

construction of an addition to an existing facility, or

renovations or alterations to an existing facility please complete the following (if not, please proceed to below):

Estimate cost of project construction contract(s): \$ ±135.4MM

Total cost attributable to materials: \$ ±87.7MM

Total cost attributable to labor: \$ ±87.7MM

Estimated aggregate number of work hours of manual workers to be employed in project construction: 2,348,933

Estimated length of project construction: ±36 MONTHS Estimated start: / completion: /
MM YY MM YY

Will project construction be governed by a project labor agreement ("PLA") with the Building and Construction Trades Council of Westchester and Putnam Counties, New York AFL-CIO ("Council")¹ ☐ Yes ☒ No

If you have answered YES to the preceding question, please attach a copy of the PLA; and you need not complete the remaining portions of this Section (but please see note below).

CONTRACTOR INFORMATION

If contractor/subcontractor has a permanent location in or around Westchester County please use address.

List each Project Construction Contractor or Subcontractor below (currently known or reasonably expected to be hired) (Attached form for any additional and attach to the completed Application when submitting to IDA. Application will be considered incomplete if form is not included and will delay process.)

☐ Contractor ☐ Subcontractor

Name:

Company Name:

Address:

☐ Contractor ☐ Subcontractor

Name:

Company Name:

Address:

☐ Contractor ☐ Subcontractor

Name:

Company Name:

Address:

¹ This may be either a PLA already in effect with the landlord of the Project facility, or a PLA made (or to be made) between the Applicant and the Council directly in connection with Project Construction.



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E. CONSTRUCTION (continued)

If some or all of the Contractor(s) or Subcontractor(s) to be involved in Project construction cannot reasonably be identified at this time, state whether it is Applicant's intention to require the following in its contract(s) for Project construction:

- a) Local hiring (i.e. Westchester): ☐ Yes ☒ No
- b) Will contract require local hiring (i.e. Westchester)?: ☐ Yes ☒ No
If Yes, percentage of manual workers will be local: ____%
- c) Union Labor?: ☐ Yes ☒ No
- d) If Non- Union, will contract require payment of Prevailing Wage?: ☐ Yes ☒ No

If the answer to question "(b)" or "(c)" above is NO, explain omission:

Contractors have not yet been selected. The Applicant will use reasonable efforts to solicit bids from local contractors.

The project will be an open shop project. Bids will be solicited from both union and non-union contractors.

NOTES:

For purposes of this Application, "Prevailing Wage" shall mean the "prevailing rate of wage" as defined in Article 8 of the New York Labor Law.

If Applicant has indicated herein that Project Construction will involve a PLA, union labor, local hiring, and/or payment of Prevailing Wage, the Agency reserves the right to include such requirements in the Project Documentation as conditions for the extension and retention of tax benefits.

ENVIRONMENTAL REVIEW:

Has the required environmental review under the State Environmental Quality Review Act (SEQRA) been completed?
☒ Yes ☐ No

If yes, please attach all documentation (e.g. environmental assessment form, environmental impact statement, findings and determinations of lead agency, to the extent applicable).



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F. REPRESENTATIONS by the APPLICANT

THE APPLICANT UNDERSTANDS AND AGREES WITH THE AGENCY AS FOLLOWS:

- A) Job Listings – In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives and Financial Assistance from the Agency, except otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) First Consideration for Employ – In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives and Financial Assistance from the Agency, except otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) Annual Sales Tax Filings – In accordance with the Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the Annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) Annual Employment Reports – The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency on an annual basis, reports regarding the number of people employed at the project site including corresponding payroll records for the year ending.
- E) Compliance with N.Y. GML Sec. 862(1): 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.
- F) Compliance with Applicable Laws: 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.



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F. REPRESENTATIONS by the APPLICANT

- G) **False and Misleading Information:** 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.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- I) **Absence of Conflicts of Interest** – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described:
-
-
-

G. HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Yonkers Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, and agrees that the Agency shall not be liable for and the applicant agrees to indemnify, defend, pay and hold the Agency harmless from and against any and all liability arising from or expense incurred by the Agency concerning (A) the Agency's costs and expenses in the examination and processing of, as well as action pursuant to or upon, the attached Application, as well as verification of assertions in the application or other applicant submittals or applicant claims made now or in the future, 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 costs and expenses in reviewing any acquisition, construction and/or installation of the Project described therein and (C) and further action, costs and expenses taken by the Agency – with respect to the project; including without limiting the generality of the foregoing, all causes of action and fees and expenses for Agency attorneys, accountants, economists, engineers, architects or other professionals or consultants incurred regarding any part of the application or the review and/or approval and/or monitoring of compliance by the applicant with all laws, rules and regulations and/or in defending any suits or actions which may arise as a result or any for 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 the respect to the Project, then, 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 fees and expenses for Agency attorneys, accountants, economists, engineers architects or other professionals or consultants, if any.

Applicant upon approval shall be responsible for any reasonable costs incurred by the Agency to verify employment or use of benefits received by the YIDA or other information required under the Public Authorities Accountability Act or other law, rule or regulation otherwise at the time said Verification is required.

This Indemnity and Hold Harmless Agreement shall survive any closing or other transaction in which benefits are sought or received by the applicant and shall continue for a period of time up to and including three years after the last benefit is received by the applicant from the City of Yonkers Industrial Development Agency.



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H. CERTIFICATION

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 Connecticut
COUNTY OF WESTCHESTER) ss.:

Mitchell Fairclough, being first duly sworn, deposes and says:

1. That I am the Vice President of Avalon Bay Communities, Inc. and that I am
(Corporate Officer) (Applicant)
duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 21st day of September, 2016.

Beth Meryl Deltz
(Notary Public)

Beth Meryl Deltz
NOTARY PUBLIC
State of Connecticut
My Commission Expires 4/30/2019

APPLICATION FEE & PROCESSING

Enclose with this Application is the Application Fee in the amount of \$600.00 to remittance address:

YONKERS INDUSTRIAL DEVELOPMENT AGENCY
470 Nepperhan Avenue, Suite 200
Yonkers New York 10701

FEES

AGENCY CLOSING FEE:

The Agency will collect an Agency Fee at the time of IDA closing. Fees are based on the type of financial transaction.
(Please see fee schedule below)

Agency Fee Type	Fee
Straight Lease Transactions	.5% of Total Project Cost
Bond Transactions	1% of Total Project Cost

ANNUAL ADMIN FEE:

The Agency will collect an Annual Administrative Fee based on your project type and amount. This fee will be due annually on Feb 28th, after IDA benefits are provided to the project.
(Please see fee schedule below)

Project Type: Straight Lease	Annual Fee
Up to \$10M	\$ 500
Over \$10M	\$1,000
Project Type: BONDS	Annual Fee
Up to \$10M	\$1,000
Over \$10M	\$2,000



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Real Property Tax Benefits (Detailed):

This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT ESTIMATE TABLE WORKSHEET

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	TOTAL PILOT	Full Tax Payment w/o PILOT	NET Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTAL							

*Estimates provided are based on current property tax rates and assessment values



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Cost Benefit Analysis: To be completed/calculated by AGENCY

<u>COSTS = Financial Assistance</u>		<u>BENEFITS = Economic Development</u>
Estimated Sales Tax Exemption*	\$ _____	New Jobs Created Permanent: _____ Temporary: _____
Estimated Mortgage Tax Exemption	\$ _____	Existing Jobs Retained : Permanent: _____ Temporary: _____
Estimated Property Tax Abatement	\$ _____	Expected Yearly Payroll: \$ _____
		Expected Gross Receipts: \$ _____
		Additional Revenues to Municipality: _____ _____
		Additional Revenues to School Districts: _____ _____
		Other Benefits: <input type="checkbox"/> Community Development <input type="checkbox"/> Improve the quality of Life for the Residents of the City <input type="checkbox"/> Regionally Significant <input type="checkbox"/> Development that will attract other investment _____ _____ _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds Invested: \$ _____
TOTAL SAVINGS:	\$ _____	Likelihood of accomplishing proposed project within three (3) years: <input type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's Involvement in the Project.
PLEASE NOTE: Amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 9)

\$ _____ (to be used on the NYS ST-60)

Avalon Yonkers
Section B. (page 2)
Project Narrative

Avalon Yonkers is a proposed apartment development project on three (3) parcels of land in the Alexander Street Urban Renewal Area in downtown Yonkers, New York. The three parcels of land are commonly known as the "ATI site," the "Sun East site," and the Sun West site" (collectively, the "Project Site"). The 2009 Alexander Street Master Plan proposed 3,752 apartments, and Avalon Yonkers will be the first apartment project built within the boundaries of the Master Plan area.

The ATI site was formerly used as a "tank farm" for storage of gasoline, diesel, and fuel oil, first by Standard Oil, and then by A. Tarricone, Inc., and Halstead-Quinn Propane, Inc., its successor. The ATI site is in the New York State Brownfield Cleanup Program (the "BCP"). A Certificate of Completion under the BCP was issued for the site in December, 2013.

The Sun East site was historically used by Polychrome Corporation as a manufacturing and warehouse facility for lithographic printing, which included the handling of large volumes of chemicals and petroleum products. Prior to this industrial use, the site was owned and operated by two oil companies, which may have resulted in petroleum contamination. The Sun West site is currently improved with a two-story concrete block and brick office building that was formerly utilized as a laboratory by the research and development division of Polychrome Corporation. Other historical site uses include an asphalt plant, lumber and coal yard, lighting company yard, and machine shop. The Sun East site and Sun West site are both in the BCP, and are subject to a Brownfield Cleanup Agreement dated September 19, 2012.

The Applicant proposes to redevelop the Project Site as a multifamily rental community with approximately 609 units, in three (3) separate buildings (the "Project"). In accordance with City requirements, 10% of the units will be designated as affordable and rented to qualified households in accordance with Section 43-194.A of the Yonkers Zoning Ordinance.

On the Sun East site, the building will be six (5) stories of residential development wrapped around a four (4) story garage. The residential portions of the building will be on the north, south and west of the site with no residential units facing the east side of the site along the railroad. Access to the parking garage will be provided from Ashburton Avenue. The main lobby area and pedestrian entrance will be at the northwest corner of the site. The building on the Sun West site will be five (5) stories of residential development over a ground level parking garage. The building on the ATI site will be four (4) stories of residential development over a ground level parking garage. Access to the proposed buildings on the Sun West site and ATI site will be from Alexander Street.

An attractive and well defined landscaped pedestrian entrance will be provided between the two buildings on the west side of Alexander Street, allowing public access to the waterfront promenade to be constructed by the Applicant, which will serve as an extension of the Hudson River Esplanade.

Avalon Yonkers

Section C. (Page 4) Narrative

Reasons why the Project should be undertaken by the IDA:

We believe that the Project should be supported by the Yonkers IDA for several reasons. AvalonBay is going to be a pioneer by building the first residential project in the 2009 Alexander Street Master Plan area. The Project will help revitalize a section of downtown that has been neglected and severely underutilized for many years. The Project will create 387 construction jobs and 26 full time jobs, all of which could benefit downtown merchants and restaurants. The Project will create 609 homes whose residents will be able to support current and future merchants and restaurateurs in Yonkers. The Project will provide a variety of housing options for Yonkers residents by incorporating both market rate and affordable rental apartments. Finally, the project involves a significant environmental clean-up. This clean-up will benefit the health and safety of the City of Yonkers.

Pro Forma
Base Rental Revenue
Other Rental Revenue
Economic Vacancy
Revenue:

Payroll
Management Fee
Utilities
Landscaping
Redecorating
Maintenance
Marketing
Office Operations
Non-routine
Insurance
Real Estate Taxes
Expenses

Net Operating Income



State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number

Date: July 21, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Yonkers Planning Board as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Avalon Bay Project

SEQR Status: Type 1 ☒
 Unlisted ☐

Conditioned Negative Declaration: ☐ Yes
 ☒ No

Description of Action:

The applicants, Avalon Bay Communities, Inc, are before the Planning Board for a proposed new waterfront residential development. The proposed use includes 609 residential units with 702 parking spaces across three buildings within the 12.86 acre site. The first site, known as the Sun East site, on the eastern side of Alexander Street, will have a 5 story, 128 unit residential building with 352 parking spaces. The second site, or Sun West site, will be a four story 239 unit residential building over 1 story of parking containing 275 parking spaces. The final site, known as the ATI site will have 242 residential units within a 5 story building over a parking garage with 279 parking spaces. The applicant is also proposing the continuation of the Hudson River esplanade along the river to the west of the Sun West and ATI sites. The project is located within the Alexander Street Urban Renewal Area and is subject to the Alexander Street Master Plan and its related FGEIS, filed on October 31, 2008. This action includes a special use permit application for the Planned Urban Redevelopment and a Site Plan Application.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

****See Location Map Attached**

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

This site has been previously reviewed under the Alexander Street Draft and Final Generic Environmental Impact Statements. Additionally, the applicant supplied with Board with an Expanded EAF and supporting documentation indicates that none of the impacts of the proposed residential development rise above the small to moderate level and would not require an individual Environmental Impact Statement.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Lee J. Ellman, Planning Director

Address: 87 Nepperhan Avenue, Suite 320, Yonkers, NY 10701

Telephone Number: 914.377.6558

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of City of Yonkers

Other involved agencies (if any)

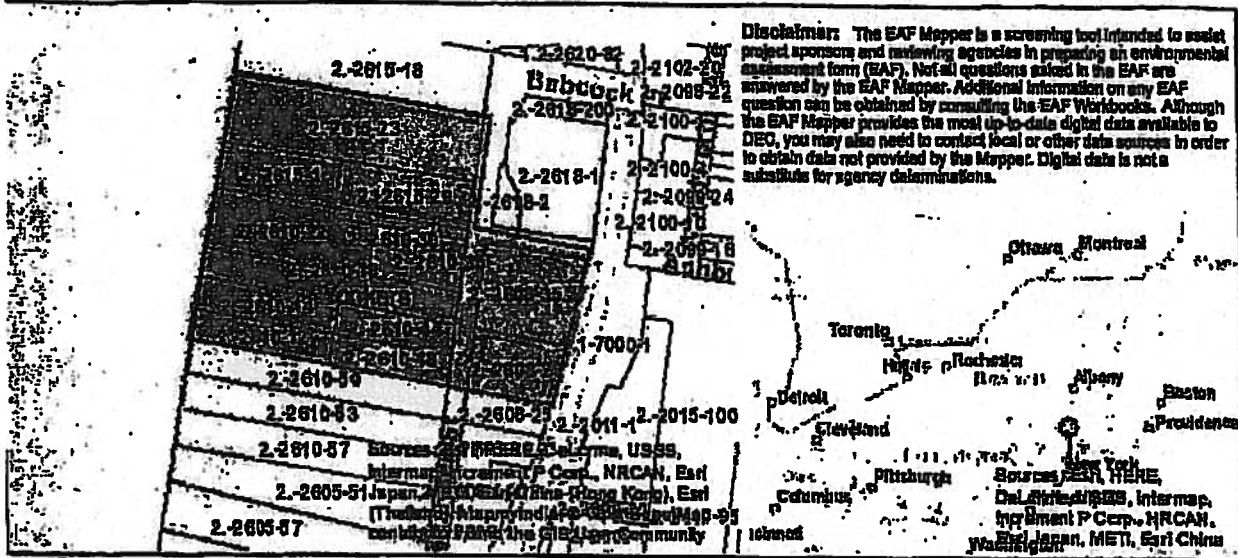
**** See Attached List**

Applicant (if any)

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750 (Type One Actions only)

EAF Mapper Summary Report

Wednesday, March 30, 2016 11:22 AM



B.1.i [Coastal or Waterfront Area]	Yes
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites: C360098, Remediation Sites: 546031, Remediation Sites: B00193, Remediation Sites: C360099, Remediation Sites: C360090
E.1.h. [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location: Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.iii [DEC Spills or Remediation Site - DEC ID Number]	C360098, 546031, B00193, C360099, C360090
E.1.h.iv [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.v [Within 2,000' of DEC Remediation Site - DEC ID]	C360098, 546031, 360051, V00584, C360150, B00193, C360071, C360076, C360138, C360099, C360051, V00190, C360119, C360085A, V00441, V00440, C360090, V00381, B00194
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, Tidal Wetlands
E.2.h.v [Impaired Water Bodies]	Yes

Interested and Involved Agencies:

City of Yonkers, Mayor Mike Spano
City of Yonkers, Traffic Engineering, Dominick Micka
City of Yonkers, City Engineer, Paul Summerfield, PE
City of Yonkers, Water Engineer, Albina Glaz, PE
City of Yonkers, Department of Housing and Buildings, William Schneider, PE
City of Yonkers, Corporation Counsel, Michael Curti, Esq.
City of Yonkers, Department of Planning & Development, Wilson Kimball
City of Yonkers, Department of Public Works, Thomas Meier
City of Yonkers, Parks Department, Yvette Hartsfield
City of Yonkers, Fire Department, Commissioner John Darcy
City of Yonkers, Police Department, Commissioner Chuck Gardner
City of Yonkers, Fire Department, Capt. Christopher DeSantis, PE
City of Yonkers, City Council via Vincent Spano, City Clerk
City of Yonkers, City Council President, Liam McLaughlin
City of Yonkers, 1st District (site location) City Councilman Chris Johnson
City of Yonkers, Industrial Development Agency, Ken Jenkins, President
Westchester County Department of Public Works
ATTN: Kevin Roseman, PE, Traffic Engineer
Westchester County Department of Public Works
ATTN: Ralph Butler, PE, Commissioner
Westchester County Department of Transportation
ATTN: Patty Chemka, Deputy Commissioner
Westchester County Department of Planning
ATTN: David Kvinge, Director of Environmental Planning
Westchester County Department of Health
ATTN: Lenny Meyerson, Deputy Commissioner for Environmental Health
Westchester County Department of Environmental Facilities
New York State Department of Environmental Conservation, Region 3
ATTN: Margaret Duke
New York State Department of Environmental Conservation, Albany
ATTN: Division of Environmental Permits
New York State Department of Transportation, Region 8
ATTN: Mike Cotton, PE, Regional Traffic Engineer
New York State Department of State, Office of Communities & Waterfronts
ATTN: Denise Caldwell
New York State Department of State, Division of Coastal Resources
United States Army Corps of Engineers-New York District
ATTN: Stacey Jensen
Palisades Interstate Park Commission
ATTN: James Hall, Superintendent
Metro North Railroad
ATTN: John P. LaFond, Assistant Director of I & C

Applicants:

John Canning, VHB, Applicant's Consultant
Janet Giris, Esq., Applicant's Consultant
Peter Wise, Esq., Applicant's Consultant

Attachments: Part I Long EAF & Site Location Map