

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

County Government Center
255 Main Street
Goshen, New York 10924
Phone: 845-291-2700 Fax: 845-291-2724

James Petro, Jr., Chairman
Robert Armistead, Vice Chairman
Mary Ellen Rogulski, Second Vice Chairman
Stephen Brescia, Secretary
John Steinberg, Jr., Assistant Secretary
Henry VanLeeuwen
Robert J. Schreibeis, Sr.

James O'Donnell, Executive Director
Joel Kleiman, Chief Financial Officer
Philip A. Crotty, Attorney
Laurie Villasuso, Administrative Assistant

REVISED Agenda

PLEASE TAKE NOTICE, The Orange County Industrial Development Agency will hold a regularly scheduled meeting on June 20, 2012 at 2:00 p.m. in the Orange County Business Accelerator, 4 Crotty Lane, Suite 100, New Windsor, New York, to consider and/or act upon the following:

Order of Business

- **Roll Call**
- **Approval of the minutes from May 16, 2012 meeting**
- **Financial Reports and/or Requests for Payments**
- **New and Unfinished Business**
 - Chairman's Report – Resignation effective 6-20-2012 midnight
Chairman, Vice Chairman appointments
 - Executive Director Report
 - IDA Attorney Crotty Retirement
 - OCBA Report
 - Marketing Proposals Discussion
 - Micro-Loan Program – Update
 - OCP Report
 - Discussions
 - CNC Update and Resolution
 - Active Ventilation
 - Renewage
 - Port Jervis Whitewater Park
- **Resolutions**
 - PTAC – Resolution
 - Mediacom – Resolution
 - CRH Realty VI – Initial Resolution
 - The Marketplace – Final Resolution
- **Such other and further business as may be presented**
- **Public Comments**
- **Adjournment**

Dated: June 18, 2012

Stephen Brescia, Secretary

By: James O'Donnell, Executive Director

James R. Petro, Jr.



Ms. Jean Rammpen
Clerk, Orange County Legislature
15 Matthews Street
Goshen, NY 10924

June 14, 2012

Re: Resignation from Orange County Industrial Development Agency

Dear Ms. Rammpen:

Please accept this letter as my resignation from the Orange County Industrial Development Agency effective midnight June 20, 2012. It has been a true pleasure to have served Orange County for the past six years. Thank you for your attention to this matter.

Very truly yours.

A handwritten signature in cursive script that reads "James R. Petro, Jr.".

James R. Petro, Jr.

cc. Edward A. Diana, Orange County County Executive -via e-mail
Michael R. Pillmeier, Chairman, Orange County Legislature-via e-mail
Donna L. Benson, Orange County Clerk- via e-mail
Robert T. Armistead- Vice Chairman, Orange County IDA- via e-mail
James D. O'Donnell- IDA Executive Director- via e-mail

Philip A. Crotty
Attorney

Mr. James R. Petro, Jr.
Chairman, Orange County IDA
4 Crotty Lane
New Windsor, NY 12553

June 14, 2012

Dear Chairman Petro:

Please accept this letter as my statement of retiring as counsel to the IDA as of June 30, 2012.

I have thoroughly enjoyed my position for the past seven years. It has been professionally and personally rewarding, especially with regard to the IDA's programs involving PILOTS, the Orange County Business Accelerator, and the advanced manufacturing & CNC initiative in conjunction with SUNY Orange.

Your leadership of the IDA has been exemplary. The support of each IDA board member all along has been most gratifying.

Having just reached my 70th birthday, I have concluded it is time to spend time with my wife, children, and grandchildren.

Thanks so much to you and the IDA board members for seven great years.

Sincerely,


Phil Crotty

cc. James D. O'Donnell, Executive Director

RESOLUTION APPROVING PREPARATION OF GRANT TO NATIONAL SCIENCE FOUNDATION FOR ADVANCED MANUFACTURING, FOLLOWING FEBRUARY 2012 TRIP TO WASHINGTON, D.C.

MOTION BY _____

SECONDED BY _____

Whereas, this IDA is working with SUNY Orange to install an advanced manufacturing certificate program and to that end is seeking grants; and

Whereas, a three-person team visited the National Science Foundation in February 2012 and determined that there are grants available for such a program, ranging from \$50,000 to \$2.5 million, and that the IDA- SUNY Orange project appears to have a solid chance of obtaining such a grant; and

Whereas, a professional and competitive application must be prepared and submitted to NHS by October 12, 2012, and NHS has advised that the sooner the better, and a grant-writing proposal has been submitted by the Courtney Strong organization in the amount of \$14,330 which includes trips to South Carolina and Washington, D.C.

Now Therefore Be It Resolved that this IDA approve the proposal received from the Courtney Strong organization in the amount of \$14,330 to prepare the NHS grant application.

Vote:

Mr. Schreibeis _____

Ms. Rogulski _____

Mr. Armistead _____

Mr. Brescia _____

Mr. Steinberg _____

Mr. Van Leeuwen _____

Chairman Petro _____

DATED: 6-20-2012

_____ AYES _____ NAYS

RESOLUTION _____

MEMO

To: IDA Chairman Jim Petro
IDA Executive Director Jimmy O'Donnell
HVEDC CEO Michael Oates

Date: April 24, 2012

Subject: Active Ventilation in City of Newburgh

On Tuesday April 17, 2012 I had a meeting on site at Active Ventilation. The meeting was requested by Active Ventilation and set up by TSEC, Vinnie Cozzolino. The attendees were Martin Colt, President, and Ethan Colt, Executive VP. The two took over the business from their father six months ago. They have a good handle on the business. TSEC was represented by Ron Bartley who filled in for Vinnie Cozzolino.

Active Ventilation is a genuine manufacturing and assembly operation. It is located in the City of Newburgh on First Street, one street over from Broadway. The building is an old, two-story factory building formerly owned by American Felt and Filter. Active Ventilation makes solar-powered fans for domestic and international markets. The fans are powered by solar panels, which turn multiple small blades instead of one large blade. The design is patented. The customer base is government, military, industrial, and residential. In fact the products are sold to Home Depot and on the Home Depot website. (Go to Homedepot.com and search for solar attic fans; or just go to the website for Active Ventilation.)

The company presently employs twenty individuals. Sixty-percent are female. Last summer they employed thirty individuals, and they hope to grow back to fifty soon. They claim to be positioned for "phenomenal growth." The company offers flex time and health benefits.

Active Ventilation operates an amazing assortment of milling and other machines, some of which are 100 years old. They told me they want to eliminate some of the old machines and buy three CNC machines.

The two owner-brothers told me they have a problem with the present location. It is in the City of Newburgh; but the building itself is not optimal. The present location offers 50,000 S/F of usable space with no opportunity for growth. There are environmental issues. Trucks must back in. There is no parking lot. The second floor is unusable. And the City taxes are very high.

The company has identified a location in the Town of Waywayanda that they contend is perfect for them. It is an existing and relatively new building containing 100,000 S/F of all usable space. It is set up for present-day manufacturing, is clean, and problem-free.

The company says it can grow to 100-200 employees in the Waywayanda location. With the high roof at the site, they can do power-coating locally that is now out-sourced.

I explained the IDA's benefit package. I also said that the IDA cannot generally-speaking be party to moving an Orange County company from one municipality to another. Active Ventilation advised me they are aware of that. However they stated that they really need to move to a more functional. The State of Georgia is actively courting them.

In conclusion I said I would ask the IDA Executive Director, Jimmy O'Donnell, to contact them and perhaps fill out an application; and also Michael Oates for the prospect of NYS financial assistance. A copy of the owners' business cards is attached.

PAC

RESOLUTION APPROVING \$24,000 GRANT AGREEMENT WITH ROCKLAND COUNTY PTAC

MOTION BY _____

SECONDED BY _____

Whereas, PTAC is a comprehensive resource for small Orange County businesses to access critical pathways to sell products and services to the federal government and its agencies, and

Whereas, the Rockland County "PTAC", more completely known as the Procurement Technical Assistance Center, provides regular weekly office hours at the Orange County Business Accelerator; and

Whereas, PTAC has requested to be designated an agent of the Orange County IDA for economic development and is seeking financial assistance in the amount of \$24,000 for calendar year 2012 to administer its program in Orange County, which is expected to assist Orange County companies in 2012 and generate tens of millions of dollars for such companies; and

Whereas, the Executive Director Michael DiTullo has appeared before the IDA on this date to update the IDA on PTAC's status.

Now Therefore Be It Resolved that this IDA designates Rockland County PTAC as an IDA agent for economic development for calendar year 2012, and authorizes \$24,000 to be expended in accordance with an agent letter agreement to be executed between PTAC and the IDA Executive Director.

Vote:

Mr. Schreiberis _____

Ms. Rogulski _____

Mr. Armistead _____

Mr. Brescia _____

Mr. Van Leeuwen _____

Mr. Steinberg _____

Chairman Petro _____

DATED: 6-20-12

_____AYES _____NAYS

Resolution _____

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

CRH Realty VI, LLC

(Applicant Name)

List of Addenda:

Addendum 1 - Environmental Assessment Form

Addendum 2 - Proposed PILOT

Addendum 3 - Site Plan

James O'Donnell
Acting Executive Director
Office of Business Assistance
Orange County Government Center
255 Main Street
Goshen, NY 10924
Tel: 845-291-2700
www.orangecountygov.com
business@orangecountygov.com

Updated May 2009

James O'Donnell
Acting Executive Director
Office of Business Assistance
Orange County Government center
255 Main Street
Goshen, NY 10924

June 7th, 2012

Hal Teitelbaum, MD, JD, MBA
Chief Executive Officer
Crystal Run Realty VI, LLC
155 Crystal Run Road
Middletown, NY 10941

RE: IDA APPLICATION

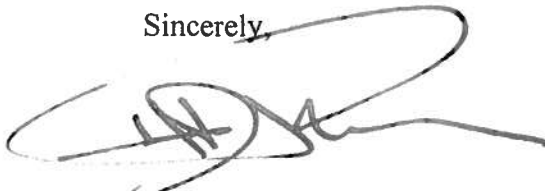
Dear Mr. O'Donnell,

Please find enclosed the following in regard to a proposed back office building on Rykowski Lane, Middletown, NY:

1. Project description/white paper
2. Orange County IDA Application for Financial Assistance
3. Addendum 1: Environmental Assessment Form
4. Addendum 2: Proposed PILOT
5. Addendum 3: Site Plan
6. Check for \$5,000 for Application Fees

If you have any questions or need additional information, please contact Michelle Koury, MD at 845-703-6103. Thank you for your consideration,

Sincerely,



Hal Teitelbaum, MD, JD, MBA
Chief Executive Officer

Project Description: Crystal Run Healthcare 60,000 sq.ft. Back Office Expansion, Town of Wallkill, Orange County, NY

Background

Crystal Run Healthcare (“the practice”) is a physician owned multi-specialty group medical practice providing primary care and sub-specialty medical services in the mid-Hudson Valley region of New York State. The practice has been in continuous operation since 1982, when Dr. Teitelbaum founded the predecessor practice. The quality of Crystal Run’s physicians and the practice’s commitment to service excellence has earned the practice a premier reputation, with the result that Crystal Run is among the fastest growing medical practices in New York State.

Crystal Run Healthcare currently includes more than 250 physicians in over 40 specialties practicing in 15 locations. The practice was the first private medical practice in NY State, and among the first in the nation, to achieve accreditation by the Joint Commission. In addition, Crystal Run includes 6 sites designated as level 3 patient-centered medical homes by the National Committee for Quality Assurance (NCQA). Crystal Run Healthcare was among the first 16 oncology programs in the US to be recognized by the American Society of Clinical Oncology in its “Quality Oncology Practices Initiative.” In 2010, Crystal Run’s executive leadership team was recognized as the top leadership team in group medical practice by HealthLeaders magazine.

Crystal Run Healthcare is working aggressively to transform health care in accordance with the principles expressed in the Affordable Care Act. Specifically, Crystal Run is focused on the transformation from transaction based care to value based care, adopting an accountable care organization (ACO) model. Toward that end, Crystal Run has “become” an accountable care organization and is one of six NCQA designated early adopters, nationwide, seeking NCQA accreditation as an ACO. Crystal Run Healthcare was a national finalist in the CMS Innovation Center’s Pioneer ACO pilot, and is one of the first 27 Accountable Care Organizations approved in the Medicare Shared Savings Program.

Crystal Run Healthcare’s history of growth, expansion, and job creation can be summarized in the table below:

Year	Employee Count	Wages (In dollars)	Average Wage (In dollars)	Change in Employees	Change in Wages (In dollars)
2002	399	10,833,753	27,152		
2004	677	25,276,948	37,337	278	14,443,195
2009	1,135	65,137,884	57,390	458	39,860,936
2012	1,311	78,660,120	60,000	176	13,522,236

Clearly, Crystal Run Healthcare has demonstrated a history of success in creating meaningful new jobs and increasing the tax base of Orange and Sullivan counties. Crystal Run has received support from the EZD and IDA on various projects and has exceeded all projections upon which the monies were granted.

Project Description: Crystal Run Healthcare 60,000 sq.ft. Back Office Expansion, Town of Walkill, Orange County, NY

Urgent Need for Additional Office Space in the Town of Walkill

Crystal Run Healthcare’s aggressive growth strategy has lead to the urgent need for back office expansion into a new 60,000 sq.ft. building to be built on Rykowski Lane in the Town of Walkill, Orange County. This space will house business support functions critical to the back office operations of the practice. These areas include (#jobs): business office (169); communications (144); Finance/Accounting (33); Materials Management (11); Health Information Management (57); Provider Resources (15); Insurance (57); Human Resources (11), IT (1) and Marketing (2). Based on the current configuration, this construction will result in the **retention of 300 existing at-risk jobs** and the **creation of 200 net new permanent full-time jobs**. The majority of the 500 jobs housed at this location could be outsourced at significantly lower cost if located outside of New York State. In fact, our Communications Department (Call Center), was previously outsourced to a company located in Connecticut. In accordance with the practice mission, vision and core values, Crystal Run Healthcare recognized the critical role of these employees in providing effective patient access to quality medical care, and chose to bring this service back “in house” in April 2008 on a 24/7/365 basis.

Summary of Projected State and Regional Economic Benefits:

	<u>Estimated Year 1 Benefit</u>	<u>Estimated 5 Year Benefit</u>
150 New Construction Jobs	\$ Incl. in Construction	\$ Incl. in Construction
200 Net New Permanent Full Time Jobs	\$3.4 Million Payroll	\$28.8 Million
300 Retained Permanent Full Time Jobs	\$10.0 Million Payroll	\$53.2 Million
Land, Building, Sitework, Equipment & Soft Costs	\$14.6 Million	\$14.6 Million
Total State & Regional Benefit	\$ 28 Million	\$96.6 Million

The proposed project is aligned with the following regional priorities as identified by the Mid-Hudson Regional Economic Development Council:

Goal #2 – “Undertake initiatives to retain and stimulate more mature industries such as distribution, financial and professional services, food and beverage, and health care, as these sectors represent large, vital anchor industries in the Mid-Hudson economy.”

Goal #9 - “Make the region and NY State more business friendly by considering tax and administrative policy initiatives to ensure businesses locate and stay in the region.”

Goal #12 – “Make the Mid-Hudson region more attractive to young educated professionals in order to stop “youth flight” and “brain drain” in the region.”

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: CRH Realty VI, LLC

Mailing Address: 155 Crystal Run Road

Phone No.: 845 703-6103

Fax No.: 845 796-5822

Fed Id. No.: 45-5350913

Contact Person: Hal Teitelbaum, MD, JD, MBA, Chief Executive Officer
Michelle Koury, MD, Member

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

N/A

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Form of Entity

Corporation

Date of Incorporation: _____
State of Incorporation: _____

Partnership

General _____ or Limited _____
Number of general partners _____
If applicable, number of limited partners _____

Date of formation _____
Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members 2)

Date of organization: May 18, 2012
State of Organization: NY

Sole Proprietorship

If a foreign organization, is the applicant authorized to do business in the State of New York? _____

APPLICANT'S COUNSEL

Name: Douglas R. Sansted, Esq.

Address: 95 Crystal Run Road, Middletown, NY 10941

Phone No.: (845) 703-6109

Fax No.: (845) 796-5828

II. PROJECT INFORMATION

A) Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected.

Acquisition of an interest in a parcel of land, approximately 7.69 Acres in size, on the North side of Rykowski Ln., approximately 1/4 mile East of its Southern intersection with Crystal Run Rd, construction thereon of an approximate 60,000 sq.ft. office building, and the installation therein of various equipment, machinery and personal property.

B) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

Please see attached EAF (Addendum 1) provided to the Town of Wallkill NY for its consideration during site plan review. If any of the above persons, or a group of them, owns more than a 50% interest in the company, list all other organizations which are related to the company by virtue of such persons having more than a 50% interest in such organizations.

N/A

Is the company related to any other organization by reason of more than 50% common ownership? If so, indicate name of related organization and relationship.

Crystal Run Healthcare LLP and
Crystal Run Ambulatory Surgery Center of Middletown, LLC

Has the company (or any related corporation or person) made a public offering or private placement of its stock within the last year? If so, please provide offering statement used.

N/A

Project Data

1. Project site (land)

(a) Indicate approximate size (in acres or square feet) of project site.

7.69 Acres

(b) Are there buildings now on the project site?

 Yes X No

(c) Indicate the present use of the project site.

Vacant Commercial Land

(d) Indicate relationship to present user of project.

N/A

2. Does the project involve acquisition of an existing building or buildings? If yes, indicate number, size and approximate age of buildings:

No

3. Does the project consist of the construction of a new building or buildings? If yes, indicate number and size of new buildings:

Yes; One 60,000 SF, 3 story building

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation:

No

5. What will the building or buildings to be acquired, constructed or expanded be used for by the company? (Include description of products to be manufactured, assembled or processed, and services to be rendered. . .

Office building: administration, call center, billing, etc.

. . . including the percentage of building(s) to be used for office space and an estimate of the percentage of the functions to be performed at such office not related to the day-to-day operations of the facilities being financed.)

The entire building will be used as office space

and all operations conducted within such space will be related to the day-to-day operations of the facilities being financed.

6. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

N/A

7. List principal items or categories of equipment to be acquired as part of the project.

Furniture, IT/Telcom Equipment, Backup Generator, Elevator and other misc. equipment

8. Has construction work on this project begun?

Complete the following

(a) site clearance	<u> </u> Yes	<u> X </u> No	<u> </u> % complete
(b) foundation	<u> </u> Yes	<u> X </u> No	<u> </u> % complete
(c) footings	<u> </u> Yes	<u> X </u> No	<u> </u> % complete
(d) steel	<u> </u> Yes	<u> X </u> No	<u> </u> % complete
(e) masonry work	<u> </u> Yes	<u> X </u> No	<u> </u> % complete
(f) other (describe below)	<u> </u> Yes	<u> X </u> No	<u> </u> % complete

9. Will any of the funds borrowed through the Agency be used for refinancing?

NO

10. Is a purchaser for the bonds in place? N/A

COST BENEFIT ANALYSIS:

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
Estimated Sales Tax Exemption	\$ <u>308,750*</u>	New Jobs Created <u>200</u>
		Existing Jobs Retained <u>300</u>
Estimated Mortgage Tax Exemption	\$ <u>123,900**</u>	Private Funds invested \$ <u>14,638,700</u>
Estimated Property Tax Abatement	\$ <u>1,052.858 (see</u>	Other Benefits <u>150 Construction Jobs</u> Addendum 2)
		Expected Yearly Payroll \$ <u>19,300,000</u>
Estimated Interest Savings IRB Issue	\$ <u>N/A</u>	Expected Gross Receipts \$ <u>200 million***</u>

* Sales Tax Exemption = Construction Cost X Materials % X Tax Rate => \$9,500,000 X 40% X 8.125%

** Mortgage Recording Tax Exemption = 1.05% X Mortgage Amount = 1.05% X \$11,800,000

*** Includes all affiliates.

B) Project Address: Lots 24-27 Rykowski Ln, Middletown, NY 10941
 (See Addendum 3)
 Tax Map Number 60-1-106 thru 60-1-109
 (Section/Block/Lot)
 Located in City of Middletown
 Located in Town of Wallkill
 Located in Village of N/A
 School District of Chester UFSD

C) Are utilities on site?

Water Y Electric Y
 Gas Y Sanitary/Storm Sewer Y
 Sharon Lesko, Joan Lesko,

D) Present legal owner of the site Richard J Smith & Tetz Family, LLC
 If other than from applicant, by what means will the site be acquired for this project? purchase

E) Zoning of Project Site: Current: O/R Proposed: O/R

F) Are any variances needed? No

G) Principal use of project upon completion: Office Building

H) Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another? No

Will the project 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? No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York? No

I) Estimate how many construction/permanent jobs will be created or retained as a result of this project and the estimated annual salary range:

	<u>Number of jobs created</u>	<u>Estimated Annual Salary Range</u>
Construction:	<u>150</u>	<u>\$ 40,000 to \$ 120,000</u>
Permanent:	<u>200</u>	<u>\$ 24,000 to \$ 96,000</u>
Retained:	<u>300</u>	<u>\$ 24,000 to \$ 96,000</u>

J) Financial Assistance being applied for:

	<u>Estimated Value</u>
<u>X</u> Real Property Tax Abatement	<u>\$ Please see section A.10. above</u>
<u>X</u> Mortgage Tax Exemption	<u>\$ Please see section A.10. above</u>
<u>X</u> Sales and Use Tax Exemption	<u>\$ Please see section A.10. above</u>
<u> </u> Issuance by the Agency of Tax Exempt Bonds	<u>\$</u>

K) Project Costs (Estimates)

Land	<u>1,010,000</u>
Building	<u>9,500,000</u>
Equipment	<u>3,218,700</u>
Soft costs	<u>600,000</u>
Other	<u>310,000</u>
Total	<u>14,638,700</u>


III. 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 proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must 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 Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.
- B. First Consideration for Employment In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must 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 proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Fillings In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed 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.
- E. Annual Employment Reports The applicant understands and agrees that, if the proposed 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.

- F. 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 employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.



(Applicant Signature)

Hal Teitelbaum, MD, JD, MBA
(Name of Officer)

Chief Executive Officer
(Title)

This Application should be submitted to the Orange County Industrial Development Agency, c/o James O'Donnell, Acting Administrative Director, Orange County Government Center, 255-275 Main Street, Goshen, NY 10924 Tel: (845) 291-2700.

The Agency will collect an administrative fee at the time of closing.
SEE ATTACHED FEE SCHEDULE (page 10)

Bond Counsel
CHARLES SCHACHTER, ESQ.
Harris Beach PLLC
99 Gamsey Road
Pittsford, New York 14534
Tel: (585) 419-8633
Fax: (585) 419-8817

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

Attach the following Financial Information of the Company

1. Financial statements for last two fiscal years (unless included in company's Annual Reports). Financial statements will be released upon receipt of an executed non-disclosure agreement.
2. Company's annual reports (or Form 10-K's) for the two most recent fiscal years. N/A
3. Quarterly reports (Form 10Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.

4. In addition, please attach the financial information described above in items 1, 2 and 3 of any expected Guarantor of the proposed bond issue, if different from the company. N/A

HOLD HARMLESS AGREEMENT

Applicant hereby releases the ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.



(Applicant Signature)

By: CRH REALTY VI, LLC

Name: Hal Teitelbaum, MD, JD, MBA

Title: Chief Executive Officer


(Notary Public)

Sworn to before me this 8th day [stamp]

of June, 2012

CYNTHIA P. SCHADY
Notary Public, State of New York
Commission No. 486719
Qualified In Orange County
Commission Expires August 11, 2014

**FEE SCHEDULE FOR THE
ORANGE COUNTY IDA IS AS FOLLOWS:**

IDA

One-percent of the first \$2,000,000 plus one-half percent of amount above that, due at closing.*

Application Fee

\$5,000 non-refundable, due at application, broken down as follows:

IDA Administrative Fee: \$2,500

IDA Bond Counsel Fee: \$12,000-15,000 for straight lease transactions; fee for Tax-exempt transactions to be quoted depending on complexity of deal. \$2,500 due at application and balance due at closing for all deals.

NOTE: IDA reserves the right to seek additional IDA and Bond Counsel fees for exceptionally complex transactions.

Please make all Checks payable to:

Orange County Industrial Development Agency

Mail to:

*255-275 Main Street
Goshen, New York 10924*

*In the event that an applicant does not seek or does not qualify for the IDA's enhanced PILOT or the equivalent of the State's 485-b program, the fee will be a straight one-half percent (0.5%) of the IDA financing benefits provided to the project cost.

Labor Policy

Adopted May 18, 2006, it is the Labor Policy of the Orange County Industrial Development Agency to *encourage* all companies availing themselves of IDA benefits to use local workforce and pay prevailing wages on their project where possible.

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3
Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Crystal Run Office Building

Name of Action

Town of Wallkill Planning Board

Name of Lead Agency

Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Crystal Run Office Building

Location of Action (Include Street Address, Municipality and County)
Rykowski Lane, Wallkill, Orange County, New York

Name of Applicant/Sponsor Crystal Run Healthcare

Address c/o Columbia Development, 302 Washington Avenue Extension

City / PO Albany State NY Zip Code 12203

Business Telephone 518-862-9133

Name of Owner (if different) Lesko, Lesko, Smith & Tetz Family

Address Post Office Box 668

City / PO Pine Bush State NY Zip Code 12566

Business Telephone N/A

Description of Action:

Consolidation of four (4) adjoining tax parcels and the construction of a 60,120± square foot office building and related appurtenances on a combined 7.7± acre parcel located in the O/R Office/Research Zoning District in the Town of Wallkill.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 7.7± acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>3.9±</u> acres	<u>0</u> acres
Forested	<u>2.9±</u> acres	<u>0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>0.9±</u> acres	<u>0.9±</u> acres
Water Surface Area	<u>0</u> acres	<u>0</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>0</u> acres	<u>4.0±</u> acres
Other (Indicate type) <u>lawn / vegetated areas</u>	<u>0</u> acres	<u>2.8±</u> acres

3. What is predominant soil type(s) on project site? BnB, ErB, MdB, Fd and RhB

- a. Soil drainage: Well drained _____% of site Moderately well drained 80 % of site.
 Poorly drained 20 % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 0 acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock > 5 (in feet) SCS

5. Approximate percentage of proposed project site with slopes:

- 0-10% 100 % 10- 15% 0 % 15% or greater 0 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? 2 to > 5 (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

Addendum 1

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

[Empty box for source information]

Identify each species:

[Empty box for species identification]

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

[Empty box for description]

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

[Empty box for explanation]

14. Does the present site include scenic views known to be important to the community? Yes No

[Empty box for scenic views]

15. Streams within or contiguous to project area:

none

a. Name of Stream and name of River to which It is tributary

[Empty box for stream and river names]

16. Lakes, ponds, wetland areas within or contiguous to project area:

Federal wetlands

[Empty box for Federal wetlands]

b. Size (in acres):

0.9± acres

[Empty box for size]

Addendum 1

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No
- b. If YES, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 6177? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No _____

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 7.7± acres.
- b. Project acreage to be developed: 6.8± acres initially; 6.8± acres ultimately.
- c. Project acreage to remain undeveloped: 0.9± acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing 0; proposed 400±
- g. Maximum vehicular trips generated per hour: 550± (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | <u>N/A</u> | _____ | _____ | _____ |
| Ultimately | <u>N/A</u> | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure: 30±' height; 120±' width; 210±' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 1,200± ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0± tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- Lawn and landscaping
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 2.9± acres.

Addendum 1

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: 12 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated N/A (number)

b. Anticipated date of commencement phase 1: N/A month _____ year, (including demolition)

c. Approximate completion date of final phase: N/A month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 50; after project is complete 200±

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount sanitary sewer

b. Name of water body into which effluent will be discharged WWTP (Wallkill River)

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? 10± tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name Transfer Station; location New Hampton

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

electric and gas

22. If water supply is from wells, indicate pumping capacity n/a gallons/minute. _____

23. Total anticipated water usage per day 5,000 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

Addendum 1

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Planning Board Site Plan</u>	_____
			_____	_____
			_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, County Health Department	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
State Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Federal Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- | | | | |
|---|--|--|--------------------------------------|
| <input type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Site plan | <input checked="" type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

Addendum 1

2. What is the zoning classification(s) of the site?

O/R Office/Research

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A

4. What is the proposed zoning of the site?

N/A

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

O/R - commercial offices

8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? _____

Addendum 1

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

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

Applicant Sponsor Name John L. O'Connell P.C. Date 4/30/2012

Signature John O'Connell P.E.

Title Vice President

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

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- I In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- I The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- I The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- I The number of examples per question does not indicate the importance of each question.
- I In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box(column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. Yes No
- Construction on land where the depth to the water table is less than 3 feet. Yes No
- Construction of paved parking area for 1,000 or more vehicles. Yes No
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. Yes No
- Construction that will continue for more than 1 year or involve more than one phase or stage. Yes No
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. Yes No

Addendum 1

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Construction of 50,000± SF office building and associated parking

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

• Specific land forms:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
------------------------	--------------------------	--------------------------	--

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

• Developable area of site contains a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Extension of utility distribution facilities through a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated freshwater or tidal wetland.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction of a body of water that exceeds 10 acres of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Addendum 1

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change | |
|--|-------------------------------------|-----------------------------------|--|-----------------------------|
| • Proposed Action will require a discharge permit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction or operation causing any contamination of a water supply system. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will adversely affect groundwater. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action would use water in excess of 20,000 gallons per day. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow residential uses in areas without water and/or sewer services. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Addendum 1

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Increased impervious area due to building and parking lot, project is designed to provide water quality treatment

IMPACT ON AIR

7. Will Proposed Action affect air quality?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|

Addendum 1

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
 NO YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
 NO YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• The Proposed Action would Irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Addendum 1

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

NO YES

Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

NO YES

Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Addendum 1

	1	2	3	
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • A major reduction of an open space important to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action to locate within the CEA? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Addendum 1

1	2	3	
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • 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 major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Addendum 1

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

NO YES

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other Impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

19. Will Proposed Action affect the character of the existing community?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Addendum 1

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
 NO YES

If Any Action in Part 2 is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Addendum 2

CRH Realty VI, LLC (Rykowski Lane)								
PROPOSED PILOT								
Taxes with savings								
	Land*	Building**	Abatement Savings	Taxable Value	Rate*** per \$1,000	Taxes	psf	
Year 1	\$ 61,600	\$ 1,138,400	100.00%	\$ 61,600	\$ 153.48	\$ 9,454	\$ 0.15	
Year 2	\$ 61,600	\$ 1,138,400	90.00%	\$ 175,440	\$ 158.08	\$ 27,734	\$ 0.44	
Year 3	\$ 61,600	\$ 1,138,400	80.00%	\$ 289,280	\$ 162.83	\$ 47,102	\$ 0.75	
Year 4	\$ 61,600	\$ 1,138,400	70.00%	\$ 403,120	\$ 167.71	\$ 67,607	\$ 1.07	
Year 5	\$ 61,600	\$ 1,138,400	60.00%	\$ 516,960	\$ 172.74	\$ 89,300	\$ 1.42	
Year 6	\$ 61,600	\$ 1,138,400	50.00%	\$ 630,800	\$ 177.92	\$ 112,234	\$ 1.78	
Year 7	\$ 61,600	\$ 1,138,400	40.00%	\$ 744,640	\$ 183.26	\$ 136,464	\$ 2.17	
Year 8	\$ 61,600	\$ 1,138,400	30.00%	\$ 858,480	\$ 188.76	\$ 162,046	\$ 2.57	
Year 9	\$ 61,600	\$ 1,138,400	20.00%	\$ 972,320	\$ 194.42	\$ 189,040	\$ 3.00	
Year 10	\$ 61,600	\$ 1,138,400	10.00%	\$ 1,086,160	\$ 200.25	\$ 217,508	\$ 3.45	
						\$ 1,058,489		
Taxes without savings								
	Land	Building	Abatement Savings	Taxable Value	Rate per \$1,000	Taxes	psf	
Year 1	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 153.48	\$ 184,174	\$ 2.92	
Year 2	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 158.08	\$ 189,699	\$ 3.01	
Year 3	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 162.83	\$ 195,390	\$ 3.10	
Year 4	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 167.71	\$ 201,252	\$ 3.19	
Year 5	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 172.74	\$ 207,289	\$ 3.29	
Year 6	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 177.92	\$ 213,508	\$ 3.39	
Year 7	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 183.26	\$ 219,913	\$ 3.49	
Year 8	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 188.76	\$ 226,511	\$ 3.60	
Year 9	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 194.42	\$ 233,306	\$ 3.70	
Year 10	\$ 61,600	\$ 1,138,400	0.00%	\$ 1,200,000	\$ 200.25	\$ 240,305	\$ 3.81	
						\$ 2,111,347		
Amount saved						\$ 1,052,858		
*2012 Assessment								
**\$100/sf @ 0.20 Equalization Rate								
***Yr 1 Rate=2011 Rate+3%; 3% bumps thereafter								

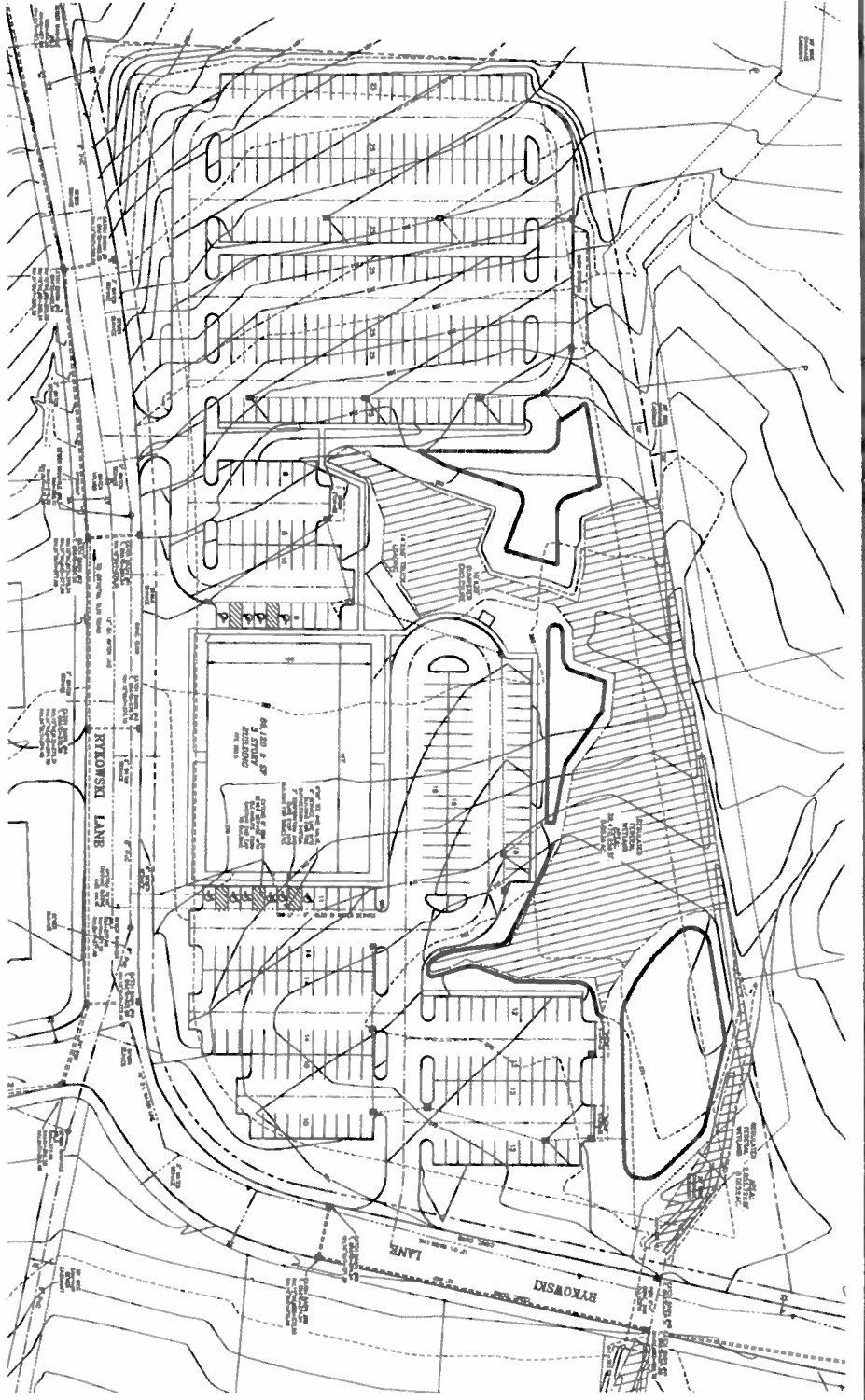


TABLE OF ZONING REQUIREMENTS
OFFICE AND RESIDENT (O/R) DISTRICT

Requirement	Maximum
Number of Stories	4
Setback from Front Property Line	10
Setback from Side Property Line	5
Setback from Rear Property Line	10
Minimum Lot Area	15,000
Minimum Street Frontage	100
Minimum Lot Width	40
Maximum Floor Area Ratio (FAR)	3.0
Maximum Building Height	130
Maximum Number of Units per Acre	200
Maximum Number of Units per Parcel	50
Minimum Green Space	10%
Minimum Open Space	5%
Minimum Tree Retention	10%
Minimum Tree Planting	10%
Minimum Canopy Coverage	10%

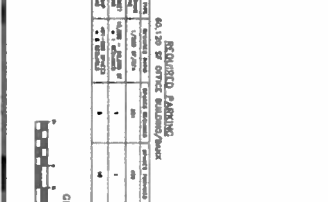
REQUIRED PARKING
OFFICE AND RESIDENT (O/R) DISTRICT

Use	Minimum Parking Ratio (MPR)	Minimum Number of Spaces
Office	1.0	100
Residential	1.0	100
Visitor	1.0	100
Handicap	2.0	20
Bike	1.0	100
Total		320

CERTIFICATION

I, _____, of the County of _____, State of _____, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief, and that I am the owner of the property herein described.

Signed: _____
Date: _____



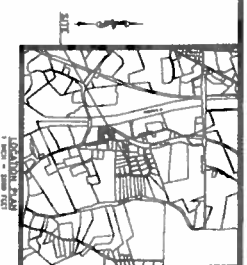
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RECORD OWNERS:
 NATIONAL TRUST BANK AND TRUST COMPANY
 150 WALL STREET
 NEW YORK, N.Y. 10038

ORIGINAL LOT AREAS:
 40 - 1 - 1 - 147 (LOT 25)
 40 - 1 - 1 - 148 (LOT 26)
 40 - 1 - 1 - 149 (LOT 27)
 40 - 1 - 1 - 150 (LOT 28)
 40 - 1 - 1 - 151 (LOT 29)
 40 - 1 - 1 - 152 (LOT 30)

APPLICANT:
 CRISTAL RUM HEALTHCARE
 200 FORT LEE AVENUE
 FORT LEE, NEW YORK 11033



LANC & TULLY
 ARCHITECTS
 120 W. 42ND ST. 11TH FLOOR
 NEW YORK, N.Y. 10018
 TEL: (212) 333-4500
 FAX: (212) 333-4501

CRYSTAL RUM HEALTHCARE
 200 FORT LEE AVENUE
 FORT LEE, NEW YORK 11033
 TEL: (516) 285-1234
 FAX: (516) 285-1235

Motion By: _____
Seconded By: _____

INITIAL RESOLUTION
(CRH Realty VI, LLC Project)

A regular meeting of the Orange County Industrial Development Agency held on June 20, 2012 at 2:00 p.m. (local time) at the Orange County Business Accelerator, 4 Crotty Lane (Stewart Airport), New Windsor, New York.

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a proposed project for the benefit of CRH Realty VI, LLC (the "Company").

RESOLUTION (i) ACCEPTING THE APPLICATION OF CRH REALTY VI, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW), (ii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO SUCH PROJECT AND (iii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO SUCH PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 390 of the Laws of 1972 of the State of New York, (hereinafter collectively called the "Act"), the **ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called the "Agency") was created with the authority and power and for the purpose of, among other things, acquiring, constructing, reconstructing and equipping manufacturing, warehousing, research, commercial, or industrial facilities as authorized by the Act; and

WHEREAS, **CRH REALTY VI, LLC** (the "Company"), for itself or on behalf of an entity to be formed, 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 by the Agency of a leasehold interest in an approximately 7.70-acre parcel of vacant land located on Rykowski Lane in the Town of Wallkill, Orange County, New York (the "Land", being more particularly described as TMID Nos. 60-1-106, 60-1-107, 60-1-108 and 60-1-109), (ii) the acquisition and construction on the Land of an approximately 60,000 square foot three-story building and related improvements to be used by the Company and its tenants for office and related space (the "Improvements"); and (iii) the acquisition and installation in and around the Improvements of certain items of equipment and other tangible personal property including, but not limited to, HVAC systems, plumbing and electrical fixtures, elevators and office furniture (collectively, the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to Article 18-A of the General Municipal Law, the Agency desires to adopt a resolution describing the Project and the financial assistance 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 an agent agreement (the "Agent Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of acquiring, constructing and equipping the Facility, (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), a leaseback agreement (the "Leaseback Agreement") and a payment-in-lieu-of-tax agreement (the "PILOT Agreement"), (iii) take title to, or a leasehold interest in, the Land, the Improvements, the Equipment and personal property constituting the Facility (once the Lease Agreement, Leaseback Agreement and PILOT Agreement have been negotiated), and (iv) provide financial assistance 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 Facility, (b) a partial real property tax abatement structured within the PILOT Agreement, and (c) a mortgage recording tax exemption for financing or re-financing related to the Project (collectively the "Financial Assistance").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Company has presented an 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 Orange County, New York, 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 of New York (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 and/or the Executive Director of the Agency are hereby authorized, on behalf of the Agency, to hold a public hearing in compliance with the Act and negotiate the terms of (A) an Agent Agreement, pursuant to which the Agency appoints the Company as its agent to undertake the Project, (B) a Lease Agreement, pursuant to which the Company leases the Facility to the Agency, (C) a related Leaseback Agreement, pursuant to which the Agency conveys its interest in the Facility back to the Company, (D) a PILOT Agreement, and (E) related documents; *provided*, the provisions of the Agent Agreement and 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 indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project.

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. These Resolutions shall take effect immediately.

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

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Robert Armistead				
Mary Ellen Rogulski				
Stephen Brescia				
John Steinberg, Jr.				
Henry VanLeeuwen				
Robert Schreibeis, Sr.				
James Petro, Jr.				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:

I, the undersigned Acting Secretary of the Orange County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing extract of the minutes of the meeting of the Orange County Industrial Development Agency (the "Agency") including the resolution contained therein, held on the 20th day of June, 2012, 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 relates 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 seal of said Agency this 20th day of June, 2012.

James O'Donnell, Acting Secretary

Motion By:
Seconded By:

RESOLUTION
(Mediacom Realty, LLC Project)

A regular meeting of the Orange County Industrial Development Agency was held on June 20, 2012 at 2:00 p.m. (local time) at the Orange County Business Accelerator, 4 London Avenue, Suite 100, New Windsor, New York 12553.

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the Mediacom Realty, LLC project.

**RESOLUTION OF THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT
AGENCY RATIFYING THE EXECUTION, DELIVERY AND FILING OF A
FIRST AMENDMENT TO LEASE AGREEMENT, FIRST AMENDMENT TO
PILOT AGREEMENT AND RELATED DOCUMENTS IN CONNECTION
WITH THE MEDIACOM REALTY, LLC PROJECT**

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 390 of the Laws of 1972 of the State of New York, (collectively, The "Act"), the **ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called the "Agency") was created with the authority and power and for the purpose of, among other things, acquiring, constructing, reconstructing and equipping manufacturing, warehousing, research, commercial or industrial facilities as authorized by the Act; and

WHEREAS, the Agency and **MEDIACOM REALTY, LLC** previously entered a lease agreement ("Original Lease Agreement"), leaseback agreement ("Original Leaseback Agreement") and PILOT Agreement ("Original PILOT Agreement") each dated as of August 1, 2012, with respect to the Company's telecommunications project located on Old Mansion Road, Blooming Grove, Orange County New York (the "Facility"); and

WHEREAS, the Company requested the Agency and counsel to the Agency that the term of the Original Leaseback Agreement and Original PILOT Agreement be extended by one (1) year such that the financial assistance under the Original PILOT Agreement is delayed until 2014 as a result of unforeseen delays in construction of the Facility; and

WHEREAS, the Company shall pay full taxes with respect the Facility during such one (1) year delay; and

WHEREAS, in order to accommodate the assessor's billing cycle, the Executive Director of the Agency executed and delivered a First Amendment to Lease Agreement and First Amendment to PILOT Agreement to effectuate the foregoing; and

WHEREAS, the Agency desires to adopt a resolution ratifying the execution and delivery of the First Amendment to Lease Agreement and First Amendment to PILOT Agreement and all prior actions in connection with the delay of the financial assistance provided under the Original PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby ratifies the prior actions of the Executive Director of the Agency in connection with the delay of the financial assistance under the Original PILOT Agreement with respect to the Company's Facility, including the execution, filing and recording of the First Amended Leaseback Agreement and First Amended PILOT Agreement; provided the Company shall pay an amount equal to full taxes during such one (1) year delay.

Section 2. These Resolutions shall take effect immediately.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
James R. Petro, Jr.				
Robert Armistead				
Stephen Brescia				
John Steinberg				
Henry P. VanLeeuwen				
Robert Schreiber				
Mary Ellen Rogulski				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:

I, the undersigned Acting Secretary of the Orange County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing extract of the minutes of the meeting of the Orange County Industrial Development Agency (the "Agency") including the resolution contained therein, held on June 20, 2012, 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 relates 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 this 20th day of June, 2012.

James O'Donnell, Acting Secretary



WILDER BALTER PARTNERS, INC.

570 TAXTER ROAD, SIXTH FLOOR, ELMSFORD, NY 10523 • (914) 347-3333 FAX (914) 909-7328

June 19, 2012

Orange County Industrial Development Agency
c/o James O'Donnell, Executive Director
Orange County Government Center
255 Main Street
Goshen, New York

Re: Marketplace at Newburgh: Application for Financial Assistance

Dear Executive Director O'Donnell, Chairman Petro & Board Members:

On February 8, 2012, we submitted an application to the Orange County Industrial Development Agency ("OCIDA") for financial assistance with respect to the first phase of the Marketplace at Newburgh project (the "Marketplace") consisting of approximately 400,000 s.f. of proposed retail development on land located in the Town of Newburgh. The application requested the following assistance:

1. 15-year "super-enhanced" PILOT agreement;
2. Sales and use tax exemption on construction materials and tenant FF&E in connection with construction of the project; and
3. Mortgage tax exemption.

The Marketplace application is now pending before the OCIDA.

From recent conversations and email correspondence with Chairman Petro and Board Counsel, we understand the Chairman is prepared to submit to the OCIDA Board for consideration and vote at the monthly OCIDA Meeting on June 20th resolution(s) for the following:

1. 10-year PILOT agreement structured in accordance with the business investment exemption provided under Section 485-b of the NYRPTL; and
2. The requested sales and mortgage tax exemptions.

With respect to the 10-year PILOT agreement contemplated by the OCIDA, it is our understanding that the Town of Newburgh grants to all new commercial developments the business investment exemption afforded under Section 485-b. Accordingly, we see no reason at this time to apply for these same benefits from the OCIDA.

With respect to the proposed 15-year super-enhanced PILOT agreement, we are requesting that any action on this portion of the Marketplace application be deferred until we meet with the Newburgh Town Board to discuss the matter and address the Town's concerns.



Regarding the requested sales tax and mortgage tax exemptions, we understand that if approved by the OCIDA Board, any fees associated with this OCIDA action or approval are not due and payable until a construction loan closing occurs. And if for any reason the Marketplace project does not proceed to construction, or WBP chooses at a later time to not benefit from these or any OCIDA benefits, then in such event no OCIDA fees are earned, due or payable until such construction loan closing occurs and WBP reaffirms its interest in receiving any approved OCIDA benefits or programs.

Based on the above understanding, we request that the OCIDA vote on the sales tax and mortgage tax exemption components of the Marketplace application.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Wilder, Jr.', with a long horizontal flourish extending to the right.

Robert H. Wilder, Jr.