



**Regular Meeting
of the
Yonkers Industrial Development Agency**

**PRELIMINARY
AGENDA**

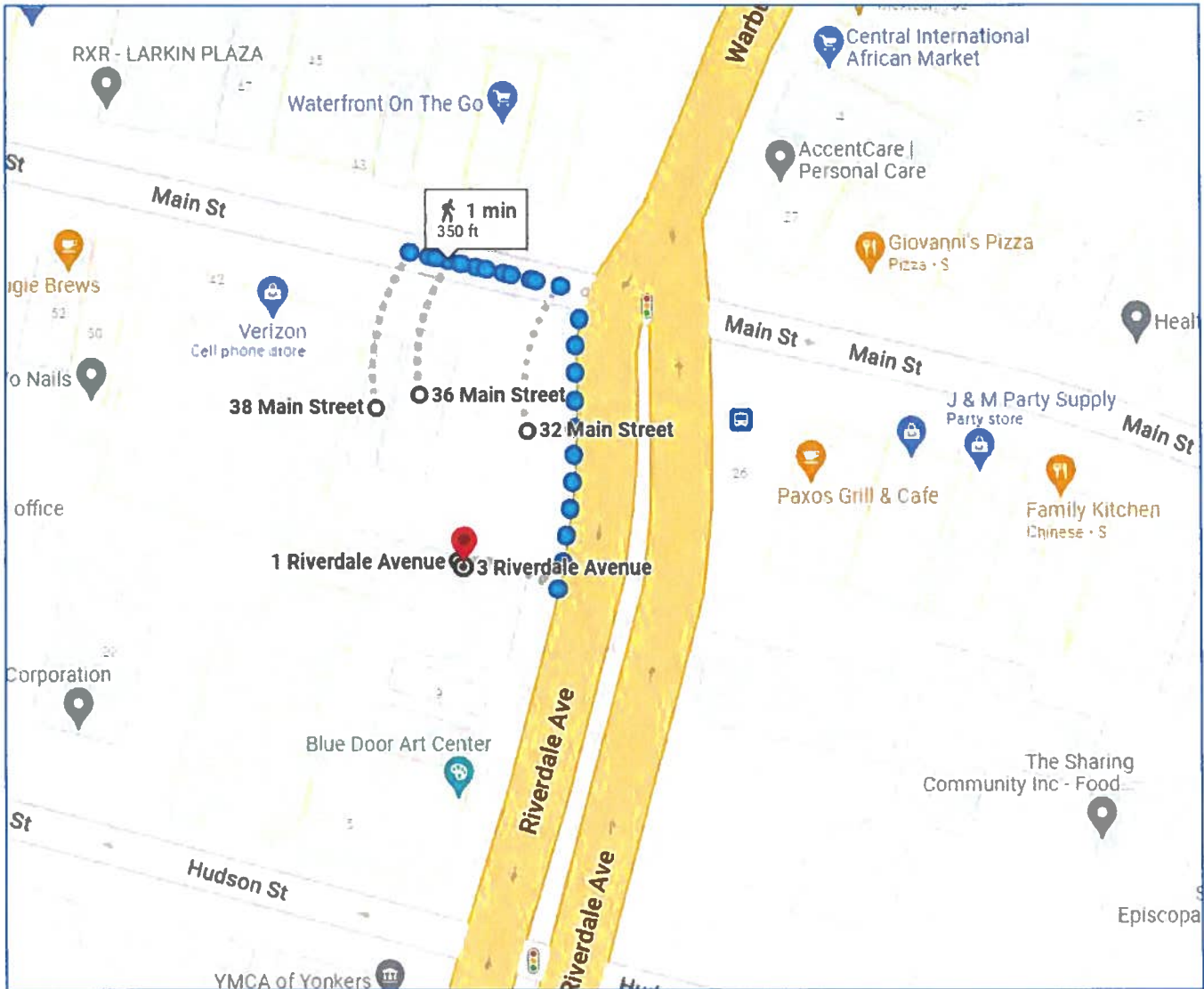
**April 20, 2022
at
4:00 p.m.**

Agenda Subject to Change

- 1) Roll Call**
- 2) Resolutions for Consideration:**
 - I. Inducement Resolution - St. Clair Development LLC**
 - II. Resolution Authorizing the Change in Ownership of The Ridge Hill Project to Ridge Hill Property Owner LLC and Ridge Hill Property Owner III LLC**
- 3) Other Business/and Any Other Business that Comes Before the Board**
- 4) Legal Updates**
- 5) Adjournment**

ST. CLAIR DEVELOPMENT LLC.

32 Main Street, 36 Main Street, 38 Main Street, 1 Riverdale Ave and 3 Riverdale Ave



INDUCEMENT RESOLUTION
(St. Clair Development LLC Project)

A regular meeting of the City of Yonkers Industrial Development Agency was convened in public session on April 20, 2022. The following resolution was duly offered and seconded, to wit:

Resolution No. 04/2022-09

RESOLUTION OF THE CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY ACCEPTING THE APPLICATION OF ST. CLAIR DEVELOPMENT LLC (THE “COMPANY”) WITH RESPECT TO A CERTAIN PROJECT (AS DESCRIBED BELOW) AND (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 83 of the Laws of 1982 of the State of New York, as amended (hereinafter collectively called the “Act”), **CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called the “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **ST. CLAIR DEVELOPMENT LLC**, for itself or an entity to be formed (the “Company”) has submitted an application (the “Application”) to the Agency requesting the Agency’s assistance with a certain project (the “Project”) consisting of: (i) the acquisition or retention of vacant parcels commonly known as 32, 36, 38 Main Street and 1 and 3 Riverdale Avenue (Section 1, Block 501, Lots 18, 19, 20, 22, and 23) (the “Land”); (ii) the construction, renovation, improving, maintaining and equipping on the Land of a 10-story mixed-use residential and commercial building comprising 76 affordable rental units, including 12 studio, 36 one-bedroom, 23 two-bedroom, and 5 three-bedroom units, commercial space on the ground floor, and 34 off-street parking spaces, totaling approximately 81,105 square feet (the “Improvements”); and (iii) the acquisition and installation in and around the Land and Improvements of certain items of equipment and other tangible personal property (the “Equipment”, which together with the Land and Improvements are the “Facility”); and

WHEREAS, pursuant to the Act, the Agency desires to adopt a resolution describing the Project, Facility, and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, it is contemplated that the Agency will hold a public hearing and (i) negotiate and enter into an agent, financial assistance and project agreement, pursuant to which the Agency will designate the Company as its agent for the purpose of acquiring, constructing and equipping the Project (the “Agent Agreement”), (ii) negotiate and enter into a lease agreement (the “Lease Agreement”), leaseback agreement (the “Leaseback Agreement”) and tax agreement (the “Tax Agreement”) with the Company, and, if required by the Agency, a Tax Agreement mortgage (the “Tax Agreement Mortgage”), (iii) take a leasehold interest in the Land, the Improvements and

personal property constituting the Project (once the Agent Agreement, Lease Agreement, Leaseback Agreement and Tax Agreement (and Tax Agreement Mortgage, if applicable) have been negotiated), and (iv) provide financial assistance (as that term is defined in the Act) to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) an exemption of State of New York (“State”) and local mortgage recording taxes (collectively, the “Financial Assistance”); and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. The Company has presented the Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's Application, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) The Agency has the authority to take the actions contemplated herein under the Act; and

(C) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing employment opportunities in the City of Yonkers and otherwise furthering the purposes of the Agency as set forth in the Act; and

(D) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries.

Section 2. The Chairman, Vice Chairman, President, Executive Director, Secretary and/or the CFO are hereby authorized, on behalf of the Agency, to (A) hold a public hearing in compliance with the Act, and (B) negotiate (1) an Agent Agreement, pursuant to which the Agency appoints the Company as its agent to undertake the Project, (2) a Lease Agreement, pursuant to which the Company leases the Project to the Agency, (3) a related Leaseback Agreement, pursuant to which the Agency leases its interest in the Project back to the Company, (4) a Tax Agreement, pursuant to which the Company agrees to make certain payments in lieu of real property taxes for the benefit of affected tax jurisdictions, (5) a Tax Agreement Mortgage, and (6) related Project

certificates, instruments, agreements, and documents; provided (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and Facility and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the Tax Agreement is consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation therefrom have been complied with.

Section 3. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 5. The Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Mayor Mike Spano	[]	[]	[]	[]
Peter Kischak	[]	[]	[]	[]
Marlyn Anderson	[]	[]	[]	[]
Melissa Nacerino	[]	[]	[]	[]
Hon. Cecile D. Singer	[]	[]	[]	[]
Henry Djonbalaj	[]	[]	[]	[]
Roberto Espiritu	[]	[]	[]	[]

The Resolution was thereupon duly adopted.

IDA Resolution No. 04/2022-09
Inducement Resolution – St. Clair Development LCC
April 20, 2022
TC: Harris Beach PLLC

CERTIFICATION
(St. Clair Development LLC Project)

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

I, MARLYN ANDERSON, the undersigned Secretary of the City of Yonkers Industrial Development Agency DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the City of Yonkers Industrial Development Agency (the “Agency”), including the resolution contained therein, held on April 20, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ____ day of _____, 2022.

Marlyn Anderson, Secretary



Project Evaluation Criteria

Date	March 21, 2022
Company Name	St. Clair Development LLC
Project Type	<input checked="" type="checkbox"/> New Development <input type="checkbox"/> Rehab <input type="checkbox"/> Expansion
<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Retail Housing: <input type="checkbox"/> Senior <input checked="" type="checkbox"/> Affordable <input type="checkbox"/> Market Rate <input type="checkbox"/> Public Use	

Location	
Address	36 Main St. and 38 Main St; 32 Main St., 1 Riverdale Ave, 3 Riverdale Ave
Distressed Area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Empire Zone	<input type="checkbox"/> Yes <input type="checkbox"/> No
Empowerment Zone	<input type="checkbox"/> Yes <input type="checkbox"/> No

Approximate Project Cost
\$49,580,309

Benefits Requested
<input checked="" type="checkbox"/> Sales Tax Exemption <input type="checkbox"/> IRB <input type="checkbox"/> MRT Exemption <input checked="" type="checkbox"/> Real Property Agreement

Project Purpose	
<input checked="" type="checkbox"/>	Job Creation
<input type="checkbox"/>	Job Retention
<input checked="" type="checkbox"/>	Community Development
<input checked="" type="checkbox"/>	Quality of Life
<input checked="" type="checkbox"/>	Regionally Significant
<input checked="" type="checkbox"/>	Development that will attract other investment



Project Evaluation Criteria

Describe Below IDA Justification for Inducing Project:

Description to address one or more of the following concepts

(a)	The economic need for the City of Yonkers ("City") to have the applicant remain in or locate within the City;
(b)	The economic, charitable, cultural or other contribution that the applicant will provide to the City and its residents if the application is granted;
(c)	The extent to which receiving IDA benefits adds to the viability of the applicant concerning any activities within the City;
(d)	The extent to which granting the application will improve the quality of life to residents in the City; and
(e)	The extent to which granting the application will complement existing business development in the City.

Macquesten Development LLC, through its related entity St. Clair Development, LLC (the "Applicant"), proposes to construct a 10-story mixed-use residential building with ground floor commercial space, seventy-six (76) affordable rental dwelling units, and related parking and infrastructure to be known as St. Clair Residences (the "Project") on real property parcels located at 36-38 Main Street, 32 Main Street, and 1-3 Riverdale Avenue, which are also known and designated on the tax assessment map of the City as Section 1, Block 501, Lots 18, 19, 20, 22 and 23 (collectively, the "Project Site"). The Project Site is currently vacant and consists of approximately 10,198 square feet (minus 922 square feet in the Riverdale Avenue right of way) on the southwest corner of Riverdale Avenue and Main Street, and is located in the D-MX Mixed-Use Downtown Zoning District ("D-MX District").

The parcels at 32 Main Street, 1 Riverdale Avenue, and 3 Riverdale Avenue are owned by the Yonkers Community Development Agency (collectively, the "YCDA Parcels") and the adjacent real property at 36 Main Street and 38 Main Street has recently been acquired by the Applicant (collectively, the "Applicant Parcels"). On April 26, 2021, the YCDA entered into a Letter of Intent for the conveyance of the YCDA Parcels to Macquesten Development, LLC. On December 20, 2021, the YCDA conditionally designated the Applicant a qualified and eligible sponsor for development of the Project on the Project Site. YCDA approval of a Land Disposition Agreement for the YCDA Parcels is expected in March/April 2022. City Council approvals in connection with disposition of YCDA Parcels are anticipated in March/April 2022. Following disposition of the YCDA Parcels to the Applicant, the YCDA Parcels and the Applicant Parcels will be combined into a single tax lot. The proposed building would consist of a total of 81,105 square feet. The ground floor of the building would be 9,741 square feet, including 3,071 square feet of commercial uses, and the nine floors of residences would be a total 71,364 square feet. The Project would contain a total of 76 rental dwelling units, including 12 studios, 36 one-bedrooms, 23 two-bedrooms, and 5 three-bedroom units. These residential rental units would be occupied only by persons of low income whose annual household income ranges from forty percent (40%) to eighty percent (80%) of the Westchester area median income ("AMI") for their household size (based on US Census data and as updated by the US Department of Housing and Urban Development).

The Project is expected to create approximately 240 construction jobs over the 28 months construction period, and approximately 20 new permanent jobs upon completion of construction



APPLICATION FOR FINANCIAL ASSISTANCE

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

PLEASE NOTE: Confidential information should NOT be inserted in this form as this form will be posted on our website. All confidential information should be inserted by marking "see confidential attachment note 1" etc.

APPLICANT INFORMATION		
Applicant's Name: St. Clair Development, LLC		Date of final application Submission: ____ / ____ / ____
Name of Person Completing Application and Title: Joseph Apicella, Authorized Representative		
Name of Company (if applicable):		
Address: c/o Macquesten Companies, 438 Fifth Avenue, Suite 100, Pelham, New York 10803		
Phone: 914-667-7227	Mobile: 914-319-5102	Email: j_apicella@macquesten.com
PROJECT INFORMATION		
Project Address: 36 Main Street and 38 Main Street; 32 Main Street, 1 Riverdale Avenue, 3 Riverdale Avenue		
Block(s) & Lot(s): 501-18, 501-19, 501-20, 501-22, 501-23		
Present Legal Owner of Site: St. Clair Development, LLC and YCDA		Is applicant/affiliate present owner of the site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
How will the site be acquired: (if applicable) by LDA from YCDA		When is the site planned to be acquired: Lots 20, 22, & 23: 5/22 from YCDA; Lots 18 & 19 owned by Applicant
Current Zone: D-MX	Proposed Zone:	Are any variance needed: Yes, rear yard setback; granted by Zoning Board on 1/18/22
Is this project located in: Distressed Area: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *if unknown, please inquire with IDA Staff Former Empire Zone: <input type="checkbox"/> Yes <input type="checkbox"/> No		
PRINCIPAL USE OF PROJECT: Attach your full Project Narrative Statement describing project (i.e: land acquisition, scope of construction, timeline, sq footage, usage breakdown, anticipated revenues, contribution to community, etc.) and renderings to the completed application upon final submission. See attached Exhibit A.		
Is the location currently: <input checked="" type="checkbox"/> Vacant land <input type="checkbox"/> Abandoned <input type="checkbox"/> In use / occupied Please provide a brief description of the current use of project location(s):		Proposed Project's operation type: <input type="checkbox"/> Commercial <input type="checkbox"/> Manufacturing <input type="checkbox"/> Other: _____ <input type="checkbox"/> Retail (complete retail questionnaire) <input checked="" type="checkbox"/> Housing: Senior / Affordable / Market Rate If housing please provide # of units, unit mix, street level use: 76 rental dwelling units with ground floor commercial Please provide a brief description of the principal use of project upon completion: residential building
Estimated date project will need to begin utilizing benefits:		08 / 01 / 2022
Likelihood of accomplishing proposed project within three (3) years:		<input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely



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ESTIMATED PROJECT COSTS *(Use best estimates. Any amendments should be sent as addendum to application)*

VALUE OF PROPERTY to be acquired	\$ 1,960,000
If you intend to leverage property already owned indicate intended mortgage value:	\$ _____
TOTAL COST OF CONSTRUCTION: (labor + materials)	\$ 30,456,220
Labor: \$ 12,300,000 Equipment/Materials: \$ 11,700,000	
NON CONSTRUCTION Equipment / Furnishings:	\$ 0
SOFT COSTS:	\$ 12,658,830
Other (explain): (developer fee)	\$ 4,505,259
TOTAL PROJECT COST	\$ 49,580,309

Is there likelihood that the Project would NOT be undertaken IF NOT FOR financial assistance provided by the Agency?
 Yes No Please provide an attached statement indicating why the Project should be undertaken by the Agency

COST (Financial Assistance) BENEFIT (Economic Development) ANALYSIS

FINANCIAL ASSISTANCE REQUESTED (check all that apply)		VALUE OF EXEMPTIONS <i>to be completed by IDA staff</i>
<input checked="" type="checkbox"/> SALES AND USE TAX EXEMPTION: <i>Estimated value of Goods and Services to be exempt from sales and use tax (see "Recapture" on page 8)</i>	Value of taxable purchases: \$ 17,700,000	\$ 1,548,750
<input checked="" type="checkbox"/> MORTGAGE RECORDING TAX EXEMPTION: * * benefit not being sought at this time	Estimated Mortgage amount: \$ 0	\$ _____
<input checked="" type="checkbox"/> REAL PROPERTY TAX AGREEMENT (PILOT) * <i>Requested duration of PILOT:</i> *See attached Exhibit B	YEARS: 30	\$ _____
<input type="checkbox"/> INDUSTRIAL REVENUE BOND (IRB) Is a purchaser for the Bonds in place? <input type="checkbox"/> Yes <input type="checkbox"/> No	Estimated value of bond: \$ _____	\$ _____
TOTAL VALUE OF FINANCIAL ASSISTANCE REQUESTED:		\$ _____

Economic Development = BENEFIT

Private Funds invested	\$ 25,548,566	Expected Gross Taxable Receipts:	\$ _____
Estimated Bank Financing	\$ 9,780,000	Add'l Revenue to City/School District:	\$ _____
State and Federal grant/credit: NYSERDA	\$ 152,000	OTHER BENEFITS:	
NYS NCP	\$ 10,640,000	<input checked="" type="checkbox"/> Community Development	
HOME funds	\$ 1,499,743	<input checked="" type="checkbox"/> Development that will attract other investment	
Westchester County NHLA	\$ 1,960,000	<input checked="" type="checkbox"/> Regionally Significant	
TOTAL INVESTMENT IN PROJECT	\$ 49,580,309	<input checked="" type="checkbox"/> Improve the quality of life for the Residents of the City	
		<input type="checkbox"/> Other: _____	



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 <u>RETAINED</u>	Estimate the # of FT and PT jobs to be <u>CREATED</u> upon THREE years after project completion	
Full Time - FT				15-20	100%
Part Time - PT					
Total					

*Labor Market Area includes: Westchester, Putnam, Dutchess

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

JOB CATEGORY	# job RETAINED	# jobs CREATED	SALARY (\$ Average or \$ Range)	FRINGE BENEFITS (\$ Average or \$ Range)
Management		5	+/- \$60,000	included
Professional				
Administrative				
Production/Skilled Worker				
Independent Contractor				
Other (not including construction jobs) (Retail)		10-15	+/- \$60,000	included

INTER-MUNICIPAL MOVE DETERMINATION

Will the project: N/A

- 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 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:



CONSTRUCTION

Estimated length of construction: 28 MONTHS Estimated start: / 2022 Estimated completion: / 2025
MM YY MM YY

Estimate cost of project construction: \$ +/- \$30,456,200

Total cost attributable to materials: \$ +/- \$17,700,000

Total cost attributable to labor: \$ +/- \$12,300,000

Estimate how many construction jobs will be created as a result of this project: 240

Estimated aggregate number of work hours of manual workers to be employed in project construction: 400

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: **Peter Palazzao**

Company Name: **Cappelli Organization**

Address: **5 Renaissance Square, White Plains, NY 10601**

Contractor Subcontractor

Name:

Company Name:

Address:

Contractor Subcontractor

Name:

Company Name:

Address:

¹This 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.



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 (100 mile radius from project site): Yes No
- b) Will contract require local hiring? Yes No
If Yes, percentage of manual workers that will be local: 80+/- %
- 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:

In light of the Project type (100% affordable) and size, the project is not viable if union labor is employed, or payment of prevailing wage is required.

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).

See Exhibit C for Negative Declaration issued by the Planning Board on January 12, 2021 and Full Environmental Assessment Form Parts 1, 2, and 3



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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.



REPRESENTATIONS by the APPLICANT (continued)

- 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:

- J) All indemnifications and representations made by the Applicant in the within Application for Financial Assistance are made both to YIDA and YEDC.

- k) YIDA and YEDC are represented by Harris Beach PLLC as transaction counsel, or if Harris Beach PLLC has a conflict then YIDA and YEDC will identify an alternative law firm to act as Transaction Counsel. You are responsible for the costs and expenses of YIDA and YEDC Transaction Counsel and YIDA and YEDC will establish and have you maintain escrowed funds as the project progresses to pay Transaction Counsel fees. **YOU WILL RECEIVE AN ACKNOWLEDGEMENT AFTER SUBMISSION OF THIS APPLICATION THAT OUTLINES ALL COSTS AND BENEFITS AND YOU WILL NEED TO SIGN THE ACKNOWLEDGMENT BEFORE FINAL APPROVALS ARE MADE AVAILABLE.**



APPLICATION FOR FINANCIAL ASSISTANCE

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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.



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.

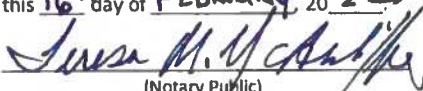
STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

Rella Fogliano, being first duly sworn, deposes and says:

1. That I am the MANAGER of St. Clair Development, LLC 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 16th day of FEBRUARY, 20 22


(Notary Public)

TERESA M MCAULIFFE
Notary Public - State of New York
NO. 01MC6065626
Qualified in Westchester County
My Commission Expires Oct 22, 2025

APPLICATION FEE & PROCESSING

Enclose with this Application is the non-refundable 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)

<u>Agency Fee Type</u>	<u>Fee</u>
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)

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

PLEASE NOTE: Confidential information should NOT be inserted in this form as this form will be posted on our website. All confidential information should be inserted by marking "see confidential attachment note 1" etc.

EXHIBIT A

ST. CLAIR DEVELOPMENT, LLC

Project Narrative Statement

Macquesten Development LLC, through its related entity St. Clair Development, LLC (the "Applicant"), proposes to construct a 10-story mixed-use residential building with ground floor commercial space, seventy-six (76) affordable rental dwelling units, and related parking and infrastructure to be known as St. Clair Residences (the "Project") on real property parcels located at 36-38 Main Street, 32 Main Street, and 1-3 Riverdale Avenue, which are also known and designated on the tax assessment map of the City as Section 1, Block 501, Lots 18, 19, 20, 22 and 23 (collectively, the "Project Site"). The Project Site is currently vacant and consists of approximately 10,198 square feet (minus 922 square feet in the Riverdale Avenue right of way) on the southwest corner of Riverdale Avenue and Main Street, and is located in the D-MX Mixed-Use Downtown Zoning District ("D-MX District").

The parcels at 32 Main Street, 1 Riverdale Avenue, and 3 Riverdale Avenue are owned by the Yonkers Community Development Agency (collectively, the "YCDA Parcels") and the adjacent real property at 36 Main Street and 38 Main Street has recently been acquired by the Applicant (collectively, the "Applicant Parcels"). On April 26, 2021, the YCDA entered into a Letter of Intent for the conveyance of the YCDA Parcels to Macquesten Development, LLC. On December 20, 2021, the YCDA conditionally designated the Applicant a qualified and eligible sponsor for development of the Project on the Project Site. YCDA approval of a Land Disposition Agreement for the YCDA Parcels is expected in March/April 2022. City Council approvals in connection with disposition of YCDA Parcels are anticipated in March/April 2022. Following disposition of the YCDA Parcels to the Applicant, the YCDA Parcels and the Applicant Parcels will be combined into a single tax lot.

The proposed building would consist of a total of 81,105 square feet. The ground floor of the building would be 9,741 square feet, including 3,071 square feet of commercial uses, and the nine floors of residences would be a total 71,364 square feet. The Project would contain a total of 76 rental dwelling units, including 12 studios, 36 one-bedrooms, 23 two-bedrooms, and 5 three-bedroom units. These residential rental units would be occupied only by persons of low income whose annual household income ranges from forty percent (40%) to eighty percent (80%) of the Westchester area median income ("AMI") for their household size (based on US Census data and as updated by the US Department of Housing and Urban Development).

The subsurface parking structure would consist of two below ground levels, with an access ramp from Main Street, and accommodate approx. 34 off-street parking spaces. The Applicant would make a payment of a fee in lieu for approx. 32 off-street parking spaces to satisfy the 66-space off-street parking requirement for the Project. The building would also be improved with a 2,500 square-foot green roof to reduce stormwater runoff.

In connection with the Project, the Applicant applied for site plan approval from the City of Yonkers Planning Board ("Planning Board") and sought a rear yard setback variance from the City of Yonkers Zoning Board of Appeals ("Zoning Board") to accommodate the Project. The Project was classified as an Unlisted Action under the State Environmental Quality Review Act

("SEQRA") and underwent coordinated review, with the Planning Board acting as Lead Agency. On January 12, 2022, the Planning Board completed the SEQRA process by issuing a Negative Declaration for the Project. By Resolution dated January 18, 2022, the Zoning Board granted the requested rear yard setback variance. By Resolution dated February 9, 2022, the Planning Board granted site plan approval for the Project subject to the payment of a fee in lieu of approximately 32 off-street parking spaces. City Council acceptance of the fee in lieu is anticipated in March 2022.

The Project Site is located within Neighborhood Development Program Area No. 2 and is the subject to the provisions of the Modified Riverview Urban Renewal Plan (the "Plan"). Minor modification of the Plan is proposed to recognize that the Project furthers the downtown development goals under the Plan and current zoning. Pursuant to Section 505 of the General Municipal Law, the Planning Board held a public hearing on the modification on February 9, 2022 and gave its unqualified approval of same. City Council approval of the modification is expected in March 2022. The Project Site is also located within the Richard Haas Historic Mural District and the Project is subject to review by the City Landmarks Preservation Board ("Landmarks Board"). By Resolution dated February 2, 2022, the Landmarks Board issued the Certificate of Appropriateness, subject to replacement of a Richard Haas mural at 35 Main Street.

The Applicant is seeking assistance from the Yonkers Industrial Development Agency (the "Agency") in the form of sales and use tax and real property tax exemptions. The Applicant respectfully submits that the viability of the Project would be compromised without the assistance available through the Agency, given the constraints of public funding sources, and the increased costs of development in Westchester County, and City of Yonkers, which is higher than in other areas of the State. The Applicant respectfully submits that if the Agency supports the proposed Project, the Project will help revitalize the downtown, provide much needed middle- and low-income housing options for Yonkers residents, and will provide a number of economic benefits. The Project is expected to create approximately 240 construction jobs over the 28 months construction period, and approximately 20 new permanent jobs upon completion of construction. The Agency's support of the Project would also permit the Applicant to carry out its intended remediation of contamination at the Project Site in accordance with the New York State Department of Environmental Conservation Brownfield Cleanup Program ("BCP") pursuant to a recently executed Brownfield Cleanup Agreement.

MIKE SPANO
MAYOR

ZACHARY NERSINGER
PLANNING DIRECTOR



PLANNING BUREAU
CITY OF YONKERS

87 NEPPERHAN AVENUE, ROOM 320
YONKERS, NEW YORK 10701-3892
914-377-6555
FAX 914-377-6552

February 3, 2022

Mr. Sam Borelli, Acting Commissioner
City of Yonkers, Department of Housing and Buildings
87 Nepperhan Avenue, Fifth Floor
Yonkers, NY 10701

Dear Mr. Borelli:

The following matter was referred to the Landmarks Preservation Board:

A REQUEST FOR THE ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS FOR A NEW RESIDENTIAL BUILDING WITH GROUND FLOOR RETAIL AT BLOCK: 501 LOTS: 18-20 & 22 & 23 ON THE PROPERTIES KNOWN 32, 36 & 38 MAIN STREET AND 1 & 3 RIVERDALE AVENUE AS IN THE RICHARD HAAS MURAL DISTRICT PURSUANT TO CHAPTER 45 OF THE CITY CODE REGARDING HISTORIC AND LANDMARKS PRESERVATION

The Landmarks Preservation Board, at its meeting of February 2, 2022 approved the building with the following conditions:

1. Prior to the issuance of a building permit, the applicant shall photograph and document via high resolution photos the remaining Richard Haas mural on the 5 Riverdale Avenue façade, these images shall be submitted to the City of Yonkers Landmarks Board via the Planning Bureau for documentation and retention.
2. Per sheet M-1 of the submitted plans and prior to the issuance of a Temporary Certificate of Occupancy, the applicant shall, at their expense, replace the former mural at 35 Main Street.
3. Any changes made to the approved plans shall require the submission of a new Landmarks Preservation Board application with a request for an amendment of the approved plans.
4. All conditions imposed by the Landmarks Board shall remain in full force and effect for the life of the project.
5. The applicant shall submit four (4) printed full size complete sets of plans for endorsement and circulation within two weeks of today. An electronic set of the approved plans shall also be provided.

The Landmark Board's resolution and a copy of the approved application are attached for your files.

Very truly yours,

A handwritten signature in black ink that reads "Charlie Hensley" followed by a stylized flourish.

Charlie Hensley
Landmarks Board Chairman

Attachment

cc: R. Kozicky
City of Yonkers Planning Board
Plan File

LANDMARKS PRESERVATION BOARD RESOLUTION

RESOLUTION TO APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS FOR A NEW RESIDENTIAL BUILDING WITH GROUND FLOOR RETAIL AT BLOCK: 501 LOTS: 18-20 & 22 & 23 ON THE PROPERTIES KNOWN AS 32, 36 & 38 MAIN STREET AND 1 & 3 RIVERDALE AVENUE AS IN THE RICHARD HAAS MURAL DISTRICT PURSUANT TO CHAPTER 45 OF THE CITY CODE REGARDING HISTORIC AND LANDMARKS PRESERVATION

Findings:

1. The proposed application is for 10-story, 76-unit affordable housing apartment building, with ground floor retail space, to be known as the “St. Clair Residences”. The project site is located in the Richard Haas Mural Historic District.
2. The parcel within the project site at Block 501 Lot 19, known as 36 Main Street, is located within the Historic District.
3. The construction of the proposed 10-story building will obscure the third and only remaining Haas Mural located on the northern wall of the property at Block 501, Lot 14, known as 5 Riverdale Avenue.

The Landmarks Board hereby approves the proposed building designs as represented on sheets DD-1 through DD-2 and M-1, dated January 26, 2022, entitled “St. Clair Residences”, Project No. 21-24, and prepared by Nexus Architecture Planning Design, with the following conditions:

1. Prior to the issuance of a building permit, the applicant shall provide high resolution photographs documenting the remaining Richard Haas mural on the northern façade of 5 Riverdale Avenue. These images shall be submitted to the City of Yonkers Landmarks Board via the Planning Bureau for documentation and record retention.
2. Per sheet M-1 of the submitted plans and prior to the issuance of a Final Certificate of Occupancy, the applicant, Macquesten Development, LLC, shall, at their expense, complete the installation of the replicated mural at 35 Main Street that was approved by the Landmarks Preservation Board under a separate resolution.
3. Any changes made to the approved plans shall require the submission of a new Landmarks Preservation Board application with a request for an amendment of the approved plans.
4. All conditions imposed by the Landmarks Board shall remain in full force and effect for the life of the project.
5. The applicant shall submit four (4) printed full size complete sets of plans for endorsement and circulation within two weeks of today. An electronic set of the approved plans shall also be provided.

Date February 2, 2022
 Motion by M. Silberblatt
 Seconded by M. Hoar
 By a vote of: 9-0 (2 vacancies)

Name:	Yea	Nay
Shaun Brown	✓	
Kevin Cacace	✓	
William Celestino	✓	
Charlie Hensley	✓	
Mary Hoar	✓	
Barbara O’Connell	✓	
Taylor James Pierce	✓	
Maysoon Rabaa	✓	
Mark Silberblatt	✓	

MIKE SPANO
MAYOR

ZACHARY NERSINGER
PLANNING DIRECTOR



87 NEPPERHAN AVENUE, ROOM 320
YONKERS, NEW YORK 10701-3892
914-377-6555
FAX 914-377-6552

PLANNING BUREAU
CITY OF YONKERS

February 10, 2022

Mr. Sam Borrelli, Commissioner
City of Yonkers, Department of Housing and Buildings
87 Nepperhan Avenue, Fifth Floor
Yonkers, NY 10701

The following matter was referred to the Yonkers Planning Board:

A SITE PLAN APPLICATION FOR A 10-STORY, 76-UNIT APARTMENT BUILDING WITH MIXED USE DEVELOPMENT AND REQUEST FOR FEE-IN-LIEU OF PARKING AT BLOCK: 501, LOTS: 18-20 & 22 & 23 ON THE PROPERTIES KNOWN AS 32, 36 & 38 MAIN STREET AND 1 & 3 RIVERDALE AVENUE PURSUANT TO ARTICLE IX OF THE YONKERS ZONING ORDINANCE.

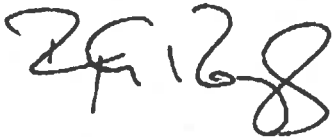
At its meeting of February 9, 2022, the Planning Board approved the applications with the following conditions:

1. Prior to the issuance of a building permit, the applicant shall provide high resolution photographs documenting the remaining Richard Haas mural on the northern façade of 5 Riverdale Avenue. These images shall be submitted to the City of Yonkers via the Planning Bureau for documentation and record retention.
2. Prior to the issuance of a Final Certificate of Occupancy, the applicant, Macquesten Development, LLC, shall, at their expense, complete the installation of the replicated mural at 35 Main Street that was approved by the Landmarks Preservation Board on February 2, 2022.
3. The applicant shall obtain the necessary approvals from the Yonkers City Council for the proposed amendments to the Riverview Urban Renewal Plan (URP) for Neighborhood Development Plan (NDP) Areas 1 & 2.
4. A \$1,120,000.00 payment for fee-in-lieu of parking shall be made to the city of Yonkers Parking Reserve Fund and such funds shall only be used to provide parking within the downtown Yonkers DM-X zoning district. The fee payment shall be made prior to any Certificate of Occupancy, including but not limited to a Temporary Certificate of Occupancy, being granted by the city.
5. The plans as submitted indicate three (3) dwelling units will offer two (2) "bedroom plus (+)" units. Under no circumstances shall these "plus" rooms be converted to additional bedrooms as this would require the applicant to provide either additional parking or an increase to the approved fee in lieu cost.
6. NYS DOT review and approval required for work along Riverdale Avenue including curb cuts and support of excavations plans.
7. The final designs for the proposed loading space along the frontage of Main Street shall be subject to the review and approval of the City Engineer.

8. The proposed building will increase the sanitary flow to the Westchester County Treatment plant. The Engineering Department recommends a ratio of 3:1 for inflow/infiltration ("I and I") mitigation. The applicant shall provide all measures that will achieve the inflow/infiltration mitigation to the sanitary sewer treatment plant or submit the total daily water demand in gallons per day for the project to determine the I and I remediation fee.
9. All proposed sewer connections are to tie into the sewer mains.
10. The floor plans shall be revised to indicate the location of the Fire Command Center as required by the New York State Fire Code.
11. The floor plans shall be revised to comply with requirements for accessing fire pump room with a continuous rated access path.
12. Any modifications to the approved site plans or building designs shall be submitted to the Planning Board for a site plan amendment.
13. A copy of the text from this Planning Board resolution, the Zoning Board of Appeals resolution and the Landmarks Preservation Board resolution in their entirety shall be included on the approved site plans.
14. The applicant shall submit four (4) printed sets and electronic PDFs of the site plans to the Planning Bureau for endorsement and circulation within two weeks of the Board's approval.

The Planning Board's resolution and a copy of the approved plans are attached for your files.

Very truly yours,



Roman Kozicky
Planning Board Chairman

Attachment

cc: V. Spano
D. Kolev
J. Apicella
Plan File

PLANNING BOARD RESOLUTION

RESOLUTION TO APPROVE A SITE PLAN FOR A 10-STORY, 76-UNIT APARTMENT BUILDING WITH MIXED USE DEVELOPMENT AND REQUEST FOR FEE-IN-LIEU OF PARKING AT BLOCK: 501, LOTS: 18-20 & 22 & 23 ON THE PROPERTIES KNOWN AS 32, 36 & 38 MAIN STREET AND 1 & 3 RIVERDALE AVENUE PURSUANT TO ARTICLE IX OF THE YONKERS ZONING ORDINANCE.

Findings:

1. The proposed application is for 10-story, 76-unit affordable housing apartment building, with ground floor commercial space, to be known as the “St. Clair Residences”. All dwelling units are proposed to be affordable housing units as represented by the applicant, Macquesten Development, LLC.
2. The proposed building is located in the Richard Haas Mural Historic District and will obscure the last remaining Haas Mural located on 5 Riverdale Avenue. The Landmarks Preservation Board reviewed and approved a Certificate of Appropriateness for the proposed building designs and the replacement of the mural on February 2, 2022.
3. The building’s design, facades and first floor, have been reviewed and meet the downtown design criteria for the DM-X downtown zoning district.
4. The Zoning Board of Appeals approved a dimensional variance for less rear yard setback at its meeting on January 19, 2022.
5. The project site is located in the Riverview Urban Renewal Plan (URP) Neighborhood Development Plan (NDP) Areas 1 & 2. Construction of the proposed building will require an amendment to the URP as a City Council action.
6. The applicant has offered to meet their parking obligation through the use of the fee-in-lieu of parking option allowed in § 43-132 of the Zoning Ordinance. The applicant provided a Traffic and Parking Analysis dated September 27, 2021 that examined alternative parking locations in the surrounding area due to the limited parking that could be constructed on site. The Planning Bureau recognizes there are opportunities in the downtown area that can accommodate parking should that parking be funded via the fee-in-lieu process and recommends to the City Council that the applicants request to use this zoning provision be accommodated. The cost per parking space is set at \$35,000 and the applicant is seeking fee-in lieu for 32 spaces, for a total fee amount of \$1,120,000.00. This payment will absolve the applicant of its parking obligation as the Zoning Ordinance requires 66 spaces and only 34 spaces can be provided on site.

The application as presented to the Planning Board at its meeting of February 9, 2022 is approved with the following conditions:

1. Prior to the issuance of a building permit, the applicant shall provide high resolution photographs documenting the remaining Richard Haas mural on the northern façade of 5 Riverdale Avenue. These images shall be submitted to the City of Yonkers via the Planning Bureau for documentation and record retention.
2. Prior to the issuance of a Final Certificate of Occupancy, the applicant, Macquesten Development, LLC, shall, at their expense, complete the installation of the replicated mural at 35 Main Street that was approved by the Landmarks Preservation Board on February 2, 2022.
3. The applicant shall obtain the necessary approvals from the Yonkers City Council for the proposed amendments to the Riverview Urban Renewal Plan (URP) for Neighborhood Development Plan (NDP) Areas 1 & 2.

4. A \$1,120,000.00 payment for fee-in-lieu of parking shall be made to the city of Yonkers Parking Reserve Fund and such funds shall only be used to provide parking within the downtown Yonkers DM-X zoning district. The fee payment shall be made prior to any Certificate of Occupancy, including but not limited to a Temporary Certificate of Occupancy, being granted by the city.
5. The plans as submitted indicate three (3) dwelling units will offer two (2) “bedroom plus (+)” units. Under no circumstances shall these “plus” rooms be converted to additional bedrooms as this would require the applicant to provide either additional parking or an increase to the approved fee in lieu cost.
6. NYS DOT review and approval required for work along Riverdale Avenue including curb cuts and support of excavations plans.
7. The final designs for the proposed loading space along the frontage of Main Street shall be subject to the review and approval of the City Engineer.
8. The proposed building will increase the sanitary flow to the Westchester County Treatment plant. The Engineering Department recommends a ratio of 3:1 for inflow/infiltration (“I and I”) mitigation. The applicant shall provide all measures that will achieve the inflow/infiltration mitigation to the sanitary sewer treatment plant or submit the total daily water demand in gallons per day for the project to determine the I and I remediation fee.
9. All proposed sewer connections are to tie into the sewer mains.
10. The floor plans shall be revised to indicate the location of the Fire Command Center as required by the New York State Fire Code.
11. The floor plans shall be revised to comply with requirements for accessing fire pump room with a continuous rated access path.
12. Any modifications to the approved site plans or building designs shall be submitted to the Planning Board for a site plan amendment.
13. A copy of the text from this Planning Board resolution, the Zoning Board of Appeals resolution and the Landmarks Preservation Board resolution in their entirety shall be included on the approved site plans.
14. The applicant shall submit four (4) printed sets and electronic PDFs of the site plans to the Planning Bureau for endorsement and circulation within two weeks of the Board’s approval.

The Planning Board renders its decision based upon facts and findings available to it, specifically:

1. Report by the Fire Department, dated October 4, 2021.
2. Report by the Department of Engineering, dated October 8, 2021.
3. Report by the Planning Bureau,, dated October 8, 2021.
4. Zoning Board of Appeals Approval Resolution, dated January 19, 2022.
5. Landmarks Preservation Board Certificate of Appropriateness Approval Resolution, dated February 2, 2022.
6. General knowledge of the area.

Date: February 9, 2022
Motion by: E. Murray
Seconded by: A. Landi
By a vote of: 5-0 (2 absent)

EXTERIOR MATERIAL SELECTIONS



BRICK - DARK MARBLE BRICK
REGIONALLY SOURCED
CHELSEA SMOOTH



FIBER CEMENT PANEL
ATC CLADDING
CEMBRIT - PATINA - SAND



FIBER CEMENT PANEL
ATC CLADDING
CEMBRIT - PATINA - GRAPHITE



HANDPICKED METAL COMPONENTS
ALUMINUM
SATIN BRUSHED BLACK

LIGHTING



GARAGE DOOR

DOOR STYLE ONLY - NOT FOR COLOR PURPOSES



ENTRY LIGHTING



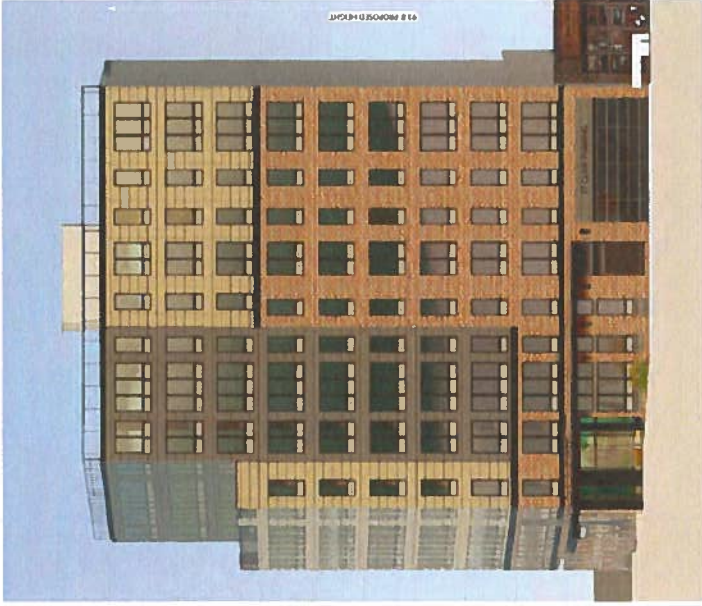
WALL SCONCE



SIGNAGE LIGHTING



◆ RIVERDALE AVENUE ELEVATION
1" = 10'-0"



◆ MAIN STREET ELEVATION
1" = 10'-0"

NOTE: MATERIALS AND DESIGN COMPONENTS WILL BE IN COMPLIANCE WITH THE UNIVERSAL DESIGN GUIDELINES



100 MARK REPORTED HEIGHT
93.8 PROPOSED HEIGHT

PROJECT: 100 MARK REPORTED HEIGHT
93.8 PROPOSED HEIGHT
100 MARK REPORTED HEIGHT
93.8 PROPOSED HEIGHT

DATE: 11/19/20

SCALE: 1" = 10'-0"

0 10 20 30

DD-5
PAGE 3 OF 3

EXHIBIT B

**THE ST. CLAIR
PROPOSED PILOT PAYMENTS**

PILOT YEAR	CITY YEAR	COUNTY YEAR	PAYMENT DATE	RESIDENTIAL	COMMERCIAL	INCREMENT	TOTAL PILOT PAYMENT
1	2022-2023	2022	12/1/2022	<i>Current Vacant Land Assessments</i>			
2	2023-2024	2023	12/1/2023				
3	2024-2025	2024	12/1/2024				
	2025-2026	2025	12/1/2025	76,000.00	5,000.00		81,000.00
	2026-2027	2026	12/1/2026	76,000.00	5,000.00		81,000.00
	2027-2028	2027	12/1/2027	77,520.00	5,100.00	2%	82,620.00
	2028-2029	2028	12/1/2028	79,070.40	5,202.00	2%	84,272.40
	2029-2030	2029	12/1/2029	80,651.81	5,306.04	2%	85,957.85
	2030-2031	2030	12/1/2030	82,264.84	5,412.16	2%	87,677.00
	2031-2032	2031	12/1/2031	83,910.14	5,520.40	2%	89,430.55
	2032-2033	2032	12/1/2032	85,588.34	5,630.81	2%	91,219.16
	2033-2034	2033	12/1/2033	87,300.11	5,743.43	2%	93,043.54
	2034-2035	2034	12/1/2034	89,046.11	5,858.30	2%	94,904.41
	2035-2036	2035	12/1/2035	90,827.04	5,975.46	2%	96,802.50
	2036-2037	2036	12/1/2036	92,643.58	6,094.97	2%	98,738.55
	2037-2038	2037	12/1/2037	94,496.45	6,216.87	2%	100,713.32
	2038-2039	2038	12/1/2038	96,386.38	6,341.21	2%	102,727.59
	2039-2040	2039	12/1/2039	98,314.10	6,468.03	2%	104,782.14
	2040-2041	2040	12/1/2040	100,280.39	6,597.39	2%	106,877.78
	2041-2042	2041	12/1/2041	102,285.99	6,729.34	2%	109,015.34
	2042-2043	2042	12/1/2042	104,331.71	6,863.93	2%	111,195.64
	2043-2044	2043	12/1/2043	106,418.35	7,001.21	2%	113,419.55
	2044-2045	2044	12/1/2044	108,546.71	7,141.23	2%	115,687.95
	2045-2046	2045	12/1/2045	110,717.65	7,284.06	2%	118,001.70
	2046-2047	2046	12/1/2046	112,932.00	7,429.74	2%	120,361.74
	2047-2048	2047	12/1/2047	115,190.64	7,578.33	2%	122,768.97
	2048-2049	2048	12/1/2048	117,494.45	7,729.90	2%	125,224.35
	2049-2050	2049	12/1/2049	119,844.34	7,884.50	2%	127,728.84
	2050-2051	2050	12/1/2050	122,241.23	8,042.19	2%	130,283.42
	2051-2052	2051	12/1/2051	124,686.06	8,203.03	2%	132,889.09
	2052-2053	2052	12/1/2052	127,179.78	8,367.09	2%	135,546.87
	2053-2054	2053	12/1/2053	129,723.37	8,534.43	2%	138,257.80
	2054-2055	2054	12/1/2054	132,317.84	8,705.12	2%	141,022.96

Construction Period
Starts After Closing -
June 2022

EXHIBIT C

PLANNING BOARD RESOLUTION

RESOLUTION OF THE YONKERS PLANNING BOARD TO ACCEPT LEAD AGENCY AND THE ADOPTION OF A NEGATIVE DECLARATION OF A PROPOSED SITE PLAN FOR A NEW 10-STORY 76-UNIT AFFORDABLE HOUSING APARTMENT BUILDING AND MIXED USE DEVELOPMENT TO BE KNOWN AS THE "ST. CLAIR RESIDENCES" LOCATED AT:

**BLOCK: 501, LOTS: 18, 19 & 20, KNOWN AS 38, 36 & 32 MAIN STREET; AND
BLOCK: 501, LOTS: 22 & 23, KNOWN AS 1 & 3 RIVERDALE AVENUE.**

The Planning Board initiated the Lead Agency Determination/Coordinated Review process for an Unlisted Action on November 10, 2021 with the mailing of a Lead Agency Notice to all identified involved and interested agencies. No other agency sought to be lead agency within the 30 days of circulation of the notice and the Planning Board declares its acceptance of Lead Agency pursuant to Part 617 State Environmental Quality Review Act (SEQRA).

Based upon its review of the completed Environmental Assessment Form (EAF) and the supporting plans and materials, the Yonkers Planning Board, acting as Lead Agency, adopts a Negative Declaration for the proposed Unlisted Action.

Date: January 12, 2022
Motion by: R. Kozicky
Seconded by: E. Murray
By a vote of: 7-0

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

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: The St. Clair		
Project Location (describe, and attach a general location map): Southwest corner of Riverdale Ave and Main St, City of Yonkers, Westchester County, New York (Section 1, Block 501, Lots 18, 19, 20, 22 and 23)		
Brief Description of Proposed Action (include purpose or need): The proposed action includes the redevelopment of the 0.23-acre subject property with a 10-story, 78,553-sf mixed-use building. The first floor of the building would include 3,260-sf of commercial uses and the residential lobby, for a total of 9,276 sf on the first floor. The nine floors of residences would total 69,277 with floors two to six including 7,949-sf per floor and floors 7 to 10 including 7,383-sf per floor. The project would be one hundred percent affordable with a total of 76 dwelling units with a unit mix including 12 studios, 36 one-bedrooms, 23 two-bedrooms, and 5 three-bedroom units. The project building would also include a parking structure to accommodate parking for residents. Parking on the subject property would be provided in a cellar and sub-cellar with a ramp from Main Street accessing underground parking.		
Name of Applicant/Sponsor: Macquesten Development LLC - Joseph Apicella, Managing Director of Development		Telephone: (914) 667-7227
		E-Mail: j_apicella@macquesten.com
Address: 438 Fifth Avenue, Suite 100		
City/PO: Pelham	State: New York	Zip Code: 10803
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Yonkers Community Development Agency / Rising Development		Telephone: 914-377-6650
		E-Mail: louis.albano@yonkersny.gov
Address: 87 Nepperhan Avenue, Room 312		
City/PO: Yonkers	State: NY	Zip Code: 10701

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council: Approval fee in lieu parking	
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Yonkers Planning Board: Site Plan Approval	
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Yonkers Zoning Board of Appeals (area variance)	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Community Development Agency: Land Disposition Agreement Yonkers IDA: Financial Assistance; Yonkers EDC: Opportunity Zone	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board: 239 Review; Dept of Health: Water/sewer improvements; Envi Facilities: Sewer Main Extension; DOT: Bus Stop; New Land Homes Acquisition Fund; Board of Legislators	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC: SPDES Permit; NYS Housing Finance Agency: Funding Assistance; NYS HCR; NYS DOT	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 City of Yonkers Mixed-Use Downtown (D-MX)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Yonkers Public School District

b. What police or other public protection forces serve the project site?
City of Yonkers Police Department

c. Which fire protection and emergency medical services serve the project site?
City of Yonkers Fire Department

d. What parks serve the project site?
Esplanade Park (0.2 miles); Washington Park (0.2 miles) Pitkin Park (0.3 miles); Habirshaw Park on the Hudson (0.4 miles); Joseph Cerrato Park (0.4 miles); Columbus Park (0.6 miles); Anthony O'Boyle Park (0.7 miles)

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? The proposed action includes multi-family residential units with ground floor commercial uses.

b. a. Total acreage of the site of the proposed action? 0.23 acres
 b. Total acreage to be physically disturbed? 0.23 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.23 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	76 units

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____ 1
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ 4,344* square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? Excavation will be undertaken to prepare a cellar and subcellar for underground parking
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): approximately 10,000 cubic yards
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Soil samples will be collected to characterize the soils. The soils will be disposed of at facilities based on the characterization results.
 iv. Will there be onsite dewatering or processing of excavated materials? TBD Yes No
 If yes, describe. It is not know yet until we complete the investigation and determine the depth to water. We do not anticipate processing of material on site.
 v. What is the total area to be dredged or excavated? _____ 9,500 sq. ft.
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ 24 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

*The retail component of the proposed action is a portion of the first floor within the residential building.

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 14,905 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: City of Yonkers
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 13,550 gallons/day

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

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Yonkers Joint Wastewater Treatment Plant
- Name of district: North Yonkers Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will a line extension within an existing district be necessary to serve the project?
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Automobile and delivery truck traffic
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 Heating for buildings

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

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

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

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

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

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

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

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

If Yes:

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

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

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

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

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 AM - 6:00 PM • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ typical residential multi-family • Saturday: _____ typical residential multi-family • Sunday: _____ typical residential multi-family • Holidays: _____ typical residential multi-family
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 Lighting has not yet been designed; however, lighting would be shielded to minimize or eliminate the potential for light spillover onto adjacent properties and roadways. Fixture types, heights and exact location are to be determined prior to site plan submission.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ 12.2 tons per _____ month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: Solid waste collection would meet the City of Yonkers's sanitation requirements as well as the Westchester County Source Separation Law.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: Solid waste generated by the residential component of the project will be collected by the City of Yonkers Environmental Services Division. Solid waste generated by the retail component of the project will be collected by private waste haulers.

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

Forest Agriculture Aquatic Other (specify): Religious

ii. If mix of uses, generally describe:

The subject property is adjacent to several mixed commercial uses, a religious use, and multi-family residential uses.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.12	0.23	0.11+
• Forested	0	0	
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.11	0	0.11-
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	
• Wetlands (freshwater or tidal)	0	0	
• Non-vegetated (bare rock, earth or fill)	0	0	
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities:
 Christ the King Day Care (0.2 miles); YMCA of Yonkers (0.1 miles)

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): 1601749, C360181, C360181A, C360156, C360085, C360085A, C360094, B00199
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
 See Attachment A

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 50+ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Urban Land (Uf)	_____	100 %
_____	_____	_____ %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ >7 feet

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____	100 % of site
<input type="checkbox"/> Moderately Well Drained:	_____	_____ % of site
<input type="checkbox"/> Poorly Drained	_____	_____ % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	_____	100 % of site
<input type="checkbox"/> 10-15%:	_____	_____ % of site
<input type="checkbox"/> 15% or greater:	_____	_____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
 Wildlife species on the subject property _____
 are those typically found in an urban _____
 setting including, but not limited to _____
 song birds, raccoons, and squirrels. _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 According to search results from the New York Nature Explorer, there are no site specific endangered or threatened plant or animal species listed on the subject property.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____
 According to search results from the New York Nature Explorer, there are no site specific endangered or threatened plant or animal species listed on the subject property.

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: Hudson River
 ii. Basis for designation: Exceptional or Unique Character
 iii. Designating agency and date: Westchester County 01-31-90

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: Telephone building located at 507 Riverdale Ave (building immediately south of the project site) is eligible for the state and national registers. Yonkers Downtown Historic District-the subject property falls within an area that is deemed eligible to become a historic downtown district. 38 Main St (adjacent to the western side of the project site) building is eligible for listing.
iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): Historic mural on the wall of an adjacent building will be relocated prior to construction of the proposed building. A detailed mitigation plan will be developed with the Yonkers CDA prior to sale of the property.
ii. Basis for identification:

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: Bronx River Pkwy (4.1 miles); Cross County Pkwy (1.9 miles); Saw Mill River Pkwy (1.4 miles); Mosholu Pkwy (4.1 miles)
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): New York State Scenic Byways
iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation:
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name: Joseph Apicella/MacQuesten Development LLC Date: 9-14-21

Signature:  Title: Managing Director of Development

PRINT FORM

Attachment A
Part 1 – Full Environmental Assessment Form

The St. Clair
City of Yonkers, Westchester County, New York

Page 10, Item E.1.h.iii: Spills within 2000 feet of the subject property

1601749, C360181, C360181A, C360156, C360085, C360085A, C360094, B00199

Page 10, Item E.1.h.iv: Current Status of the spill sites

Spill #1601749 was a diesel spill which impacted soils at 59-61 Main Street (approximately 300 feet from the subject property). The spill has been listed as closed as of 06/13/2016.

C360181 and C360181A, occurred at 85 Riverdale Avenue (approximately 0.3 miles from the subject property) at the Buena Vista Apartments Brownfield Cleanup Site (BCP), and north and east of 85 Riverdale Avenue. A 2015 Phase I found volatile organic compounds (VOCs) in the groundwater and soil gas resulting in spill#1505681. After additional investigation was performed under the spill project, the site was transitioned into the Brownfield Cleanup Program (C360181) through a Volunteer status Brownfield Cleanup Agreement with the new property owner. Results of the Buena Vista BCP site remedial investigation showed a potential for chlorinated solvent vapors to be migrating off-site. The investigation is ongoing.

C360156: Remediation at the Site, located at 16 Nepperhan Street (approximately 0.1 miles from the subject property), was completed under an IRM in 2017. Remedial actions have successfully achieved soil cleanup objectives for a restrict

C360085: Remediation at the site, located at 55 Buena Vista Avenue (approximately 0.2 miles from the subject property), is complete. A Site Management Plan (SMP) will be implemented to manage remaining contamination in the future. An environmental easement will limit the future use of property, restrict the use of groundwater and require compliance with the SMP.

C360085A: Located at 41-59 Buena Vista Avenue (approximately 0.2 miles from the subject property), based on the data collected, the NYSDOH and the NYSDEC agree that off-site soil vapor intrusion is not a concern. No further action is necessary.

C360094: All future reporting for this site, located at 53-55 Buena Vista Avenue (approximately 0.2 miles from the subject property), will be found under site C360085 above.

The sites recorded at B00199, located at 27, 65, 75 Water Grant Way and 100 Main Street (approximately 0.2 miles from the subject property), are classified N, and no further action is being pursued at this time.



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Subject Property

The St. Clair | Yonkers, NY

Site Location Map

32, 36 and 38 Main St, 1 and 3 Riverdale Ave

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only (If applicable)

Project :	Main St & Riverdale Ave- St. Clair Resid.
Date :	1/12/21

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part I. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part I. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3.			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>	
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>	
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>	

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>	
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>	

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part I C 1, C 2 and C 3) If "Yes", answer questions a - h. If "No", go to Section 18.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part I. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

Project : Main St & Riverdale Ave- St. Clair Resid.

Date : 1/12/21

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

- A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.
- B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

- C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

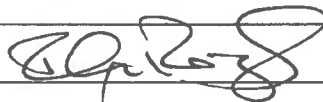
Name of Action: St. Clair Residences

Name of Lead Agency: City of Yonkers Planning Board

Name of Responsible Officer in Lead Agency: Roman G. Kozicky

Title of Responsible Officer: Planning Board Chairman

Signature of Responsible Officer in Lead Agency:



Date: 1/12/21

Signature of Preparer (if different from Responsible Officer)

Date: 1/12/21

For Further Information:

Contact Person: Christine Carney

Address: Yonkers Planning Bureau, 87 Nepperhan Avenue, Yonkers NY 10701

Telephone Number: 914 377 6557

E-mail: Christine.Carney@YonkersNY.gov

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

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

RESOLUTION

(Ridge Hill Project – approval of change in ownership to Ridge Hill Property Owner LLC and Ridge Hill Property Owner III LLC)

A regular meeting of the City of Yonkers Industrial Development Agency was convened on April 20, 2022.

The following resolution was duly offered and seconded, to wit:

RESOLUTION NO. 04/2022-08

**RESOLUTION OF THE CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY
APPROVING CHANGES IN OWNERSHIP OF THE RIDGE HILL PROJECT TO RIDGE
HILL PROPERTY OWNER LLC AND RIDGE HILL PROPERTY OWNER III LLC**

WHEREAS, Yonkers Associates, LLC, f/k/a FC Yonkers Associates, LLC (“YA”) owns fee title to what is known as Ridge Hill (the “Facility”) and on August 2, 2007, YA and the City of Yonkers Industrial Development Agency (“YIDA”) entered into a lease and related Tax Benefits Leaseback Agreement (the “Leaseback Agreement”); and

WHEREAS, pursuant to the terms of the Leaseback Agreement (see Section 6.3), any assignment and assumption of the Leaseback Agreement and related transaction documents (the “Transaction Documents”) requires consent of YIDA; and

WHEREAS, Ridge Hill Property Owner LLC and Ridge Hill Property Owner III LLC (collectively the “Applicant”) are affiliated with Nuveen Real Estate, Taconic Partners, and North American Properties, real estate development and investment firms managing assets and developments valued at over \$150 billion dollars with experience in reinvigorating underperforming open air shopping centers; and

WHEREAS, YA is presently controlled by QIC Limited, A.C.N. 130 539 123, an Australian company or an affiliate (“QIC”), which desires to, among other things, assign its rights to the Leaseback Agreement and related transaction documents to Applicant; and

WHEREAS, Applicant intends to reposition the Facility to attract more visitors by becoming more fully integrated with the community; and

NOW THEREFORE, BE IT RESOLVED BY YIDA:

Section 1. YIDA hereby approves of the assignment and assumption of the Transaction Documents and authorizes its officers to take all necessary actions and to execute and deliver any and all documents or agreements to accommodate said transfer.

Section 2. That this Resolution shall take effect immediately.

IDA Resolution No. 04/2022-10

Resolution – Ridge Hill Project – approval of change in ownership to Ridge Hill Property Owner LLC and Ridge Hill Property Owner III LLC

April 20, 2022

TC: Harris Beach PLLC

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	Nay	Absent	Abstain
Hon. Michael Spano	[]	[]	[]	[]
Marlyn Anderson	[]	[]	[]	[]
Cecile D. Singer	[]	[]	[]	[]
Peter Kischak	[]	[]	[]	[]
Henry Djonbalaj	[]	[]	[]	[]
Melissa Nacerino	[]	[]	[]	[]
Robert Espiritu	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION

*(Ridge Hill Project – approval of change in ownership to Ridge Hill Property Owner LLC and
Ridge Hill Property Owner III LLC)*

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

I, the undersigned, Secretary of the City of Yonkers Industrial Development Agency DO
HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the City of
Yonkers Industrial Development Agency (the “Agency”), including the resolution contained
therein, held April 20, 2022, with the original thereof on file in my office, and that the same is a
true and correct copy of the proceedings of the Agency and of such resolution set forth therein
and of the whole of said original insofar as the same related to the subject matters therein
referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting,
that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public
Officers Law (Open Meetings Law), said meeting was open to the general public, and that public
notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present
throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force
and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said
Agency this ____ day of _____, 2022.

Marlyn Anderson, Secretary

[SEAL]



FORCHELLI
DEEGAN
TERRANA

DANIEL P. DEEGAN
PARTNER
DDEEGAN@FORCHELLILAW.COM

March 30, 2022

City of Yonkers Industrial Development Agency
470 Nepperhan Avenue, Suite 200
Yonkers, New York 10701
Att: Jaime McGill, Executive Director

**Re: Ridge Hill Facility
Application for IDA Consent to Transfer**

Dear Ms. McGill:

This firm represents Ridge Hill Property Owner LLC and Ridge Hill Property Owner III LLC (collectively "Applicant") in connection with the potential purchase of the above-referenced mixed-use complex known as the Ridge Hill facility located at One Ridge Hill, Yonkers, New York (the "Facility"). As you are aware, the Facility was granted financial assistance by the City of Yonkers Industrial Development Agency ("IDA") and is currently subject to a Leaseback Agreement, dated August 2, 2007.

Applicant is currently in contract to purchase the Facility from Yonkers Associates, LLC (formerly known as FC Yonkers Associates, LLC). Applicant will consist of Nuveen Real Estate, Taconic Partners, and North American Properties and/or funds managed by such firms, together with a to-be-determined investor which will own an equity interest, but will not be part of the day-to-day management or operation of the Facility.

Transferee Background

Nuveen Real Estate

Nuveen Real Estate, an affiliate of TIAA, is one of the largest real estate investment managers in the world with \$142 billion of assets under management.

Managing a suite of real estate funds and mandates, across both public and private investments, and spanning both debt and equity across diverse geographies and investment styles, Nuveen provides access to every aspect of real estate investing.

With over 85 years of real estate investing experience and more than 600+ employees located across over 30 cities throughout the United States, Europe and Asia Pacific, the platform offers unparalleled geographic reach, which is married with deep sector expertise.

FORCHELLI DEEGAN TERRANA LLP

The Omni • 333 Earle Ovington Blvd., Suite 1010 • Uniondale NY 11553 • 516.248.1700 • forchellilaw.com

March 30, 2022

Page 2 of 3

Taconic Partners

Taconic Partners, a New York-based development firm founded in 1997, has successfully developed and repositioned over 12 million square feet of office, mixed-use, and retail space, and close to 6,500 units of for-sale and rental multi-family housing, with a total transaction value of over \$5 billion.

Taconic emphasizes smart development and sustainable building, with spaces that thrill and neighborhoods that thrive.

North American Properties

Since 1954, North American Properties (NAP), a privately owned real estate investment and development company based in Cincinnati, Ohio, has balanced a well-capitalized approach and a keen focus on successful execution with a willingness to question conventional wisdom, reimagining and expanding the possibilities for more than \$7 billion of assets across the US.

Founded in 1996, the Atlanta office of NAP specializes in developing and redeveloping vertically integrated, experiential mixed-use communities. NAP Atlanta is widely recognized across the industry for the turnaround of Atlantic Station in Midtown Atlanta and the ground-up development of Avalon in Alpharetta, Georgia. The team's approach to reinvigorating underperforming open-air shopping centers and mixed-use projects includes identifying opportunities to add complementary uses such as residential, office and dining components to enhance the street-level experience, as well as building and activating public gathering spaces to create stronger connections to the surrounding community.

The NAP Atlanta portfolio currently includes projects in Georgia, Kentucky, New Jersey and North Carolina.

Additional background materials on Taconic Partners and North American Properties are enclosed herewith.

Financial Assistance Transfer Request

Yonkers Associates, LLC and the Facility are subject to and benefit from an existing payment in lieu of tax ("PILOT") program pursuant to that certain Leaseback Agreement, dated as of August 2, 2007, between FC Yonkers Associates, LLC (now known as Yonkers Associates, LLC) and the IDA, which is currently slated to expire December 31, 2035.

We are writing at this time to request that the IDA consent to the transfer of the property and the simultaneous assignment and assumption of the existing Leaseback Agreement, and related transaction documents so that they benefit Applicant as the proposed new owner of the Facility, and allow Applicant to have all of the same rights, benefits and obligations as the current owner.

March 30, 2022

Page 3 of 3

The portion of the Facility known as Site "O" will be purchased by Ridge Hill Property Owner III LLC, and the remainder of the Facility will be purchased by Ridge Hill Property Owner LLC.

Pursuant to the provisions of Section 6.3 of the Leaseback Agreement, Yonkers Associates, LLC will require the consent of the IDA to the transfer of the property and an assignment and assumption of the Leaseback Agreement and related transaction documents. The continuation of the PILOT and Leaseback Agreement is essential to maintaining the economic viability of the Facility.

Acquisition Financing

Ridge Hill Property Owner LLC will be obtaining mortgage financing with respect to its acquisition of a portion of the Facility in the approximate total amount of \$181,300,000. To the extent required, we also request that the IDA grant its consent to such financing.

No new benefits are being sought from the IDA at this time.

Applicant envisions repositioning the Facility to attract more visitors by becoming more fully integrated with the community, which will help stimulate the local economy. As previously discussed, Applicant will coordinate with IDA staff regarding future capital expenditures which are being considered, to determine the level of additional financial assistance required in order to ensure that the project remains viable.

If you have any questions or require additional information, kindly contact the undersigned.

Very truly yours,

FORCHELLI DEEGAN TERRANA LLP

By: *Daniel P. Deegan*

DANIEL P. DEEGAN



Project Evaluation Criteria

Date	April 14, 2022
Company Name	Ridge Hill
Project Type	<input checked="" type="checkbox"/> New Development <input type="checkbox"/> Rehab <input type="checkbox"/> Expansion
<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Retail <input type="checkbox"/> Housing: <input type="checkbox"/> Senior <input type="checkbox"/> Affordable <input type="checkbox"/> Market Rate <input type="checkbox"/> Public Use	

Location	
Address	One Ridge Hill Blvd
Distressed Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Empire Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Empowerment Zone	<input type="checkbox"/> Yes <input type="checkbox"/> No

Approximate Project Cost
\$14,300,000

Benefits Requested
<input type="checkbox"/> Sales Tax Exemption <input type="checkbox"/> IRB <input checked="" type="checkbox"/> MRT Exemption <input type="checkbox"/> Real Property Agreement

Project Purpose
<input type="checkbox"/> Job Creation
<input checked="" type="checkbox"/> Job Retention
<input checked="" type="checkbox"/> Community Development
<input checked="" type="checkbox"/> Quality of Life
<input checked="" type="checkbox"/> Regionally Significant
<input checked="" type="checkbox"/> Development that will attract other investment



Project Evaluation Criteria

Describe Below IDA Justification for Inducing Project:

Description to address one or more of the following concepts

(a)	The economic need for the City of Yonkers ("City") to have the applicant remain in or locate within the City;
(b)	The economic, charitable, cultural or other contribution that the applicant will provide to the City and its residents if the application is granted;
(c)	The extent to which receiving IDA benefits adds to the viability of the applicant concerning any activities within the City;
(d)	The extent to which granting the application will improve the quality of life to residents in the City; and
(e)	The extent to which granting the application will complement existing business development in the City.

This firm represents Ridge Hill Property Owner LLC ("Applicant") in connection with the potential purchase of One Ridge Hill, Yonkers, New York ("Existing Facility"). There is currently a leaseback with the City of Yonkers IDA which is in effect until 2035. We have also submitted a request for consent from the IDA to transfer the Existing Facility to Applicant and its affiliate Ridge Hill Property Owner III LLC, which will be purchasing the portion of the Existing Facility known as Site "O" (Block 4074, Lot 1). Applicant is purchasing the remainder of the Existing Facility.

As part of the acquisition, Ridge Hill Property Owner II LLC, an affiliate of Applicant, is purchasing a .078-acre parcel which is part of Lot 130 in Block 4000 ("Grassy Sprain Parcel", Existing Facility and Grassy Sprain Parcel being referred to as "Facility"). We have enclosed an application for mortgage tax exemption from the Yonkers Economic Development Corporation (EDC). Applicant and its affiliates will be purchasing the Facility for \$220 million, and will be incurring immediate capital expenditures and anticipated short-term leasing expenses in the amount of \$43 million for the Facility. Applicant will be borrowing approximately \$181.3 million in total mortgage financing to finance the acquisition, immediate capital expenditures and anticipated short-term leasing expenses. This mortgage will be secured by the portion of the Facility being purchased by Applicant, along with the Grassy Sprain Parcel. Site "O" will not be secured by the mortgage. It is anticipated that the Facility's existing mortgage lender will assign its mortgage in the approximate amount of \$167 million, so as to enable Applicant to save on mortgage recording tax.

To the extent that the total financing will exceed the existing principal balance (by approximately \$14.3 million), the applicant is requesting the EDC to authorize the use of its mortgage recording tax exemption. We understand that the EDC transaction fee will be assessed on the portion of the mortgage for which partial mortgage recording tax exemption is being provided (the "new money"), and there will be no fee charged based on the portion of the mortgage which is being assigned or on the other aspects of the acquisition. No new benefits are being sought from the IDA at this time.



APPLICATION FOR FINANCIAL ASSISTANCE

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

PLEASE NOTE: Confidential information should NOT be inserted in this form as this form will be posted on our website. All confidential information should be inserted by marking "see confidential attachment note 1" etc.

APPLICANT INFORMATION		
Applicant's Name: Ridge Hill Property Owner LLC		Date of final application Submission: <u>03</u> / <u>31</u> / <u>2022</u>
Name of Person Completing Application and Title: Nancy Miller, Authorized Signer		
Name of Company (if applicable): Nuveen Real Estate		
Address: 730 Third Avenue, 4th Floor, New York, NY 10017		
Phone: [REDACTED]	Mobile: -	Email: [REDACTED]
PROJECT INFORMATION		
Project Address: One Ridge Hill Blvd., Yonkers, NY		
Block(s) & Lot(s): Multiple Blocks & Lots (See attached Schedule)		
Present Legal Owner of Site: Yonkers Associates, LLC	Is applicant/affiliate present owner of the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
How will the site be acquired: (if applicable) Purchase and Sale Agreement	When is the site planned to be acquired: April 29, 2022	
Current Zone: No change	Proposed Zone: N/A	Are any variance needed: No
Is this project located in: Distressed Area: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *if unknown, please inquire with IDA Staff Former Empire Zone: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
PRINCIPAL USE OF PROJECT: Attach your full Project Narrative Statement describing project (i.e: land acquisition, scope of construction, timeline, sq footage, usage breakdown, anticipated revenues, contribution to community, etc.) and renderings to the completed application upon final submission. [See cover letter]		
Is the location currently: <input type="checkbox"/> Vacant land <input type="checkbox"/> Abandoned <input checked="" type="checkbox"/> In use / occupied Please provide a brief description of the current use of project location(s): Property is utilized as a shopping mall.		Proposed Project's operation type: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Manufacturing <input type="checkbox"/> Other: _____ <input checked="" type="checkbox"/> Retail (complete retail questionnaire) <input type="checkbox"/> Housing: Senior / Affordable / Market Rate If housing please provide # of units, unit mix, street level use: Please provide a brief description of the principal use of project upon completion: Seeking consent to transfer Leaseback Agreement. Existing use is to remain, not seeking to build additional retail. Existing retail was approved as part of a regionally significant development.
Estimated date project will need to begin utilizing benefits:		<u>4</u> / <u>29</u> / <u>2022</u>
Likelihood of accomplishing proposed project within three (3) years:		<input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely



APPLICATION FOR FINANCIAL ASSISTANCE

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ESTIMATED PROJECT COSTS <i>(Use best estimates. Any amendments should be sent as addendum to application)</i>	
VALUE OF PROPERTY to be acquired	\$ 220,000,000
If you intend to leverage property already owned indicate intended mortgage value:	\$ 0
TOTAL COST OF CONSTRUCTION: (labor + materials)	\$ 0
Labor: \$ _____ Equipment/Materials: \$ _____	
NON CONSTRUCTION Equipment / Furnishings:	\$ 0
SOFT COSTS:	\$ 0
Other (explain): CAPITAL EXPENDITURES AND LEASING EXPENSES	\$ 43,000,000
TOTAL PROJECT COST	\$ 263,000,000
Is there likelihood that the Project would NOT be undertaken IF NOT FOR financial assistance provided by the Agency? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please provide an attached statement indicating why the Project should be undertaken by the Agency	

COST (Financial Assistance) BENEFIT (Economic Development) ANALYSIS		
FINANCIAL ASSISTANCE REQUESTED (check all that apply)		VALUE OF EXEMPTIONS <i>to be completed by IDA staff</i>
<input type="checkbox"/> SALES AND USE TAX EXEMPTION: <i>Estimated value of Goods and Services to be exempt from sales and use tax (see "Recapture" on page 8)</i>	Value of taxable purchases: \$ _____	\$ _____
<input checked="" type="checkbox"/> MORTGAGE RECORDING TAX EXEMPTION:	Estimated Mortgage amount: \$ up to 14,300,000*	\$ _____
<input type="checkbox"/> REAL PROPERTY TAX AGREEMENT (PILOT) <i>Requested duration of PILOT:</i>	YEARS: _____	\$ _____
<input type="checkbox"/> INDUSTRIAL REVENUE BOND (IRB) Is a purchaser for the Bonds in place? <input type="checkbox"/> Yes <input type="checkbox"/> No	Estimated value of bond: \$ _____	\$ _____
TOTAL VALUE OF FINANCIAL ASSISTANCE REQUESTED:		\$ _____

Economic Development = BENEFIT		
Private Funds invested	\$ 81,700,000	Expected Gross Taxable Receipts: \$ 0
Estimated Bank Financing	\$ 181,300,000	Add'l Revenue to City/School District: \$ 0
State and Federal grant/credit:	\$ 0	OTHER BENEFITS: <input checked="" type="checkbox"/> Community Development <input checked="" type="checkbox"/> Development that will attract other investment <input checked="" type="checkbox"/> Regionally Significant <input checked="" type="checkbox"/> Improve the quality of life for the Residents of the City <input type="checkbox"/> Other: _____
_____	\$ 0	
_____	\$ 0	
_____	\$ 0	
TOTAL INVESTMENT IN PROJECT	\$ 263,000,000	

*Note: the total amount of mortgages will be \$181,300,000, of which approximately \$167,000,000 will be assigned by the existing mortgage holder, resulting in "new money" of \$14,300,000, for which applicant is requesting partial mortgage recording tax exemption.



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EMPLOYMENT PLAN

			If financial assistance is granted		
	CURRENT # of jobs at proposed project location	# of jobs to be RELOCATED TO project location	Estimate # of FT and PT jobs to be <u>RETAINED</u>	Estimate the # of FT and PT jobs to be <u>CREATED</u> upon THREE years after project completion	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*
Full Time - FT	**	0	**	0	0
Part Time - PT	**	0	**	0	0
Total	1,158**	0	1,158**	0	0

*Labor Market Area includes: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester

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

JOB CATEGORY	# job RETAINED	# Jobs CREATED	SALARY (\$ Average or \$ Range)	FRINGE BENEFITS (\$ Average or \$ Range)
Management	**	0	**	**
Professional	**	0	**	**
Administrative	**	0	**	**
Production/Skilled Worker	**	0	**	**
Independent Contractor	**	0	**	**
Other (not including construction jobs)	**	0	**	**

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 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:



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CONSTRUCTION

Estimated length of construction: n/a MONTHS Estimated start: n/a / / Estimated completion: n/a / /
MM YY MM YY

Estimate cost of project construction: \$ 0

Total cost attributable to materials: \$ 0

Total cost attributable to labor: \$ 0

Estimate how many **construction jobs** will be created as a result of this project: 0

Estimated aggregate number of work hours of manual workers to be employed in project construction: 0

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.)

<input type="checkbox"/> Contractor	<input type="checkbox"/> Subcontractor
Name: <u>n/a</u>	Company Name:
Address:	
<input type="checkbox"/> Contractor	<input type="checkbox"/> Subcontractor
Name:	Company Name:
Address:	
<input type="checkbox"/> Contractor	<input type="checkbox"/> Subcontractor
Name:	Company Name:
Address:	

¹This 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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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: n/a

- a) Local hiring (100 mile radius from project site): Yes No
- b) Will contract require local hiring? Yes No
If Yes, percentage of manual workers that 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:

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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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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REPRESENTATIONS by the APPLICANT (continued)

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:

none

J) All indemnifications and representations made by the Applicant in the within Application for Financial Assistance are made both to YIDA and YEDC.

k) YIDA and YEDC are represented by Harris Beach PLLC as transaction counsel, or if Harris Beach PLLC has a conflict then YIDA and YEDC will identify an alternative law firm to act as Transaction Counsel. You are responsible for the costs and expenses of YIDA and YEDC Transaction Counsel and YIDA and YEDC will establish and have you maintain escrowed funds as the project progresses to pay Transaction Counsel fees. YOU WILL RECEIVE AN ACKNOWLEDGEMENT AFTER SUBMISSION OF THIS APPLICATION THAT OUTLINES ALL COSTS AND BENEFITS AND YOU WILL NEED TO SIGN THE ACKNOWLEDGMENT BEFORE FINAL APPROVALS ARE MADE AVAILABLE.



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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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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 NEW YORK)
COUNTY OF NEW YORK) ss.:

Nancy Miller, being first duly sworn, deposes and says:

- That I am the Authorized Signer of Ridge Hill Property Owner LLC and that I am (Corporate Officer) (Applicant) duly authorized on behalf of the Applicant to bind the Applicant.
- 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 31st day of March, 2022.

(Notary Public)

DARREN S. MORAN
NOTARY PUBLIC, STATE OF NEW YORK
REGISTRATION NO. 01MOS062091
QUALIFIED IN NEW YORK COUNTY
MY COMMISSION EXPIRES JUNE 24, 2022

APPLICATION FEE & PROCESSING

Enclose with this Application is the non-refundable 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: <u>Straight Lease</u>	Annual Fee
Up to \$10M	\$ 500
Over \$10M	\$1,000
Project Type: <u>BONDS</u>	Annual Fee
Up to \$10M	\$1,000
Over \$10M	\$2,000

PLEASE NOTE: Confidential information should NOT be inserted in this form as this form will be posted on our website. All confidential information should be inserted by marking "see confidential attachment note 1" etc.

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Ridge Hill Property Owner LLC			
Project Location (describe, and attach a location map): One Ridge Hill Blvd, Yonkers, NY 10710			
Brief Description of Proposed Action: Ridge Hill Property Owner LLC ("Applicant") proposes to acquire the shopping center facility known as Ridge Hill, and is seeking financial assistance from the Yonkers Economic Development Corporation in connection with the mortgage financing of the acquisition. In connection with the acquisition, Applicant will also perform renovations, repairs and replacements to the facility, but will not change the footprint or construct any additional improvements.			
Name of Applicant or Sponsor: Ridge Hill Property Owner LLC		Telephone: 212-913-7808	
		E-Mail: Nancy.Miller@Nuveen.com	
Address: c/o Nuveen Real Estate, 730 Third Avenue, 4th Floor			
City/PO: New York		State: NY	Zip Code: 10017
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 type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Yonkers IDA consent to transfer.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		57.7 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		61.3 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input checked="" type="checkbox"/> Parkland			

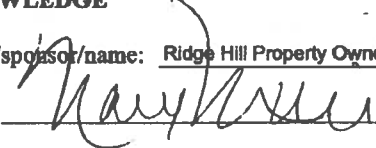
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	NO	YES	
Name:County & State Park Lands, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-11-90 If Yes, identify: 31-90	<input type="checkbox"/>	<input checked="" 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 services 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 the 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? n/a	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? n/a	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? n/a	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

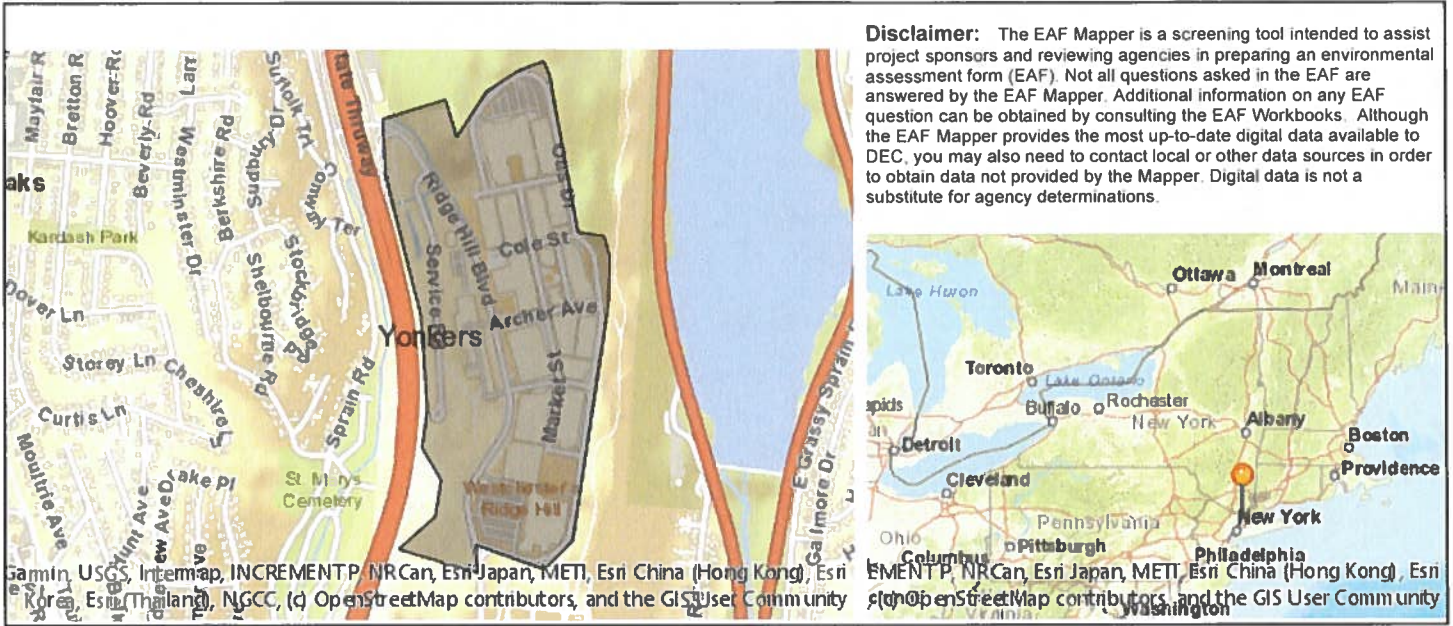
<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</p> <p><input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional</p> <p><input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban</p>		
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 plan?	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?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Ridge Hill Property Owner LLC</u> Date: <u>3/31/2022</u></p> <p>Signature: <u></u> Title: <u>Nancy Miller, Authorized Signer</u></p>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Map data © OpenStreetMap contributors, and the GIS User Community

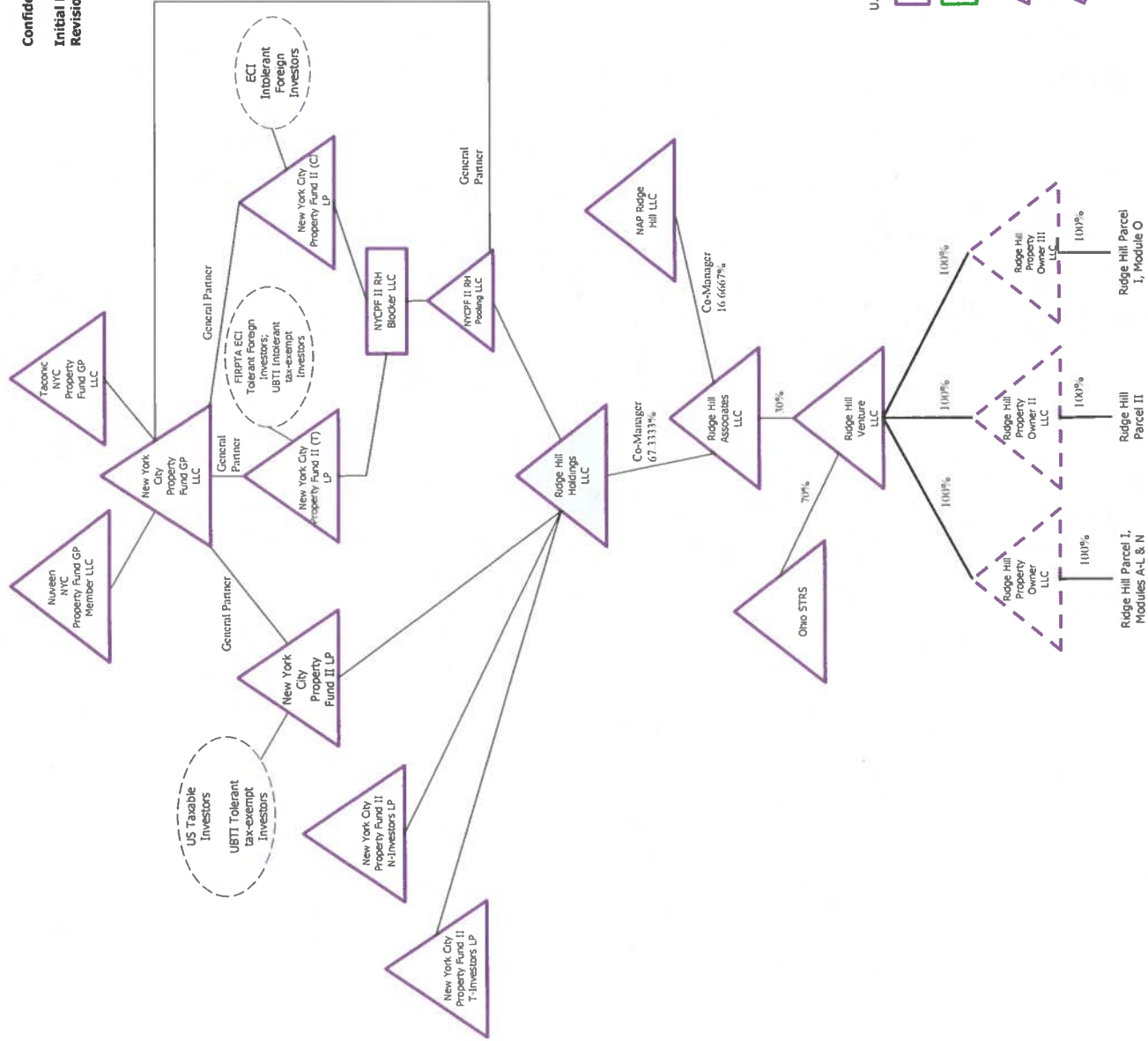
Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:County & State Park Lands, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Facility Tax Lot Numbers

<u>Section</u>	<u>Block</u>	<u>Lot</u>
4	4078	1
4	4075	1
4	4077	1
4	4069	2
4	4072	5
4	4073	1
4	4072	1
4	4070	1
4	4071	1
4	4069	1
4	4065	1
4	4068	1
4	4067	1
4	4066	1
4	4064	1
4	4063	1
4	4062	1
4	4061	1
4	4076	2
4	4076	3
4	4076	4
4	4000	Part of 130

Site O: Section 4, Block 4074, Lot 1

Confidential Draft of March 8, 2022
Initial Draft Structure Chart; Subject to
Revision



U.S. Federal Income Tax Classification

- Corporation (represented by a purple square)
- REIT (represented by a green square)
- Partnership (represented by a purple triangle)
- Disregarded (represented by a dashed purple triangle)