

**City of Utica  
Industrial Development Agency  
Application**

The information required by this form is necessary to determine the eligibility of your project for IDA benefits. Please answer all questions; insert "NONE", or "NOT APPLICABLE", where necessary. If an estimate is given, put "EST." after the figure. Attach additional sheets if more space is needed for a response than is provided. Return three copies of this application to the City of Utica Industrial Development Agency.

Once submitted with the IDA, this Application becomes public information and will be published on the IDA's website. If the applicant deems any information requested to be exempt from FOIL, please answer the question "CONFIDENTIAL" and submit the information on a separate attachment marked confidential and provide the statutory exemption

A project financed through this Agency involves the preparation and execution of significant legal documents. Please consult with an attorney before signing any documents in connection with the proposed project.

**PART I  
Applicant**

Applicant's legal Name: UTICA HARBOR LODGING GROUP LLC

Principal Address: 508 WHITE SPRUCE BLVD.  
ROCHESTER NY 14623

Project Address: WELLS AVENUE  
UTICA NY

Telephone Number(s): (607) 962-9868

Federal Identification Number: 88-3880252

Company IRS Filing Office Location: EFILE

Company Officer completing this application:

Name: ARUN PATEL

Title: MANAGER

Phone: (607) 738-1201 cell \_\_\_\_\_ office \_\_\_\_\_

Email: ARUNPATEL@VISIONSHOTELS.COM

1. A. **Is the applicant a:**

( ) Corporation: If YES, Public ( ) Private ( )  
If a PUBLIC Corporation, on which exchange is it listed?

- ( ) Sole Proprietorship  
( ) Partnership  
( ) Subchapter S  
( ) DISC  
(x) Other (specify)

**LIMITED LIABILITY COMPANY**

B. State of incorporation/organization, if applicable: NY

2. **Stockholders, Directors, Officers, Partners or Members**

A. Provide the following information in regard to principal stockholders or parties:

<u>Name</u>	<u>Home Address</u>	<u>Percentage of Ownership</u>
ARUN PATEL	223 OAK HILL	50%
	HORSEHEADS NY 14845	
HEMANT PATEL	2402 STONEGATE TR.	50%
	CORNING NY 14830	

B. Provide the following information in regard to officers and directors:

<u>Company Officer</u>	<u>Name and Home Address</u>	<u>Other Principal Business Affiliation</u>
MANAGER	ARUN PATEL	VISIONS HOTELS LLC
MANAGER	HEMANT PATEL	VISIONS HOTELS LLC
VICE PRESIDENT	MINESH PATEL	VISIONS HOTELS LLC
VICE PRESIDENT	ROBERT HALPIN	THE HALPIN FIRM

- C. Is the applicant or any of the persons listed in 2(A) above related, directly or indirectly, to any other entity by more than 50% common ownership? If also, indicate name of such entity and the relationship.

ARUN PATEL AND HEMANT PATEL OWN

VARYING OWNERSHIP INTERESTS IN THE ENTITIES  
LISTED ON ADDENDUM A

- D. Is the applicant affiliated with any other entity, directly or indirectly, other than as indicated in response to paragraph C above? If YES, please indicate name and relationship of such other entity and the address thereof:

NO

3. **Applicant's accountant**

Name and Title: TONY SANDONATO

Name of Firm: MMB & CO.

Address: 100 CHESTNUT STREET  
ROCHESTER NY 14604

Telephone Number: 585 672-1838 Email: ASANDONATO@MMB-CO.COM

4. **Applicant's attorney**

Name and Title: ROBERT L. HALPIN

Name of Firm: THE HALPIN FIRM

Address: 4588 ROUTE 224  
MONTAUR FALLS NY 14865

Telephone: 607 594-3786 Email: RHALPIN@THEHALPINFIRM.COM

5. **References** (Individuals and institutions in this section may be contacted)

A. Banking/Financial Institution:

<u>Name of Institution</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
BANK OF UTICA	223 GENESEE ST.	BRIAN LOUGHLIN
	UTICA NY 13502	
	315 797-2700	

B. Business suppliers (list three largest accounts)

<u>Name of Supplier</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
NA-NO OPERATIONS YET		

C. Major customers (list three largest)

<u>Name of Customer</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
NA-NO OPERATIONS YET		

6. **Business Description**

A. Describe nature of business and principal products and/or services:

Applicant is an affiliate of Visions Hotels LLC, which is a developer, operator and manager of a variety of classes of hotels. The subject project involves two hotels and a multi-family residential component. See attachments for more project details.

B. Describe the geographical market(s) served:

Applicant has no current business operations

---

---

---

7. **Present location(s) of business operations**

A. List present location(s):

1. Applicant has no current business operations

2.

3.

B. For what purpose is each of these used?

1.

2.

3.

C. For each of your present locations which are RENTED, provide the following information:

D. Name of Landlord

Landlord's Address

Landlord's

Telephone Number

1. NA

2.

3.

Amount of Space

Annual Rental

Lease Termination Date

1.

2.

3.

E. For each of your present locations which you OWN, provide the following information:

	<u>Location</u>	<u>Annual Mortgage Payment</u>	<u>Termination Date</u>
1.	NA		
2.			
3.			

F. List which of your present locations, if any, will be vacated if IDA approval for your project is given:

NONE

---

---

---

---

---

If any of these locations will be sublet or sold, provide information concerning your ability to do so:

NA

---

---

---

---

---

## PART II

### Reasons for Project

Please explain in detail why you want to undertake this project and define scope of project:

**SEE PROJECT NARRATIVE ATTACHED**

---

---

---

---

---

---

---

---

---

---

Why are you requesting the involvement of the IDA in your project?

**SEE PROJECT NARRATIVE ATTACHED**

---

---

---

---

---

---

---

How will the applicant's plans be affected if IDA approval is not granted?

The project will not proceed if IDA approval is not granted.

---

---

---

---

---

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

☒ Yes or ☐ No

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

---

---

---

---

Identify the assistance being requested of the Agency (select all that apply):

- |    |                                  |                                      |
|----|----------------------------------|--------------------------------------|
| 1. | Exemption from Sales Tax         | <u>  X  </u> Yes or <u>      </u> No |
| 2. | Exemption from Mortgage Tax      | <u>  X  </u> Yes or <u>      </u> No |
| 3. | Exemption from Real Property Tax | <u>  X  </u> Yes or <u>      </u> No |
| 4. | Tax Exempt Financing *           | <u>      </u> Yes or <u>  X  </u> No |

\* (typically for not-for-profits & small qualified manufacturers)



A. **Type of Project**

Check category or categories best describing your project (O - Owner) and all end-users (T – Tenant(s)) and the square footage of each:

	Manufacturing		sf
	Industrial (Assembly or Service)		sf
	Research and Development		sf
	Warehousing		sf
	Commercial		sf
	Pollution Control		sf
	Housing		sf
	Back Office		sf
	Facility for Aging		sf
T	Multi-Tenant	168018	sf
O	Retail	120000	sf
	Recreational		sf
O	Other (specify)	4000 (clubhouse)	sf
	Total	292018	sf

B. **Description of Proposed Project**

Check all appropriate categories which apply to the proposed project:

- |  |  |   |
|--|--|---|
| 1. Acquisition of land                           | YES( <input checked="" type="checkbox"/> ) | NO( <input type="checkbox"/> )            |
| 2. Acquisition of existing building              | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |
| 3. Renovations to existing building              | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |
| 4. Construction of addition to existing building | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |
| 5. Demolition                                    | YES( <input type="checkbox"/> )            | NO( <input checked="" type="checkbox"/> ) |
| 6. Construction of a new building                | YES( <input checked="" type="checkbox"/> ) | NO( <input type="checkbox"/> )            |
| 7. Acquisition of machinery and/or equipment     | YES( <input checked="" type="checkbox"/> ) | NO( <input type="checkbox"/> )            |
| 8. Installation of machinery and/or equipment    | YES( <input checked="" type="checkbox"/> ) | NO( <input type="checkbox"/> )            |
| 9. Other (specify) <u>PUBLIC INFRASTRUCTURE</u>  | YES( <input checked="" type="checkbox"/> ) | NO( <input type="checkbox"/> )            |

C. What is the zoning classification of the proposed site?

COMMERCIAL

- D. For what purpose was the site most recently used (e.g. light manufacturing, heavy manufacturing, assembly, etc.)?

VACANT/ABANDONED INDUSTRIAL

E.	<u>Location(s)</u>	<u>Street Address</u>	<u>Number of Floors/ SF/floor</u>
		WELLS AVENUE	SEE PROJECT PLAN

- F. Is the site in a former Empire Zone? ( ) Yes ( ) No

Is the business Empire Zone certified at this location: ( ) Yes (X) No

Attach a copy of the last Business Annual Report filed.

Is the proposed project located within the boundary of a Central New York Regional Transportation (Centro) District? ( ) Yes (X) No

- G. 1. Please describe in detail the facility to be acquired, constructed or renovated (including number of buildings and other existing structures or facilities) and attach plot plans, photos or renderings, if available.

SEE ATTACHMENTS

2. If construction or renovation work on this project has already begun, please describe the work in detail.

NA

3. What is the estimated useful life of the:

a. Facility: 30 YEARS

b. Equipment: 10 YEARS

- H. List the principal items or categories of equipment to be acquired as part of the project.  
Furniture, fixtures and equipment for hotels and multi-  
unit residential facility
- I. If any of this equipment has already been purchased or ordered, please attach all invoices and purchase orders and list amounts paid and dates of expected delivery as well as a brief description:  
  
NA
- J. If the construction or operation of the proposed project will require any local ordinance or variance to be obtained or requires a permit or prior approval of any state or federal agency or body (other than normal occupancy/construction permits), please specify:  
City planning board; site plan and subdivision approval
- K. Will the project have a significant effect on the environment, YES ( ) NO ( x ). If YES, please describe the effect. **Important: please attach Environmental Assessment Form to this Application**  
This project is subject to GEIS that was conducted  
in connection with Utica Harbor redevelopment. Further  
SEQRA review is not required.
- L. Will a related real estate holding company, partnership or other entity be involved in the ownership structure of the Transaction? YES ( x ) NO ( ) If YES, please explain:  
  
The applicant is the project developer. Each of the three elements  
of the project will be hived off into separate ownership and operation  
entities once the capital stack is finalized

M. 1. With regard to the present owner of the project site, please give:

Name: Utica Harbor Point Redevelopment Corp.

Address: 1 Kennedy Plaza Utica NY 13502

Telephone Number: \_\_\_\_\_

2. If the applicant already owns the project site, indicate:

a. date of purchase: NA

b. purchase price: NA

3. If the project site is mortgaged, please indicate:

a. balance of mortgage: NA

b. holder of mortgage: NA

N. Is there a relationship, legally, by virtue of common control, or through related persons, directly or indirectly, between the applicant and the present owner of the project site?  
YES ( ) NO (x) If YES, please explain:

\_\_\_\_\_  
\_\_\_\_\_

O. Is the company currently a tenant in the building to be occupied?

YES ( ) NO (x)

P. Are you planning to use/develop the entire proposed facility?

YES (x) NO ( )

If NO, give the following information with respect to present tenants:

1. Present Tenant Information

a.	<u>Name of Business</u>	<u>Floors Occupied</u>	<u>Square Feet Occupied</u>	<u>Nature of Tenant's Business</u>
----	-----------------------------	----------------------------	---------------------------------	--

NA

---

---

---

b. Which of the above tenants will be vacating upon your initial use of the facility? How many jobs will be affected?

<u>Name of Firm</u>	<u>Jobs</u>	<u>Square Footage Now Occupied</u>
---------------------	-------------	------------------------------------

NA

---

c. For those tenants who will remain after your initial occupancy of the site, provide the following transaction:

<u>Name of Tenant</u>	<u>Term of Lease</u>	<u>Renewal Options</u>	<u>Square Footage Now Occupied</u>
---------------------------	--------------------------	----------------------------	--

NA

---

---

Are any of the above tenants related to the owner of the facility? YES ( ) NO ( )

d. If the applicant will be occupying the premises of any of the tenants listed in (c) when their lease expires, please list.

NA

---

---

---

e. Please provide copies of all present lease(s) at the proposed project site.

- f. Do you propose to lease part of the project facility to firms not presently tenants?

YES (x) NO ( ) If YES, provide details of your proposals:

Residential units will be leased to individuals and families

- g. Will financing by the Agency for the Project result in the removal or abandonment of a plant or other facility of the applicant or any related entity presently located in another area in the State of New York? YES ( ) NO (x)

If the answer is YES, please explain briefly the reasons for the move.

Is the proposed project reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the State of New York?  
YES ( ) NO (x)

Is the proposed project reasonably necessary to preserve the competitive position of the project occupant in its respective industry? YES ( ) NO (x)

- h. If any of the parties who will be tenants in this project are related to or affiliated with the applicant, please identify them:

NA

1. Please attach any written agreements (e.g., options, purchase contracts, invoices, etc.) concerning the acquisition of the real property or equipment for this proposed facility.

## 2. Employment \*

- a. List your present employment in the City of Utica, if any, and an estimate of the employment at the proposed facility at the end of two years. NOTE: New York State considers Full Time employment as 35 hours or more. Full-time jobs, plus the combination of two or more part-time jobs that, when combined together, constitute the equivalent hours of a full-time position (35 or more hours).

Employment	Current # of applicant's jobs at/or to be located at proposed project location	Number of FTE jobs to be RETAINED	Number of FTE jobs to be CREATED two years after project completion	Estimate number of residents in Labor Market Area that will fill projected jobs two years after project completion
Full-Time (FTE)	0	0	27	27

The Labor Market Area consists of the following counties: Oneida, Lewis, Herkimer, Otsego, Madison and Oswego

- b. Characterize the labor force to be associated with this project location according to the following categories:

Category	Current/ Anticipated	Avg Salary or Salary Range	Avg Fringe Benefits or Range
Officers	3	\$60,000-\$85,000	\$5,000
Sales/Supervisory	8	\$33,000-\$45,000	\$5,000
Clerical			
Plant/Production	16	\$33,000-\$45,000	\$3,000
Other (specify)			

Notes:

- c. Estimate the Annual Payroll for the employees associated with the project location.

Currently	End of Year One	End of Year Two
\$ 0	\$ 1,050,000	\$ 1,250,000

\* Company/Applicant will be required to submit Annual Project Monitoring Reports (attached) along with a copy of the NYS 45 (four quarters) for a minimum of five (5) years for any commercial project and ten (10) years for any industrial/manufacturing project, or for the length of UIDA involvement in the project. Annual Project Monitoring Reports will be compared to employment counts as stated above and companies whose reported counts fall below those levels above will be subject to the Agency's Recapture Provisions Policy.

**Sources of Funds for Project Costs:**% of Total  
project costs

Bank Financing:	\$ 35000000	58
Equity (excluding equity attributed to grants/tax credits)	\$ 25000000	42
Tax Exempt Bond Issuance (if applicable)	\$ _____	_____
Taxable Bond Issuance (if applicable)	\$ _____	_____
Public Sources (Include sum total of all state and federal grants and tax credits)	\$ _____	_____

Identify each state and federal grant/credit:

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Total Sources of Funds for Project Costs:	\$ 60000000	100
---	-------------	-----

Have any of the above costs been paid or incurred as of the date of this Application?

☒ Yes ☐ No. If Yes, describe particulars: \_\_\_\_\_

Approximately \$150,000 in professional fees \_\_\_\_\_

**Mortgage Recording Tax Exemption Benefit:** Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ 35000000

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage \$ 262,500

Amount as indicated above multiplied by 0.75%):

Please Note: The New York State General Municipal Law was recently amended to reflect that industrial development agencies are not exempt from the additional mortgage recording tax of .25% that is assessed to properties that are located within a regional transportation district. Oneida County is located within the Central New York Regional Transportation District; as such, all UIDA projects will be exempt from .75% of mortgage recording tax, but must pay .25% of mortgage recording tax, which will be directed to the Transportation District.



### 3. Estimated Project Cost

Listed the costs necessary for the construction, acquisition or renovation of the project (this should NOT include working capital needs, moving expenses, work in progress, stock in trade, applicant's debt repayment, real estate broker fees or your legal fees):

Acquisition of Land	\$ <u>2,116,000</u>
Acquisition of Building(s)	\$ _____
Renovation Costs	\$ _____
New Construction of Buildings	\$ <u>40,000,000</u>
Machinery and Equipment (taxable) (other than furniture costs)	\$ <u>3,000,000</u>
Machinery and Equipment (non-taxable)	\$ _____
Furniture and Fixtures	\$ <u>5,500,000</u>
Installation Costs	\$ <u>Included</u>
Architectural/Engineering Fees	\$ <u>500,000</u>
Fees (other than your own counsel and brokerage fees)	\$ <u>5,000,000</u>
Interest on Interim Financings	\$ <u>2,100,000</u>
Other (specify) <u>Legal, franchise fees,</u>	\$ <u>1,784,000</u>
<u>insurance, site work</u>	
Total Project Cost	\$ <u>60,000,000</u>

Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

\$ 24500000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):

\$ 2,143,750

#### 4. Real Estate Taxes

List separately the proposed project's Real Estate Taxes and/or Assessed Value as it applies to land and building:

Project's	Real Estate Taxes	Assessed Value
Land(s)	\$ 11,430	\$ 160,400
Building(s)	\$ 703,308	\$ 9,869,600
Total	\$ 714,738	\$ 10,030,000

Calculate the value of the PILOT exemption anticipated for the project described:

\$ 8,694,289

#### 5. Project Schedule

Indicate the estimated dates for the following:

- a. Construction commencement: May 1 2025
- b. Construction completion: February 1 2029
- c. Project financing: List the dates and in what amounts the estimated funds will be required:

To be determined

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d. Indicate the name of the incorporated municipality in which the facility will be located and the applicant's (or any related entity's) estimated capital expenditures in such municipality during the past three years:

City of Utica

- e. What do you expect the applicant's (or any related entities) capital expenditures to be in the above municipality during the next three years (including this project):

\$40 million

- f. If the applicant or any related entity has previously secured the benefit of tax exempt financing in the City of Utica, whether through IDA, the New York Job Development Authority or any other entity, please explain (indicate date, location of financed facility, and outstanding balance):

Affiliated entities have received IDA benefits for  
Holiday Inn Express, Home2, Fairfield Inn and  
Hotel Utica/DoubleTree projects

- g. Has the applicant or any related entity received the benefit of tax exempt financing anywhere within the United States within the past 90 days or is the applicant or any related entity contemplating the receipt of such financing assistance within the next 90 days? YES ( ) NO (X) if YES, please explain.

---

---

---

6. Project Financing Efforts

IT IS THE APPLICANT'S RESPONSIBILITY TO SECURE A PURCHASER FOR IDA BONDS ISSUED IN CONJUNCTION WITH THIS PROJECT. Below are a series of questions relating to your efforts to secure financing for your project if IDA approval is granted.

- A. Has the applicant contacted any bank, financial/lending institution or private investor in regard to the financing for this project? YES (x) NO ( ) If YES, please give details:

Applicant has had discussions with relationship lenders  
and potential investors

---

---

---

B. Have you obtained a financial commitment for this project? YES ( ) NO (x )

1. If YES, please briefly describe this commitment and attach related correspondence:

---

---

---

2. If NO, please explain how you will be able to finance this project:

Financing will come from a combination of bank  
financing with relationship lenders and equity from  
a legacy investor pool

C. Are there any other governmental agencies that you have contacted concerning financial assistance in regard to your proposed project? YES ( ) NO (x ) If YES, please explain:

---

---

---

---

---

D. 1. Will the applicant's obligations be guaranteed, and if so, by whom?

To be determined

2. Is the guarantor related to or affiliated with the applicant?

---

E. Financial Information (Attach the Following).

1. Financial Statements for the last three fiscal years.
2. Pro forma Balance Sheet as at start of operations at project site.
3. Projected Profit and Loss Statements for first two years of operation at project site.
4. Projected "Cash Flow" Statement, by quarters, for first year of operation at project site.

**REPRESENTATIONS AND CERTIFICATION BY APPLICANT**

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

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

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

1. **Annual Sales Tax Filings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
2. **Annual Employment Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site as well as tax benefits received with the action of the Agency. Failure to provide such reports as provided in the transaction documents will be an Event of Default under the Lease (or Leaseback) Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
3. **Absence of Conflict of Interest.** The Applicant has consulted the Agency website of the list of the Agency members, officers and employees of the Agency. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described (if none, state "none"):
4. **Hold Harmless.** Applicant hereby releases the Agency and its members, officers, servants, agents and employees from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax

exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

5. The Applicant acknowledges that the Agency has disclosed that the actions and activities of the Agency are subject to the Public Authorities Accountability Act signed into law January 13, 2006 as Chapter 766 of the 2005 Laws of the State of New York.
6. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
7. The Applicant acknowledges that it has been provided with a copy of the Agency's recapture policy (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
8. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

9. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
10. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.

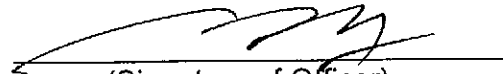
11. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

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

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

Robert Halpin, being first duly sworn, deposes and says:

1. That I am the Counsel (Corporate Office) of Utica Harbor Lodging Group LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

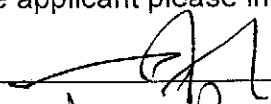
  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 7<sup>th</sup> day of November, 2024

Kristi A. Pierce  
Notary Public, State of New York  
Reg. No. 01PIC135987  
Qualified in Schuyler County  
My Commission Expires 10/31/ 2025

Kristi A. Pierce  
(Notary Public)

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

By: 

Name: Ann Patti

Title: Managing Member

Date: 11/6/24

**Return the original application and six copies with a check in the amount of \$250.00 made payable to: Utica Industrial Development Agency, 1 Kennedy Plaza, Utica, New York, Attn.: Jack N. Spaeth, Executive Director.**

**UTICA HARBOR LODGING GROUP LLC**  
**UTICA HARBOR REDEVELOPMENT PROJECT**

**Background**

Utica Harbor Lodging Group LLC ("UHLG") is an affiliate entity of Visions Hotels LLC. Visions Hotels is a hotel development and management company that has been in business for thirty years and currently operates approximately sixty hotels across New York, Pennsylvania, Massachusetts and Connecticut, including five hotels in the City of Utica. Four of its Utica properties were new-build projects constructed as part of the successful redevelopment of the north-city Genesee Street area. The fifth was the redevelopment of the landmark Hotel Utica into the DoubleTree by Hilton – Utica, an anchor lodging and dining facility on Lafayette Street in the heart of the city. For all of these projects Visions worked cooperatively with the city's leadership and economic development team to advance their community renewal efforts.

Based on this successful partnership, Visions was invited to participate in the city's redevelopment of the Harbor Point area. This project envisages transforming a series of contaminated former industrial sites bordering the canal harbor into a mix of recreation, entertainment, lodging and retail uses that will both attract new commerce and families and enhance the opportunities for those already living and working in the city and its surrounding communities. UHLG's contribution to these efforts is a mixed-use development consisting of two hotels, a multi-building apartment complex and associated infrastructure.

**Project Narrative**

UHLG, on behalf of itself and/or the principals of UHLG and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") has applied to the Agency to enter into a lease-leaseback transaction in which the Agency will assist in acquisition of parcels of land measuring 20± acres in the aggregate located at Wells Avenue, Utica Harbor Point, City of Utica, Oneida County, New York (collectively, the "Land") to undertake the following: (A) (i) construction of residential apartment buildings containing a total of 82 units, parking and storage for residents, fitness center and other common area amenities, an office for administration, together with all infrastructure to support the same (collectively, the "Residential Improvements"); and (ii) acquisition and installation of furniture, fixtures and equipment in the Residential Improvements (the "Residential Equipment"); all designed to attract young families and professionals that are currently either underserved by Utica's existing apartment stock or living outside the City and to fill a demonstrated need for market rate housing (the Residential Improvements and the Residential Equipment are referred to collectively as the "Residential Facility" and the acquisition, construction and equipping of the Residential Facility is referred to collectively as the "Residential Project"); and (B) (i) construction of two extended stay hotels, each with approximately 100 rooms, together with all parking and infrastructure to support the same (collectively, the "Hotel



Improvements"); (ii) acquisition and installation of furniture, fixtures and equipment in the Hotel Improvements (the "Hotel Equipment"), designed to cater to families and transient business as well as guests seeking a more upscale destination lodging experience (the Hotel Improvements and the Hotel Equipment are referred to collectively as the "Hotel Facilities" (individually a "Hotel Facility") and the acquisition, construction and equipping of the Hotel Facilities is referred to collectively as the "Hotel Project"). The Land, the Residential Facility, and the Hotel Facilities are referred to collectively as the "Facility;" and the Residential Project, and the Hotel Project are referred to collectively as the "Project," all of which are in furtherance of preventing economic deterioration, promoting employment opportunities and enhancing economic development in downtown Utica, and specifically within the Harbor Point area.

Development of the Facility is being coordinated and sponsored by Company. It is anticipated that the Land will be subdivided into at least three separate lots, with the Residential Facility located on one lot and each Hotel Facility located on separate lots. Once subdivision is completed, all approvals are in place and financing is secured, it is anticipated that ownership of each component of the Facility, and the corresponding subdivided lot, will be transferred to an affiliate of the Company for construction, ownership and operation. As such, any approved benefits must be transferable to such affiliated transferees.

The Project has been planned and designed with the input of City leaders and economic development professionals to address the City's economic development needs. The Project is compatible with the Harbor Point District's master plan, as the preferred master plan incorporated into the Harbor Point District's generic environmental impact statement incorporates both residential and retail/destination components. The Project will advance the City's stated objective of turning the Harbor Point area into "a year-round destination for residents and tourists." See [www.harborpoint.org](http://www.harborpoint.org).

Each Hotel Facility will have approximately 100 rooms and will be operated under a national franchise brand. Both Hotel Facilities will service the extended stay market. Current plans call for one Hotel Facility designed to cater to families and transient business and another for guests seeking a more upscale destination lodging experience. Visions currently operates the only extended stay product in Utica (the Home2 Suites) and based on its experience sees a current and expanding need for extended stay rooms. Existing demand drivers are tied to the area's health care, governmental and educational markets. Future demand will be driven by increased need from these markets as well as the sports and entertainment markets. More guests are making more multi-day trips to Utica, and Visions sees this trend continuing. These Hotel Facilities will be designed, placed and marketed to serve this market and attract visitors from outside Utica.

The Residential Facility will consist of market-rate rental units targeting renters who are underserved by the City's current rental mix and thus forced to choose between

living outside the city or settling for “down market” rental options. See Utica Housing Study, July 2022, p. 26. The need for housing in the city and the economic justification for the project are supported by the City’s housing study and the benefit cost analysis submitted herewith. It is well understood that a supply of quality and affordable housing goes hand-in-hand with economic development efforts. See, e.g. <https://www.naco.org/articles/housing-part-county%E2%80%99s-economic-development-strategy>. The units will be mostly two-bedroom, with the remainder being a mix of one- and three-bedroom units. The units will be divided among twenty-two stand-alone buildings build in a “townhouse” style, with parking on the first level and residences above. A clubhouse will provide a fitness center and other common area amenities and house an office for administration.

Regarding the requested financial assistance, the City’s housing study makes clear that subsidies will be necessary to support the housing development Utica needs. A tax abatement as requested in the application will be necessary for this project to obtain requisite debt and equity financing. The costs of materials are higher than they were when the cost assumptions in the City’s study were compiled. The cost of labor will also likely be higher than that factored into the city’s study and for prior projects (such as the Home2 Suites). There are also significant development costs for this project that are not applicable to other projects, as evidenced by the fact that the Company has incurred approximately \$150,000 in professional fees and has not even closed on the Project site yet. Finally, higher interest rates mean that the cost of borrowing is up significantly. Once all of these items are incorporated into the Project’s cost structure, financing simply will not be feasible unless property taxes, which are the largest ongoing operational cost, are managed through a PILOT abatement like that proposed and other costs are mitigated through the sales tax and mortgage tax exemptions. These realities combined with the Project’s importance to the harbor redevelopment project justify the requested assistance.

The Company contemplates completing the Project in three phases. Phase one will be construction of an access street and one of the Hotel Facilities. This phase will begin within six months after the Company acquires the Land and be completed within thirty months thereafter. Phases two and three will be construction of the second hotel and construction of the second Hotel Facility and the Residential Facility, respectively. These phases will run more or less concurrently, commencing eighteen months after the Company’s acquisition of the Land and concluding within forty-eight months thereafter.

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

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

**Name of Applicant:** UTICA HARBOR LODGING GROUP LLC

**Address of Project:** WELLS AVENUE UTICA NEW YORK

**Description of Project:**

Two hotel and residential mixed use development. See  
project narrative for details

**Name of all Sublessees or Other Occupants of Facility:**

NA

**Principals or Parent Company of Applicant:**

Arun Patel and Hemant Patel

**Principals of any Sublessee or Occupant:**

NA

**Product/Services of Applicant:**

Lodging and residential

**Estimated Completion Date of Project:** February 2029

**Type of Financing/Structure:**

           Tax-Exempt Financing

           Taxable Financing

  x   Lease/Leaseback, Sale/Leaseback

           Other

**Explain:** \_\_\_\_\_

**Types of Benefits****Expected to Receive:**

☐ Tax-Exempt Bonds  
☒ Sales Tax Until Completion Date  
☒ Mortgage Tax Abatement  
☒ Real Property Tax Abatement

**Project Costs - Capital Investment**

Land	\$ 2,116,000	Cost per Acre \$ 122809
Existing Building	\$	
Rehab of Existing Building	\$	
Construction of New Building	\$ 40000000	Cost per Sq Ft \$ 137
Addition or Expansion	\$	Cost per Sq Ft \$
Engineering and Architectural Fees	\$ 500000	
Equipment (detail below)	\$ 8500000	
Legal Fees		
Bank, Bond, Transaction, Company, Credit Provider, Trustee	\$ 200000	
Finance Charges		
Title Insurance, Environmental Review, Bank Commitment Fee, Appraisals, etc.	\$ 8684000	

**TOTAL COST OF PROJECT**

\$ 60000000

**Type of Equipment to be Purchased**

Furniture fixtures and equipment for  
hotels and residential complex; HVAC,  
PTAC, communications and security,  
infrastructure

**Grants or Loans expected to be received (by who and amount)**

Loan from commercial mortgage lender	\$ 35,000,000
	\$
	\$

**Company Information**

Existing Jobs	0
Created Jobs (by year 3)	27
Retained Jobs	0

## **BENEFITS**

### **Taxable Goods and Services**

		Spending Rate	Wages	Expenditures	Sales Tax Rate	State/ Local Sales Tax Revenues
Direct Jobs						
<u>27</u>	Created	36.0%	x <u>1250000</u>	= <u>450000</u>	x 8.75%	= <u>39375</u>
	Existing	36.0%	x _____	= _____	x 8.75%	= _____
Indirect Jobs						
	Created	36.0%	x _____	= _____	x 8.75%	= _____
	Existing	36.0%	x _____	= _____	x 8.75%	= _____
<u>122</u>	Construction	36.0%	x <u>5490000</u>	= <u>1976400</u>	x 8.75%	= <u>172935</u>
(see below)	Totals		<u>6,740,000</u>	<u>2,426,400</u>		<u>212,310</u>
				x 3 years =		<u>636,930</u>

### **Real Property Taxes**

Local (3 year) real property tax benefit (assuming 50 % of jobs existing and created own a residence with an average assessment of \$ 1000000 and the remainder of jobs existing and created pay real property taxes through rent based on an average assessment per apartment of \$ 25000

Current tax rate = 67.25 per \$1000 of AV

Real Property Taxes Paid

\$ 340,455

**3 Yr Comparative Benefits**

\$ 977,385

## **COSTS**

Real Property Taxes Abated on Improvements only (3-year period) \$ 1,653,000

Mortgage Tax Abated \$ 262,500

Estimated Sales Tax Abated During Construction Period \$ 2,143,750

**3 Yr Comparative Costs**

\$ 4,059,250

*Calculation of Construction Jobs: Total project hard construction costs x .45 = Total Labor Costs / Construction term (in months) = Labor costs per month / \$3,750 (approx. average construction salary of \$45,000 per year / 12 months) = Number of construction employees. Use the Total Labor Costs as Construction Wages above.*

**City of Utica Industrial Development Agency  
One Kennedy Plaza, Utica, New York 13502**

**RETAIL DETERMINATION**

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

Please answer the following:

- A. Will any portion of the project consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

☒ Yes or ☐ No. If the answer is yes, please continue.

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

- B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 66 %  
If the answer is less than 33% do not complete the remainder of the retail determination.

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

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

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

☒ Yes or ☐ No

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

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

☐ Yes or ☒ No

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

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

☒ Yes or ☐ No.

If yes, explain Project will address housing needs that  
are required to be addressed for job creation/retention

5. Is the project located in an area that has been designated an Empire Zone? ☒ Yes or ☐ No

The undersigned hereby certifies that the information contained in this Retail Determination is true, accurate and complete.

Print Name of Applicant: Ulrica Harba Ledson, Corp LLC

Print Name of Authorized Representative: Arun Patel

Title: Manager, Human

Signature: [Signature]

Date: 11/6/24

## ADDENDUM A - Applicant Affiliate Entities

Albany Lodging Group LLC
East Greenbush Lodging Associates LLC
Finger Lakes Lodging Associates LLC
Buffalo Hotel Associates, LLC
East Aurora Lodging Associates LLC
North Buffalo Lodging Ventures LLC
Orchard Park Lodging Ventures LLC
WNY Lodging LLC
Auburn Hotel Ventures LLC
Canandaigua Lodging Group LLC
Oswego Lodging Group LLC
Corning Hotel Associates LLC
Corning Lodging Ventures LLC
Erwin Hospitality Associates LLC
HHA LLC
Painted Post Lodging Associates, LLC
CIS of Cortland LLC
Cortland Hotel Group LLC
Cortland Lodging Associates, LLC
South Cortland Hotel Group LLC
Wallingford Hotel Partners LLC
Big Flats Lodging Associates LLC
Big Flats Lodging, LLC
Big Flats Dining Associates LLC
Elmira Lodging Associates LLC
Horseheads Lodging Group LLC
Southern Tier Lodging Associates LLC
VH Asset Protection LLC
VH Asset Protection 2 LLC
VH Asset Protection 3 LLC
VH Prom Group LLC
VHOF 1 GP LLC
VHOF 1 LP
VHOF 2 GP LLC
VHOF 2 LP
VHOF 3 GP LLC
VHOF 4 GP LLC
VHOF 5 GP LLC
VHOF 5 GP LLC
Visions Hotel Opportunity Fund 3 LP
Visions Hotel Opportunity Fund 4 LP
Visions Hotel Opportunity Fund 5 LP
Visions Hotel Opportunity Fund 6 LP
Maple City Lodging Partnership
Amesbury Lodging Ventures LLC



East Syracuse Hotel Associates LLC
North Syracuse Lodging Group LLC
Syracuse Hospitality Developers LLC
Syracuse Lodging Ventures LLC
Griffiss Hotel Group LLC
Harbor Area Holdings LLC
Harbor Point Lodging Associates LLC
Lafayette Hotel Associates LLC
Lafayette Hotel Associates DEL LLC
Marsh Enterprises LLC
New Hartford Lodging Group LLC
North Utica Lodging Associates 2 LLC
North Utica Lodging Associates LLC
Rome Hospitality Group LLC
Utica Lodging Group LLC
Utica Lodging Group Outparcel LLC
Binghamton Hotel Ventures LLC
Binghamton Lodging Group LLC
Vestal Lodging Ventures LLC
Evans Mills Hotel Ventures LLC
North Country Lodging Associates LLC
Watertown Hotel Associates GP LLC
Watertown Hotel Ventures LLC
Watertown Lodging Associates LLC

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

**Instructions for Completing Part 1**

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

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

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

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: UTICA HARBOR DEVELOPMENT - HOTEL AND APARTMENT COMPLEX		
Project Location (describe, and attach a general location map): WELLS AVENUE, CITY OF UTICA		
Brief Description of Proposed Action (include purpose or need): FINANCIAL ASSISTANCE IN CONNECTION WITH DEVELOPMENT OF HOTELS AND APARTMENT COMPLEX		
Name of Applicant/Sponsor: UTICA HARBOR LODGING GROUP LLC		Telephone: (716) 307-2253
		E-Mail: MINESHPATEL@VISIONSHOTELS.COM
Address: 508 WHITE SPRUCE BLVD.		
City/PO: ROCHESTER	State: NY	Zip Code: 14623
Project Contact (if not same as sponsor; give name and title/role): MINESH PATEL - VP		Telephone: SAME
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): UTICA HARBOR POINT DEVELOPMENT CORP.		Telephone:
		E-Mail:
Address: 1 KENNEDY HALL		
City/PO: UTICA	State: NY	Zip Code: 13502

## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	SITE PLAN APPROVAL	DECEMBER 2024
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CITY OF UTICA IDA - FINANCIAL ASSISTANCE	NOVEMBER 2024
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEC - STORMWATER & ENVIRONMENTAL	DECEMBER 2024
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

HARBOR POINT DEVELOPMENT PLAN

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

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

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? UTICA CITY

b. What police or other public protection forces serve the project site?  
UTICA CITY PD

c. Which fire protection and emergency medical services serve the project site?  
UTICA CITY FD

d. What parks serve the project site?  
NA

### D. Project Details

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? FINANCIAL ASSISTANCE FOR HOTELS AND MULTI-UNIT APARTMENT COMPLEX

b. a. Total acreage of the site of the proposed action? 20 acres

b. Total acreage to be physically disturbed? 19 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 20 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

iii. Number of lots proposed? 3

iv. Minimum and maximum proposed lot sizes? Minimum TBD Maximum TBD

e. Will the proposed action be constructed in multiple phases? ☒ Yes ☐ No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) MAY month 2024 year
- Anticipated completion date of final phase FEB month 2029 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

PHASE ONE - CONSTRUCTION OF HOTEL AND INFRASTRUCTURE PHASE TWO - CONSTRUCTION OF SECOND HOTEL AND APARTMENTS

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

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase		2		80
At completion of all phases		2		80

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No  
 If Yes,

- Total number of structures 3
- Dimensions (in feet) of largest proposed structure: height; width; and length
- Approximate extent of building space to be heated or cooled: 158000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No  
 If Yes,

- Purpose of the impoundment:
- If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:
- If other than water, identify the type of impounded/contained liquids and their source.
- Approximate size of the proposed impoundment. Volume: million gallons; surface area: acres
- Dimensions of the proposed dam or impounding structure: height; length
- Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

- What is the purpose of the excavation or dredging?
- How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
  - Volume (specify tons or cubic yards):
  - Over what duration of time?
- Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
- Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No  
 If yes, describe.
- What is the total area to be dredged or excavated? acres
- What is the maximum area to be worked at any one time? acres
- What would be the maximum depth of excavation or dredging? feet
- Will the excavation require blasting? ☐ Yes ☐ No
- Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No  
 If Yes:

- Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

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

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 100000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 75000 gallons/day

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

SANITARY WASTEWATER

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? If Yes:  <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?            _____ Square feet or _____ acres (impervious surface)            _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?            _____            _____            _____            • If to surface waters, identify receiving water bodies or wetlands: _____            _____            _____            • Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)            _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)            _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)            _____</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

If Yes:

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

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

---

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

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

---

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

If Yes:

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

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

---

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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

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

---

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

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

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

---

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
306 MWH

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

LOCAL UTILITY GRID

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

---

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

i. During Construction:

- Monday - Friday: \_\_\_\_\_ 7AM - 6PM
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_ 24 HOURS
- Saturday: \_\_\_\_\_ 24 HOURS
- Sunday: \_\_\_\_\_ 24 HOURS
- Holidays: \_\_\_\_\_ 24 HOURS



m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No  
 If yes:  
 i. Provide details including sources, time of day and duration: \_\_\_\_\_

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

n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 OUTDOOR LIGHTING - SITE LIGHTING 30 FEET HIGH

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No  
 Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No  
 If Yes:  
 i. Describe proposed treatment(s): \_\_\_\_\_

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

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

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

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

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

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: \_\_\_\_\_

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

## E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

- ☐ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)  
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	.12	19	+19
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: LANDSCAPE/GREENSPACE	0	1	+1

<p>c. Is the project site presently used by members of the community for public recreation?  i. If Yes: explain: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  If Yes,  i. Identify Facilities: _____  _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>e. Does the project site contain an existing dam?  If Yes:  i. Dimensions of the dam and impoundment:  • Dam height: _____ feet  • Dam length: _____ feet  • Surface area: _____ acres  • Volume impounded: _____ gallons OR acre-feet  ii. Dam's existing hazard classification: _____  iii. Provide date and summarize results of last inspection: _____  _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  If Yes:  i. Has the facility been formally closed?  • If yes, cite sources/documentation: _____  ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____  _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  If Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  SEE DEC SITE MANAGEMENT PLAN _____  _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  If Yes:  i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  <input checked="" type="checkbox"/> Yes – Spills Incidents database  <input checked="" type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database  Provide DEC ID number(s): 9101095,9101243,93114131,0100640  Provide DEC ID number(s): 633021,633032,633031,E633031,E633074  ii. If site has been subject of RCRA corrective activities, describe control measures: _____  _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  If yes, provide DEC ID number(s): 633021,633032,633031,633030,E633074,V00621  iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  SUBJECT TO SITE MANAGEMENT PLAN _____  _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

- If yes, DEC site ID number: MULTIPLE
- Describe the type of institutional control (e.g., deed restriction or easement): SMP, ENVIRONMENTAL EASEMENT
- Describe any use limitations: COMMERCIAL AND RESTRICTED RESIDENTIAL
- Describe any engineering controls: MONITORING WELLS
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☒ No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >50 feet

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

c. Predominant soil type(s) present on project site: UNDORTHENTS, SMOOTHED 100 %  
\_\_\_\_\_%  
\_\_\_\_\_%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ >18 feet

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☒ Moderately Well Drained: 100 % of site  
☐ Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 100 % of site  
☐ 10-15%: \_\_\_\_\_ % of site  
☐ 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

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

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

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name <u>FEDERAL WATERS</u>	Approximate Size <u>.5 ACRE</u>
• Wetland No. (if regulated by DEC)	_____	

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

---

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

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

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

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

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat: _____</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p>	
<p><b>LEAST BITTERN</b></p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

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

If Yes:

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

ii. Name: NYS BARGE CANAL HISTORIC DISTRICT

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

---

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

---

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

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

---

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

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

---

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

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? ☐ Yes ☐ No

#### F. Additional Information

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

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

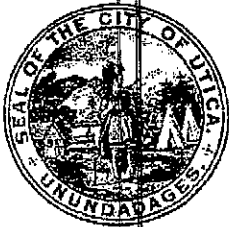
#### G. Verification

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

Applicant/Sponsor Name Utica Harbor Ledsing Group LLC Date 11/6/24

Signature [Signature] Title Constr

**PRINT FORM**



ROBERT M. PALMIERI  
MAYOR

# CITY OF UTICA

URBAN & ECONOMIC DEVELOPMENT

1 KENNEDY PLAZA, UTICA, NEW YORK 13502

PH. 315-792-0181 | FAX. 315-797-6607

BRIAN THOMAS, AICP  
COMMISSIONER

December 14, 2023

Utica Industrial Development Agency  
Attn: Mr. Jack Spaeth, Executive Director  
1 Kennedy Plaza  
Utica, New York 13502

Re: Application for Financial Assistance of Utica Harbor Lodging Group LLC

Dear Mr. Spaeth:

This Department has reviewed the above-referenced application to the City of Utica Industrial Development Agency for a project including two (2) 100-room hotels, four (4) apartment buildings and a 38,000 square foot entertainment center on the Dredge Spoils Area (DSA-1) at the Utica Harbor. Based on that review, the City finds the project described in such application was adequately addressed in the City of Utica – Harbor Point Development Final Generic Environmental Impact Statement (GEIS) accepted by the City of Utica on February 17, 2016. Furthermore, this Department hereby confirms that the project will be carried out in conformance with the conditions and thresholds established for such actions within the GEIS. Accordingly, the City has determined there is no need for further SEQRA review compliance activities.

Sincerely,

Brian Thomas, AICP  
Commissioner