

THE AGENCY

BROOME COUNTY IDA / LDC

BROOME COUNTY LOCAL DEVELOPMENT CORPORATION

GOVERNANCE COMMITTEE MEETING

March 16, 2022 – 11:45 a.m.

The Agency Conference Room, 2nd Floor

FIVE South College Drive, Suite 201

Binghamton, NY 13905

AGENDA

- | | |
|---|-----------|
| 1. Call to Order | R. Bucci |
| 2. Accept the February 16, 2021 Governance Committee Meeting Transcript | R. Bucci |
| 3. Public Comment | R. Bucci |
| 4. Review/Discussion/Recommendation to Authorize the Sale of Premises Located at 4301 Watson Boulevard in the Town of Union, Broome County, New York, Formerly Known as the IBM Country Club Facility, to 4301 Watson Blvd, LLC, or an Entity to be Formed, for the Sum of \$300,000, Pursuant to the Terms of a Contract of Sale to be Approved by BCLDC Counsel | S. Duncan |
| 5. Adjournment | R. Bucci |

BROOME COUNTY LOCAL DEVELOPMENT CORPORATION

Governance Committee Meeting Transcript

Held via Zoom, February 16, 2022, commencing at
12:04PM. Adjourned at 12:08PM.

[See attendees at end of transcript.]

Digitally recorded proceeding
Transcribed by: Elana Hulsey
Reporters Transcription Center
P.O. Box 903
Binghamton, NY 13902

MR. BUCCI: Okay. We'll call the Governance Committee Meeting to order, and the first item on the agenda is the acceptance of the February 7, 2022, Governance Committee Meeting transcript. The transcript was sent out to all committee members. They had an opportunity to review it and make any recommendations for change, so we'll accept the transcript for the record.

The next item on the agenda is public comment. Anyone wishing to address us has five minutes. We just ask that they give us their name and address, and the floor is theirs. We'll open this up now to public comment. Hearing or seeing none, we'll close that section of the meeting.

The next item on the agenda is Review/Discussion/Recommendation to Approve Summary of Results of the Confidential Evaluation of Board Performance. Stacey, I don't know if you want to say anything here?

MS. DUNCAN: Yeah. This and the following two items are part of our annual review process for internal operations as well as Board engagement and Board performance. The first item is our annual survey, Summary of Results of the Confidential Evaluation of Board Performance. The Board receives this every year. We received these copies back and reviewed them. I know John Bernardo sent an email out about continued conversation on some these items, so today's action is just essentially to approve summary results with continued conversation on the items listed.

MR. BUCCI: Any questions or comments to Stacey at this point in time? Is there a motion?

MS. SACCO: Motion.

MR. BUCCI: Is there a second?

MR. PEDUTO: Jim.

MR. BUCCI: All in favor?

ALL: Aye.

MR. BUCCI: Opposed? Motion is carried. The next item on the agenda is Review/Discussion/Recommendation to Approve the 2021 Mission and Measurement Report.

MS. DUNCAN: Yes. Per the New York State Authority's Budget Office, this is a required document that we post annually on our website. This is an internal review of performance against authority mission statement and performance measures for the LDC that we have listed in the document included in your packet. It should read 2021 Performance Goals, not 2022: proactively seek opportunities in target communities and leverage programs such as tax-exempt bond financing, continue to proactively work with local municipalities to prepare for new business development with a focus on infrastructure, facilitate meetings and forums with key stakeholders to discuss physical technology necessary to support community economic development, and seek and pursue grant funding from federal and state agencies such as the APA Assessment Grant and other funding that can be reinvested into the community. Based on these, we feel that these accurately reflect our performance against mission of the organization, and your action today is to approve those items. Then we will post this on our website per New York State.

MR. BUCCI: Is there a motion?

MS. SACCO: Motion.

MR. PEDUTO: I'll second.

MR. BUCCI: All in favor?

ALL: Aye.

MR. BUCCI: Opposed? Okay, motion is carried. Next on the agenda, Review/Discussion/Recommendation to Approve the Readoption of the BCLDC Bylaws and Policies: Code of Ethics Policy, Whistleblower Protection Policy, Defense and Indemnification Policy, Compensation, Reimbursement, and Attendance Policy, and Travel Policy with no changes.

MS. DUNCAN: Yes. Again, annual review of all adopted policies and procedures of the Broome County Local Development Corporation, including bylaws and the policies listed. Staff does an internal review of these to identify if modifications are needed. At this time, we feel that there are no modifications needed to our policies.

MR. BUCCI: Hear a motion?

MR. PEDUTO: Jim.

MS. SACCO: Second, Cheryl.

MR. BUCCI: All in favor?

ALL: Aye.

MR. BUCCI: Opposed? Motion carries. Is there a motion to adjourn?

[The meeting was adjourned on a motion by Mr. Peduto, seconded by Ms. Sacco, at 12:08PM.]

[Attendees: John Bernardo, Rich Bucci, Jim Peduto, Cheryl Sacco, Dan Crocker, Dan Gates, Stacey Duncan, Carrie Hornbeck, Brendan O'Bryan, Theresa Ryan, Amy Williamson, Patrick Doyle, Joe Meagher, Mayor Meaney, Michael Tanzini, Jim Ehmke, Brenda Lehtonen, Mayor Kraham.]

C E R T I F I C A T E

I, Elana Hulsey, certify that the foregoing transcript of the LDC Governance Committee Meeting on February 16, 2022, was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature: _____



Date: February 19, 2022

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PROJECT REVIEW FORM

<u>Company:</u> 4301 Watson Blvd, LLC		<u>IDA Meeting Date:</u> 03/16/2022	
<u>Representative:</u> Michael Birkby		<u>IDA Public Hearing Date:</u> TBD	
<u>Type of Business:</u> Affordable Housing <u>Project Start Date:</u> 2022 <u>Project End Date:</u> TBD		<u>Company Address:</u> 1000 University Ave Suite 500 Rochester, NY 14607	
<u>Employment:</u> <u>Full-Time Equivalent</u> Existing 0 1st year 3.5 2nd year _____ 3rd year _____	<u>Total Yearly Payroll</u> 1st Year \$ 286,000.00 2nd Year _____ 3rd Year _____ Total: \$ 286,000.00	<u>Own / Lease:</u> Own	<u>SF / Acreage:</u> 9.33 acres
<u>Construction Jobs:</u> 130 Constructions Jobs \$10,945,000		<u>Proposed Project Location:</u> 4301 Watson Blvd, Johnson City, NY	
<u>Company Contact For Bid Documents & Employment Opportunities:</u> Michael Birkby, (585) 324-0546 mbirkby@coniferllc.com		<u>Description:</u> See Attached	
PROJECT BUDGET		ASSESSMENT	
Land Related Costs	\$ 300,000.00	Current Assessment	\$7,500
Building Related Costs	\$ 29,948,949.00	Asmt. At Completion (Est.)	TBD
M & E Costs		EXEMPTION (Est.)	
F F & E Costs	\$ 50,000.00	Sales Tax @ 8%	\$ 1,754,866.00
Professional Services/Development Cost	\$ 5,152,292.00	Mortgage Tax	\$ 395,767.00
Total Other Costs	\$ 3,745,471.00	Property Tax Exemption	559,922.00
Working Capital Costs	\$ 380,000.00		
Closing Costs			
Agency Fee	\$ 395,767.00	TOTAL EXEMPTIONS:	\$ 2,710,555.00
TOTAL: \$ 39,972,479.00		TOTAL PILOT PAYMENTS: \$ 2,627,394.00	
<u>Project Type</u> <u>(Check all that apply)</u> <input type="checkbox"/> Manufacturing, Warehousing, Distribution <input type="checkbox"/> Agricultural, Food Processing <input checked="" type="checkbox"/> Adaptive Reuse, Community Development <input checked="" type="checkbox"/> Housing Development <input type="checkbox"/> Retail* <input type="checkbox"/> Back Office, Data, Call Centers <input type="checkbox"/> Energy/Power		<u>Project Criteria Met</u> <u>(Check all that apply)</u> <input checked="" type="checkbox"/> Project will create and /or retain permanent jobs <input checked="" type="checkbox"/> Project will be completed in a timely fashion <input checked="" type="checkbox"/> Project will create new revenue to local taxing jurisdictions <input checked="" type="checkbox"/> Project benefits outweigh costs <input checked="" type="checkbox"/> Other public benefits	
*Uniform Tax Policy does not typically provide tax exemptions for Retail Projects		*New York State Required Criteria	
<u>Pilot Type</u> <input type="checkbox"/> Standard _____ year <input type="checkbox"/> <input checked="" type="checkbox"/> Deviated 30 year			
<u>Staff Comments:</u> This project meets The Agency's stated goals of stemming disinvestment in neighborhoods, returning vacant abandoned, and tax-delinquent properties to productive use and turning vacant spaces into vibrant places.			

Project Description

The proposed development will include the demolition of the existing structure and the construction of a new double loaded corridor apartment building. The proposed development will create 75 new mixed-income apartments affordable to families earning between 30% and 90% of the Area Median Income ("AMI"). The three-story, double-loaded corridor, elevator building will be approximately 35 feet tall and contain 18 one-bedroom apartments, 38 two-bedroom apartments, and 19 three-bedroom apartments. Vehicular access will be provided off of Watson Boulevard with parking lots on both ends of the building. The central drive connecting the two parking lots will provide a convenient drop off area directly in front of the main entrance canopy and doors, also providing ADA accessible parking adjacent to the entry. The proposed development will be constructed as a wood-framed structure that will hold all 75 apartments, as well as communal amenities such as a fitness center, community room with kitchenette, laundry facilities, outdoor patio, and playground. There will also be an on-site management office and maintenance shop.

Broome County Industrial Development Agency

MRB Cost Benefit Calculator

Date March 15, 2022
Project Title 4301 Watson Blvd, LLC
Project Location 4301 Watson Blvd, Johnson City, NY

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

\$39,576,712

Temporary (Construction)

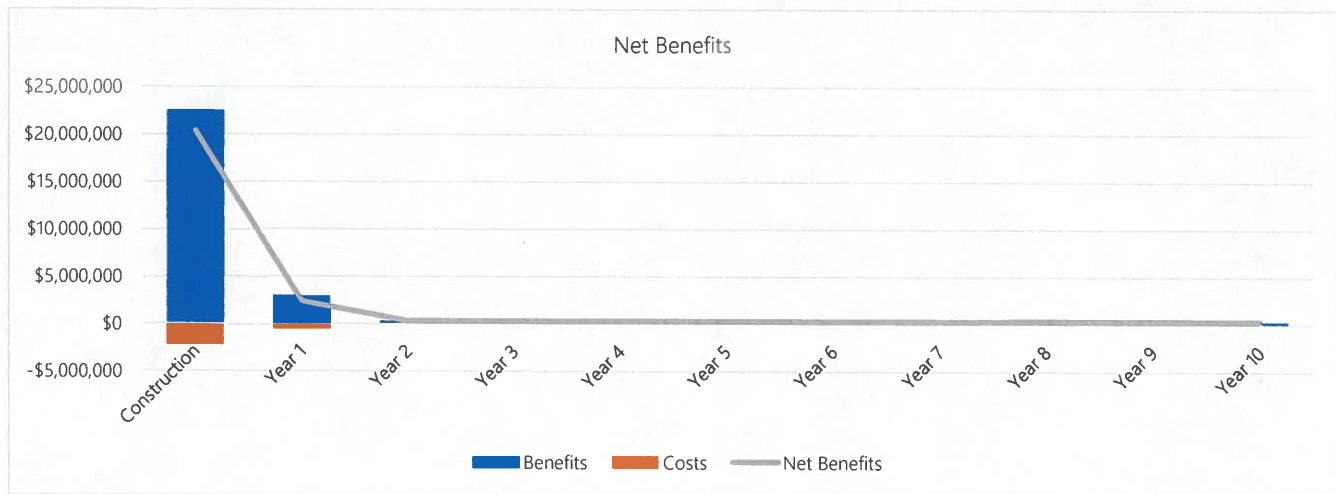
	Direct	Indirect	Total
Jobs	258	95	353
Earnings	\$16,366,426	\$4,895,093	\$21,261,519
Local Spend	\$39,576,712	\$15,577,737	\$55,154,449

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	4	2	5
Earnings	\$6,006,754	\$4,305,749	\$10,312,503

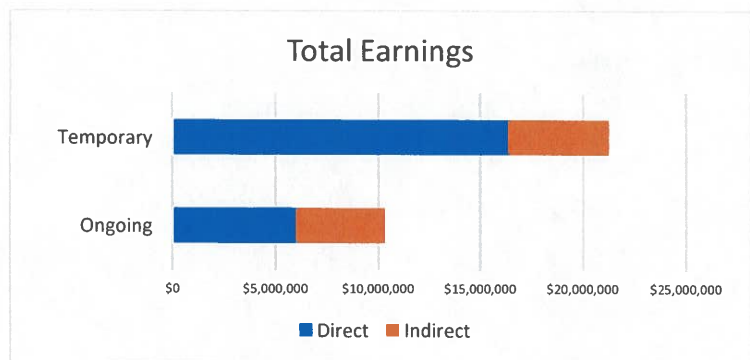
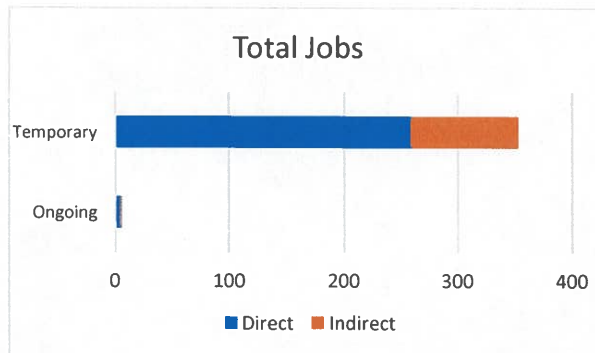
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$559,922	\$548,943
Sales Tax Exemption	\$1,754,866	\$1,754,866
Local Sales Tax Exemption	\$877,433	\$877,433
State Sales Tax Exemption	\$877,433	\$877,433
Mortgage Recording Tax Exemption	\$395,767	\$395,767
Local Mortgage Recording Tax Exemption	\$395,767	\$395,767
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$2,710,555	\$2,699,576

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$34,414,934	\$31,620,421
To Private Individuals	\$31,574,022	\$28,849,948
Temporary Payroll	\$21,261,519	\$21,261,519
Ongoing Payroll	\$10,312,503	\$7,588,430
Other Payments to Private Individuals	\$0	\$0
To the Public	\$2,840,912	\$2,770,473
Increase in Property Tax Revenue	\$2,619,894	\$2,568,524
Temporary Jobs - Sales Tax Revenue	\$148,831	\$148,831
Ongoing Jobs - Sales Tax Revenue	\$72,188	\$53,119
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$1,641,849	\$1,500,197
To the Public	\$1,641,849	\$1,500,197
Temporary Income Tax Revenue	\$956,768	\$956,768
Ongoing Income Tax Revenue	\$464,063	\$341,479
Temporary Jobs - Sales Tax Revenue	\$148,831	\$148,831
Ongoing Jobs - Sales Tax Revenue	\$72,188	\$53,119
Total Benefits to State & Region	\$36,056,783	\$33,120,619

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$31,620,421	\$1,822,143	17:1
State	\$1,500,197	\$877,433	2:1
Grand Total	\$33,120,619	\$2,699,576	12:1

*Discounted at 2%

Additional Comments from IDA

0

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

AFFORDABLE HOUSING PILOT DETERMINATION
PILOT AT 10% SHELTER RENT

Residential Units	76	
Average Rent/Unit Monthly	\$ 756.07	Based on 60% AMI
Utilities Per Unit Monthly	\$ 39.17	
Gross Revenue (at COO)	\$ 689,540.00	Monthly Rent x Units x 12 = Gross Revenue
Utilities	\$ 35,720.00	Utilities Per Unit Annually x Units = Utilities
Shelter Rent	\$ 653,820.00	Gross Revenue - Utilities = Shelter Rent
	10%	
10% Shelter Rent	\$ 65,382.00	Starting PILOT Amount (first 2 years frozen at existing tax amount)
Units	76	
Annual PILOT Per Unit	\$ 860.29	

*1% escalator will be added per year

Total Ad Valorem Taxes:	\$3,187,316
Total PILOT Payments:	\$2,627,394
Real Estate Tax Savings:	\$559,922

APPLICATION FOR BENEFITS / IDA

INSTRUCTIONS

1. The Agency/IDA will not consider any application unless, in the judgment of the Agency/IDA, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the Project).
3. If an estimate is given as the answer to a question, put "est." after the figure or answer, which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) hard copy of this application and one (1) electronic copy to the Agency/IDA at the address indicated on the application.
6. The Agency/IDA will not give final approval to the application until it receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency/IDA (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are certain elements of the Project which are in the nature of trade secrets of information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The Agency/IDA has established a non-refundable application fee of One Thousand (\$1,000) Dollars to cover the anticipated costs of processing this application. A check or money order payable to the Agency/IDA must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY/IDA UNLESS ACCOMPANIED BY THE APPLICATION FEE.
9. The Agency/IDA has established a project fee for each project in which the Agency/IDA participates. THIS PROJECT FEE is 1% of the total Project Cost. THE APPLICANT IS REQUIRED TO PAY THE AGENCY/IDA FIVE THOUSAND (\$5,000) DOLLARS OF THE PROJECT FEE WITHIN 7 DAYS OF THE APPROVAL OF THE PROJECT. PLEASE NOTE THIS FEE IS NON-REFUNDABLE. THE REMAINING BALANCE OF THE PROJECT FEE IS DUE AT TIME OF CLOSING. Failure to close the Payment-in-Lieu of Taxes within six (6) months after approval will terminate the PILOT agreement. However, a six (6) month extension may be requested by the applicant, but must include an additional FIVE THOUSAND (\$5,000) non-refundable fee. Approval of the extension is at the discretion of The Agency's Executive Director. The additional FIVE THOUSAND (\$5,000) fee will be deducted from the Agency's Project Fee at the time of closing. The applicant will also be expected to pay to the Agency/IDA all actual costs incurred in connection with the application including all costs incurred by general counsel and bond counsel. In addition, any cost associated with a requested change, modification or alteration to the PILOT agreement during the term of the PILOT including, but not limited to refinancing, renaming, reassignment and PILOT termination shall be the responsibility of the applicant.
10. The Agency/IDA will charge annually an administrative fee of \$1,500 to cover ongoing compliance and oversight; the fee shall be payable January 1 of each year until all financing documents shall terminate and be discharged and satisfied.
11. Chapter 59 of the Laws of 2013 (Part J), effective March 28, 2013 (the "2013 Budget Law"), established new record keeping, reporting, and recapture requirements for industrial development agencies that receive sales tax exemptions. The new law requires the following: 1) to keep records of the amount of sales tax benefits provided to each Project and make those records available to the State upon request; 2) that within 30 days after providing financial assistance to a Project, the Agency/IDA must report the amount of sales tax benefits intended to be provided to a Project; and 3) a requirement that the Agency/IDA post on the internet and make available without charge copies of its resolutions and Project agreements.
12. The 2013 Budget Law also requires that the Agency/IDA recapture State sales tax benefits where: 1) the Project is not entitled to receive those benefits; 2) the exemptions exceed the amount authorized or claimed for unauthorized property or services; or 3) the Project operator failed to use property or services in a manner required by its agreement with the Agency/IDA.
13. The Applicant requesting a sales tax exemption from the Agency/IDA must include in the application a realistic estimate of the value of the savings anticipated to be received by the applicant. EACH APPLICANT IS HEREBY ADVISED TO PROVIDE REALISTIC SALES TAX ESTIMATES IN THE APPLICATION, as the 2013 Budget Law and the regulations expected to be enacted thereunder are expected to require that the Agency/IDA recapture any benefit that exceeds the amount listed in the application.
14. Project Applicants as a condition to receiving Financial Assistance (including a sales tax exemption, mortgage tax exemption, real property tax abatement, and/or bond proceeds) from the Agency/IDA will be required to utilize qualified local labor and/or contractors as defined in the Appendix A of the application, for all projects involving the construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (collectively, the "Project Site").

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICANT

NAME: 4301 Watson Blvd, LLC

APPLICANT'S STREET ADDRESS: 1000 University Ave, Suite 500

CITY: Rochester

STATE: NY

ZIP: 14607

PHONE: 585-324-0500

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

Michael Birkby

PHONE: 585-324-0546

TITLE: Senior Project Director

EMAIL: mbirkby@coniferllc.com

APPLICANT'S COUNSEL

NAME: Susan Jennings

FIRM: Conifer Realty, LLC

EMAIL: sjennings@coniferllc.com

ADDRESS: 1000 University Ave, Suite 500

CITY: Rochester

STATE: NY

ZIP: 14607

PHONE: 585-324-05

APPLICANT'S ACCOUNTANT

NAME: Michael Hays

FIRM: Flaherty Salmin CPAs

EMAIL: mhays@fs-cpa.com

ADDRESS: 2300 Buffalo Road, Building 200

CITY: Rochester

STATE: NY

ZIP: 14624

PHONE: 585-279-0120

PLEASE OUTLINE ON A SEPARATE SHEET OF PAPER ANY OTHER PROFESSIONALS INVOLVED IN THE PROJECT (I.E. DESIGN PROFESSIONAL, GENERAL CONTRACTOR).

PROJECT SUMMARY

A: TYPE OF PROJECT: Select Project Type for all end users at project site (you may check more than one):

☐ Industrial ☒ Housing ☐ Multi-Tenant ☐ Back Office ☐ Mixed Use ☐ Civic Facility (not for profit)
☐ Acquisition of Existing Facility ☐ Equipment Purchase ☐ Commercial ☐ Retail ☐ Facility for Aging ☐ Other _____

B: EMPLOYMENT IMPACT (BROOME COUNTY): EXISTING/RETAINED JOBS: 0 NEW JOBS WITHIN THREE YEARS: 3.5

C: PROJECT COST: \$ 39,576,712 D: TYPE OF FINANCING: ☒ TAX-EXEMPT ☐ TAXABLE ☐ STRAIGHT LEASE

E: AMOUNT OF BONDS REQUESTED: \$ 0

F: AMOUNT OF NEW MORTGAGE(S) REQUIRED FOR PROJECT: \$ 39,576,712

G: PROJECT-RELATED COSTS SUBJECT TO SALES TAX: \$ 21,935,831

H: ESTIMATED VALUE OF TAX EXEMPTIONS:

NYS SALES AND COMPENSATING USE TAX \$ 1,754,866

MORTGAGE RECORDING TAXES \$ 395,767

REAL PROPERTY TAX EXEMPTIONS \$ 559,922

REQUESTED TERM OF PILOT: 30

OTHER (PLEASE SPECIFY) _____ \$ _____

I: CURRENT PROPERTY TAX ASSESSMENT \$ 7,500

CURRENT PROPERTY TAXES \$ 7,592

APPLICANT INFORMATION

EMPLOYER'S FEDERAL ID NO. 88-119664

NAICS CODE 531110

1. INDICATE TYPE OF BUSINESS ORGANIZATION OF APPLICANT:

A. ☐ CORPORATION INCORPORATED IN WHAT COUNTRY _____

DATE INCORPORATED _____

TYPE OF CORPORATION _____

WHAT STATE _____

AUTHORIZED TO DO BUSINESS IN NEW YORK: ☐ YES ☐ NO

B. ☐ PARTNERSHIP TYPE OF PARTNERSHIP _____

OF GENERAL PARTNERS _____

OF LIMITED PARTNERS _____

C. ☐ SOLE PROPRIETORSHIP

D. ☒ LIMITED LIABILITY APPLICANT

DATE CREATED 03/09/2022

2. IS THE APPLICANT A SUBSIDIARY OR DIRECT OR INDIRECT AFFILIATE OF ANY OTHER ORGANIZATION(S)? IF SO, NAME OF RELATED ORGANIZATION(S) AND RELATIONSHIP:

No

MANAGEMENT OF APPLICANT

List all owners, directors and partners

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Timothy D. Fournier	Member	
Thomas R. Johnson	Member	
Conifer Strategic Partners, LLC	Member	

WITHIN THE PAST FIVE YEARS HAS THE APPLICANT, ANY AFFILIATE, ANY PREDECESSOR COMPANY OR ENTITY, OWNER, DIRECTOR, OFFICER, PARTNER OR ANY CONTRACTOR AFFILIATED WITH THE PROPOSED PROJECT BEEN THE SUBJECT OF:

1. an indictment, judgment, conviction, or a grant of immunity, including pending actions, for any business-related conduct constituting a crime? ☐ YES ☒ NO
2. a government suspension or debarment, rejection of any bid or disapproval of any proposed contract, including pending actions, or for lack of responsibility? ☐ YES ☒ NO
3. any final governmental determination of a violation of any public works law or regulation, or labor law regulation? ☐ YES ☒ NO
4. a consent order with the NYS Dept. of Environmental Conservation? ☐ YES ☒ NO
5. an unsatisfied judgment, injunction or lien for any business-related conduct obtained by any federal, state or local government agency including, but not limited to, judgments based on taxes owed and fines and penalties assessed? ☐ YES ☒ NO
6. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated in a bankruptcy? ☐ YES ☒ NO

IF THE ANSWER TO ANY QUESTION 1 THROUGH 6 ABOVE IS YES, PLEASE FURNISH DETAILS ON A SEPARATE ATTACHMENT.

IS THE APPLICANT PUBLICLY HELD? ☐ YES ☒ NO

LIST EXCHANGES WHERE STOCK IS TRADED AND LIST ALL STOCKHOLDERS HAVING A 5% OR MORE INTEREST IN THE APPLICANT.

NAME	ADDRESS	PERCENTAGE OF HOLDING

APPLICANT'S PRINCIPAL BANK(S) OF ACCOUNT

M&T Bank

PROJECT DATA

1. Attach a complete narrative description of Project including location, proposed product lines and market projections, square feet by usage, type of construction, machinery for products, machinery for building, office and parking
2. Attach a photo of the site or existing facility to be improved.
3. Attach copies of preliminary plans or sketches of proposed construction or floor plan of existing facility.
4. Are utilities on site or must they be brought in? If so, which ones?

Utilities are on site

5. Who presently is legal owner of building or site?

IBM Country Club LLC

6. Is there a purchase option in force or other legal or common control in the project?
If so, furnish details in a separate attachment.

☒ YES ☐ NO

Is there an existing or proposed lease for all or a portion of the project?

☐ YES ☒ NO

7. If applicant will not occupy 100% of the building in a real estate related transaction, provide information on tenant(s) on a separate sheet including: name, present address, employer fed. ID no., percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

8. Is owner or tenant(s) responsible for payment of real property taxes?

OWNER

Yes

TENANT

No

9. Zoning district in which Project is located

General Commercial

10. Are there any variances or special permits required? If yes, please explain:

☐ YES ☒ NO

11. Will the completion of the Project result in the removal of a plant or facility of the Applicant or another proposed occupant of the project from one area of the State of New York to another area of the State? If yes, please explain:

☐ YES ☒ NO

12. Will the completion of the Project result in the abandonment/disposal of one or more plants or facilities of the Applicant located in New York state? If yes, please explain:

☐ YES ☒ NO

13. If the answer to question 11 or 12 is yes, indicate whether any of the following apply to the Project:

A. Is the Project reasonably necessary to preserve the competitive position of the Applicant or such Project Occupant? If yes, please explain:

☐ YES ☐ NO

B. Is the Project reasonably necessary to discourage the Applicant or such Project Occupant from relocating outside of New York state? If yes, please explain:

☐ YES ☐ NO

14. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? If yes, please explain:

☐ YES ☒ NO

15. If the answer to question 14 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?

%

16. If the answer to question 14 is yes, and the answer to question 15 is more than 33.33%, indicate whether any of the following apply to the Project:

A. Will the Project be operated by a not-for-profit corporation? If yes, please explain

☐ YES ☐ NO

B. Will the Project likely attract a significant number of visitors from outside the economic development region in which the Project will be located? If yes, please explain:

☐ YES ☐ NO

C. Would the Project Occupant, but for the contemplated financial assistance from The Agency, locate the related jobs outside New York state? If yes, please explain:

☐ YES ☐ NO

D. 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 city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? If yes, please explain:

☐ YES ☐ NO

E. Will the Project be located in one of the following: 1) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or 2) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most Recent census data, has a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance; and 3) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? If yes, please explain:

☐ YES ☐ NO

F. If the answers to any of subdivisions c. through e. of question 16 is yes, 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 ☐ NO

17. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any federal, city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? State Historic Preservation? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

Town of Union - Site Plan Approval/Building Permit, NYS HCR - Funding Approval, Broome County IDA - PILOT Approval

18. Describe the nature of the involvement of the federal, state or local agencies described above:

Funding is contingent upon an award from NYS HCR, Local approvals are required for site plan and building permit approval

19. Has construction work on this project begun? If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation, completion of foundations, installation of footings, etc.

☐ YES ☒ NO

20. Please indicate amount of funds expended on this Project by the Applicant in the past three (3) years and the purposes of such expenditures:

\$0 - At this time and stage of the project no funds have been expended to date

21. Does the project utilize resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures? Please explain:

The project is required to follow mandatory green building practices from HCR and seek certification from NYSEERDA New Construction Program

PROJECT BENEFITS/COSTS

1. NAME OF PROJECT BENEFICIARY ("APPLICANT"):

4301 Watson Blvd, LLC

2. ESTIMATED AMOUNT OF PROJECT BENEFITS SOUGHT:

A. Amount of Bonds Sought	\$ 0.00
B. Value of Sales Tax Exemption Sought	\$ 1,754,866.00
C. Value of Real Property Tax Exemption Sought	\$ 559,922.00
D. Value of Mortgage Recording Tax Exemption Sought	\$ 395,767.00
E. Interest Savings IRB Issue	\$ 0.00

3. SOURCES AND USES OF FUNDS:

Financing Sources	
Equity	\$ 15,722,428.00
Local Banks	\$ 0.00
Broome County	\$ 2,000,000.00
NYSERDA	\$ 300,000.00
NYS HCR	\$ 13,126,712.00
Other	\$ 8,427,572.00
TOTAL	\$ 39,576,712.00

Application of Funds	
Land	\$ 300,000.00
Building Acquisition/Construction	\$ 29,948,949.00
Expansion/Renovation	0.00
Machinery & Equipment	\$ 0.00
Working Capital	\$ 380,000.00
Other	\$ 8,947,763.00
TOTAL	\$ 39,576,712.00

Project Description:

The proposed development will include the demolition of the existing structure and the construction of a new double-loaded corridor apartment building. The proposed development will create 75 new mixed-income apartments affordable to families earning between 30 % and 90 % of the Area Median Income ("AMI"). The three-story, double-loaded corridor, elevator building will be approximately 35 feet tall and contain 18 one-bedroom apartments, 38 two-bedroom apartments, and 19 three bedroom apartments. Vehicular access will be provided off of Watson Boulevard with parking lots on both ends of the building. The central drive connecting the two parking lots will provide a convenient drop off area directly in front of the main entrance canopy and doors, also providing ADA accessible parking adjacent to the entry. The proposed development will be constructed as a wood-framed structure that will hold all 75 apartments, as well as communal amenities such as a fitness center, community room with kitchenette, laundry facilities, outdoor patio, and playground. There will also be an on-site management office and maintenance shop.

4. PROJECTED PROJECT INVESTMENT:

A. Building and Land Related Costs	\$	300000
1. Land acquisition	\$	0.00
2. Acquisition of existing structures	\$	0.00
3. Renovation of existing structures	\$	29,948,949.00
4. New construction		
C. Machinery and Equipment Costs	\$	0.00
D. Furniture and Fixture Costs	\$	50,000.00
E. Working Capital Costs	\$	380,000.00
F. Professional Services/Development Costs		
1. Architecture and Engineering	\$	892,450.00
2. Accounting/legal	\$	231,500.00
3. Development Fee	\$	3,830,867.00
4. Other service-related costs (describe)	\$	197,475.00
G. Other Costs	\$	3,483,578.00
H. Summary of Expenditures		
1. Total Land-Related Costs	\$	300,000.00
2. Total Building-Related Costs	\$	29,948,949.00
3. Total Machinery and Equipment Costs	\$	0.00
4. Total Furniture and Fixture Costs	\$	50,000.00
5. Total Working Capital Costs	\$	380,000.00
6. Total Professional Services/Development Costs	\$	5,152,292.00
7. Total Other Costs	\$	3,745,471.00
<hr/>		
TOTAL PROJECT COST	\$	39,576,712.00
AGENCY FEE 1% (1% OF PROJECT COST)	\$	395,767.00
TOTAL PROJECT EXPENDITURES	\$	39,972,479.00

Have any of the above expenditures already been made by the applicant?
If yes, please provide details:

☐ YES ☒ NO

Please list any non-financial public benefits that the project will provide:

The project includes the removal of an existing blighted building and construction of outdoor greenspace/park to be conveyed to the Municipality

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

Please provide estimates of total construction jobs at the Project

YEAR	CONSTRUCTION JOBS (Annual wages and benefits \$40,000 and under)	CONSTRUCTION JOBS (Annual wages and benefits over \$40,000)
CURRENT	35.00	95.00
YEAR 1		
YEAR 2		
YEAR 3		

Please provide estimates of total annual wages and benefits of total construction jobs at the project:

YEAR	TOTAL ANNUAL WAGES AND BENEFITS
CURRENT	\$ 0.00
YEAR 1	\$ 8,756,000.00
YEAR 2	\$ 2,189,000.00
YEAR 3	\$ 0.00

It is the policy of The Agency/IDA to require the Applicant to use local labor, contractors and suppliers in projects that The Agency/IDA is providing financial assistance for. Please refer to the Appendix A (page 16). Local labor, contractors and suppliers shall be defined as employees and companies residing in the following Counties: Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Tioga, and Tompkins.

PROJECTED PERMANENT EMPLOYMENT IMPACT

PROJECTED EMPLOYMENT FIGURES - YEAR ONE	UNDER \$30,000	\$30,000 – \$50,000	\$50,000 – \$75,000	OVER \$75,000
Number of Full-Time Employees (FTE) earning		1	2	
Number of Part-Time Employees earning	1			

Total Payroll For Full-Time Employees	\$	38,000.00	110,000.00	
Total Payroll For Part-Time Employees	\$	28,000.00		
Total Payroll For All Employees	\$			

PROJECTED EMPLOYMENT FIGURES - YEAR TWO	UNDER \$30,000	\$30,000 – \$50,000	\$50,000 – \$75,000	OVER \$75,000
Number of Full-Time Employees (FTE) earning				
Number of Part-Time Employees earning				

Total Payroll For Full-Time Employees	\$			
Total Payroll For Part-Time Employees	\$			
Total Payroll For All Employees	\$			

PROJECTED EMPLOYMENT FIGURES - YEAR THREE	UNDER \$30,000	\$30,000 – \$50,000	\$50,000 – \$75,000	OVER \$75,000
Number of Full-Time Employees (FTE) earning				
Number of Part-Time Employees earning				

Total Payroll For Full-Time Employees	\$			
Total Payroll For Part-Time Employees	\$			
Total Payroll For All Employees	\$			

REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency/IDA as follows:

- 1. STATEMENT OF NEED:** Applicant affirms that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency, or if not, the applicant will provide a statement indicating the reasons the project should be undertaken by the Agency.
- 2. JOB LISTINGS:** Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- 3. FIRST CONSIDERATION FOR EMPLOYMENT:** In accordance with Section 858-b(2) of the New York General Municipal Law, Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency/IDA, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- 4. ANNUAL SALES TAX FILINGS:** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency/IDA, 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.
- 5. REGULATORY COMPLIANCE:** Applicant is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws and all provisions of article 18-a of the General Municipal Law.
- 6. EMPLOYMENT:** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency/IDA, the Applicant agrees to file, or cause to be filed, with the Agency/IDA, on an annual basis, reports regarding the number of people employed at the Project site. The Chief Executive Office shall submit to the Agency/IDA prior to February 1 of each year, a written certification setting forth
 - Number of full-time employees at the Project location in the preceding calendar year;
 - Number of part-time employees at the Project location in the preceding calendar year;
 - Gross payroll of all employees at the Project location in the preceding calendar year.
- 7. RECAPTURE POLICY:** The Agency/IDA reserves the right to recapture all or part of any benefits provided to the applicant if any of the following occur:
 - a. The Project Facility as defined in the PILOT/Lease Agreement is sold or closed and the Applicant leaves or departs Broome County.
 - b. There is a significant change in the use of the Project Facility and/or business activities of the Applicant.
 - c. There is a significant reduction in the number of full/part-time jobs at the Project Facility in comparison to what was estimated in the Applicant's Project Application that are not reflective of the Applicant's normal business cycle or national economic conditions.
 - d. The Applicant fails to fully comply with all periodic and/or annual reporting requirements of the Agency/IDA, State or Federal government.
 - e. The Applicant failed to achieve any minimal new job creation figures specified by and within the time-frames specified by the Agency/IDA.
 - f. Failure of the applicant to make timely PILOT payments.
 - g. Failure to cooperate with Agency personnel in providing data of project progress.
 - h. The applicant has committed a material violation of the terms & conditions of a project agreement.
 - i. The applicant has committed a material violation of the terms & conditions of the sales and use tax exemption benefit.

8. ABSENCE OF CONFLICTS OF INTEREST: The Applicant has reviewed from the Agency/ **IDA** a list of the members, officers and employees, which is publicly viewable at www.theagency-ny.com. No member, officer or employee of the Agency/**IDA** has an interest, whether direct or indirect, in a transaction contemplated by this Application, except as hereinafter described:

9. APPARENT CONFLICTS: Has the Applicant provided any personal gifts, loans or campaign contributions to any local or State political party or elected individual in the preceding 12 months? ☐ YES ☒ NO IF YES, PLEASE DESCRIBE:

10. FEES: This Application must be submitted with a non-refundable \$1,000 application fee to the Agency/**IDA**.

The Agency/**IDA** has established a general Agency fee in the amount of 1% of the total cost of the project.

The Agency/**IDA** will charge annually an administrative fee of \$1,500 to cover ongoing compliance and oversight; the fee shall be payable January 1 of each year until all financing documents shall terminate and be discharged and satisfied.


Applicant

By: Michael Birkby

Title: Senior Project Director

DOCUMENT LISTS

(A copy of this list should be provided to Applicant's legal counsel)

Please ensure that the following items are delivered with the application:

1. A \$1,000 Application Fee. _____ ☒ YES ☐ NO
2. An EAF (Environmental Assessment Form). _____ ☒ YES ☐ NO
3. Have financing arrangements been made _____ ☒ YES ☐ NO

Prior to the closing of this transaction, Applicant shall deliver the following documentation (where applicable to the project) to The Agency/IDA's legal counsel:

1. Insurance Certificate
Certificate of Worker's Compensation Insurance (The Agency/IDA named as additional insured). _____ ☐ YES ☐ NO

Certificate of General Liability Insurance (The Agency/IDA named as additional insured). Limits not less than \$1,000,000 per occurrence/accident and a blanket excess liability not less than \$3,000,000. _____ ☐ YES ☐ NO

Certificate of insurance against loss/damage by fire, lightning or other casualties with a uniform standard extended coverage endorsement in an amount not less than the full replacement value of the Facility (The Agency/IDA named as additional insured). _____ ☐ YES ☐ NO
2. Certificate of Incorporation/Articles of Organization together with all amendments or restatements thereto. _____ ☐ YES ☐ NO
3. By-Laws/Operating Agreement together with any amendments thereto. _____ ☐ YES ☐ NO
4. Good Standing Certificate(s) issued by the State of Incorporation/Organization of the Applicant and NYS. _____ ☐ YES ☐ NO
5. Resolutions of the Board of Directors/Members of the Applicant approving the Project. _____ ☐ YES ☐ NO
6. List of all Material Pending Litigation of the Applicant. _____ ☐ YES ☐ NO
7. List of all Underground Storage Tanks containing Hazardous Materials at the Project. _____ ☐ YES ☐ NO
8. List of all Required Environmental Permits for the Project. _____ ☐ YES ☐ NO
9. Legal Description of the Project Premises. _____ ☐ YES ☐ NO
10. Name and title of person signing on behalf of the Applicant. _____ ☐ YES ☐ NO
11. Copy of the proposed Mortgage (if any). _____ ☐ YES ☐ NO
12. Applicant's Federal Tax ID Number (EIN). _____ ☐ YES ☐ NO
13. Tax Map Number of Parcel(s) comprising the Project. _____ ☐ YES ☐ NO
14. Copy of the Certificate of Occupancy (as soon as available) _____ ☐ YES ☐ NO

CERTIFICATION

The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentations made in this Application constitute an act of fraud, resulting in revocation of benefits.

The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which own a minimum of 20% of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term on any agreements made in connection with the Application.

As of the date of the Application this project is in substantial compliance with all provisions of GML Article 18-A, including but not limited to, the provisions of GML Section 859-a and GML Section 862(1) (the anti-raid provision) and if the project involves the removal or abandonment of a facility or plant within the state, notification by the IDA to the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located.

Applicant has read and fully understands The Agency/IDA's Uniform Tax Exemption Policy.

Applicant hereby releases The Agency/IDA and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency/IDA") from, agrees that the Agency/IDA shall not be liable for and agrees to indemnify, defend and hold the Agency/IDA harmless from and against any and all liability arising from or expense incurred by: (i) the Agency/IDA'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 Issue of bonds requested therein are favorably acted upon by the Agency/IDA; and (ii) the Agency/IDA's financing of the Project described therein, 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/IDA or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency/IDA, its agents or assigns, all actual costs incurred by the Agency/IDA in the processing of the Application, including attorneys' fees, if any. By:


(Applicant)

Sworn to before me this

8th day of March, 2023.


(Notary Public)

S. STURMAN JENNINGS
Notary Public, State of New York
No 02JE6046835
Qualified in Monroe County
Commission Expires August 11, 2023

APPENDIX A – ATTACHMENT TO APPLICATION FOR FINANCIAL ASSISTANCE

Local General Contractor, Subcontractor, Trades and Labor Policy

It is the goal of the The Agency/**IDA** to maximize the use of local labor for each project that receives benefits from the Agency/**IDA**. This policy applies to general contractors, subcontractors, trade professionals, and their employees. The Agency/**IDA**'s Local Labor Area consists of the following New York State counties: Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins.

Every applicant is obligated to provide written proof and data (see attached ... forms) to the Agency/**IDA** as to the physical location of all the contractors who worked on the project.

The Agency/**IDA** will review the data provided and determine, on a case-by-case basis and in a fully-transparent manner, whether the Applicant has substantially conformed to the policy.

An Applicant **will not be deficient** if the proposed project requires specifically skilled labor that is unavailable in the Local Labor Area.

An Applicant **will not be deficient** if the proposed project utilizes parts and supplies assembled elsewhere because no such assembly is available in the Local Labor Area.

An Applicant **will be held non-compliant** with the Labor Policy if it imports labor from outside the Local Labor Area when equal labor that is ready, willing, cost-competitive, etc. resides in the Local Labor Area.

The Agency/**IDA** may determine on a case-by-case basis to waive any portion of this policy for a project or a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services, documented lack of workers meeting the Local Labor Requirement or if other compelling circumstances exist.

In consideration of the extension of financial assistance by the Agency/**IDA** Conifer Realty, LLC (the Applicant) understands the Local Labor Policy and agrees to submit either or both a Local Labor Utilization Report or a Non Local Labor Utilization Report at the time that construction ends on the project to the Agency.

The Applicant understands an Agency/**IDA** tax-exempt certificate is valid for one year from the effective date of the project inducement. If an Applicant wishes to request an extension, a letter must be sent 30 days prior to the end date to the Executive Director, on company letterhead, explaining the necessity for the extension.

The Applicant further understands any request for a waiver to this policy must be submitted in writing and approved by the Agency/**IDA** before a tax-exempt certificate is issued or extended.

The Applicant further understands that if the required forms are not submitted to the Agency/**IDA**, the Agency/**IDA** shall have the authority to immediately terminate any and all Financial Assistance being provided to the Project.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the Project as of March 8, 2022 (Submission date).

APPLICANT: Conifer Realty, LLC

REPRESENTATIVE FOR CONTRACT BIDS/AWARDS: Michael Birkby

ADDRESS: 1000 University Ave, Suite 500

CITY: Rochester STATE: NY ZIP: 14607 PHONE: 585-324-0546

EMAIL: mbirkby@coniferllc.com

PROJECT ADDRESS: 4301 Watson Blvd

AUTHORIZED REPRESENTATIVE: Michael Birkby TITLE: Senior Project Director

SIGNATURE: 

Sworn to before me this

8TH day of March, 2022.


(Notary Public)

S. STURMAN JENNINGS
Notary Public, State of New York
No. 02JI:6096835
Qualified in Monroe County
Commission Expires August 11, 2023

The following organizations must be solicited in writing for the purpose of meeting the requirements of this Agreement:

****Documentation of solicitation MUST be provided to the Agency**

The Builders Exchange of the Southern Tier, Inc. 15
Belden Street
Binghamton, NY 13903
brad@bxs-tier.com
(607) 771-7000

Binghamton/Oneonta Building Trades Council 11
Griswold Street
Binghamton, NY 13904
raikens@luoe158.org
(607) 723-9593

Tompkins-Cortland Building Trades Council 622 West
State Street
Ithaca, NY 14850
tbrueribew241@gmail.com
(607) 272-3122

Southern Tier Building Trades Council
1200 Clemens Center Parkway
Elmira, NY 14901
ibew139ba@aol.com
(607) 732-1237

Dodge Reports
<http://construction.com/dodge/submit-project.asp> 830
Third Ave., 6th Floor
New York, NY 10022
support@construction.com
(877) 784-9556

Building Trades
Katie Fairbrother, Secretary
kfairbrother@ualocal112.org
607-723-9593

LOCAL LABOR UTILIZATION REPORT

To be completed for all contractors residing within the Broome County IDA Local Labor Area

APPLICANT: PROJECT ADDRESS: CITY: STATE: ZIP: EMAIL: PHONE: GENERAL CONTRACTOR/CONSTRUCTION MANAGER: CONTACT: ADDRESS: CITY: STATE: ZIP: EMAIL: PHONE:

ITEM	CONTRACT/SUB	ADDRESS	EMAIL	PHONE	AMOUNT
Site/Demo					
Foundation/Footings					
Building					
Masonry					
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing					
Finishes					
Electrical					
HVAC					
Plumbing					
Specialties					
M&E					
FF & E					
Utilities					
Paving/Landscaping					

CHECK IF CONSTRUCTION IS COMPLETE ☐CHECK IF THIS IS YOUR FINAL REPORT ☐

I CERTIFY THAT THIS IS AN ACCURATE ACCOUNTING OF THE CONTRACTORS THAT ARE WORKING AT THE PROJECT SITE.

Company Representative_____
Date

NON LOCAL LABOR UTILIZATION REPORT

To be completed for all contractors not residing within the Broome County IDA Local Labor Area

APPLICANT: PROJECT ADDRESS: CITY: STATE: ZIP: EMAIL: PHONE: GENERAL CONTRACTOR/CONSTRUCTION MANAGER: CONTACT: ADDRESS: CITY: STATE: ZIP: EMAIL: PHONE:

ITEM	CONTRACT/SUB	ADDRESS	EMAIL	PHONE	AMOUNT
Site/Demo					
Foundation/Footings					
Building	21,935,831.00				
Masonry					
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing					
Finishes					
Electrical					
HVAC					
Plumbing					
Specialties					
M&E					
FF & E					
Utilities					
Paving/Landscaping					

CHECK IF CONSTRUCTION IS COMPLETE ☐CHECK IF THIS IS YOUR FINAL REPORT ☐

I CERTIFY THAT THIS IS AN ACCURATE ACCOUNTING OF THE CONTRACTORS THAT ARE WORKING AT THE PROJECT SITE.

Company Representative_____
Date



Broome County IDA

RFP for Purchase & Redevelopment: 4301 Watson Blvd.

September 1, 2021

conifer® 
REAL ESTATE DEVELOPMENT, CONSTRUCTION & MANAGEMENT



September 1, 2021

Mr. Brendan O'Bryan
Community Development Specialist
The Agency- Broome County IDA
5 South College Dr., Suite 201
Binghamton, NY 13905

Dear Mr. O'Bryan:

Please find below the terms and conditions of an offer from Conifer Realty, LLC ("Buyer") to the Broome County IDA ("Seller") to purchase the former IBM Country Club (the "Property").

The Property: The Property to be transferred by Seller to Buyer consists of the real estate located at 4301 Watson Boulevard, Union, NY, 13760. The parcel is approximately 9.33 acres indicated on the tax parcel map as 142.02-1-19. The Property shall be transferred free of all liens and encumbrances.

Purchase Price: The Purchase Price for the Property shall be ONE HUNDRED THOUSAND DOLLARS (\$100,000.00).

Buyer shall pay to Seller the entire Purchase Price in cash at Closing.

Deposit: Upon execution of a Purchase Contract, the Buyer shall escrow a cash earnest money deposit of \$25,000. The deposit will become non-refundable upon expiration of the Due Diligence Period except for the Contingencies listed below. It shall be held by an escrow agent in an interest-bearing account, to be applied against the Purchase Price at Closing.

Due Diligence: Buyer shall have a Due Diligence Period of 90 days from execution of a Purchase Contract.

Closing: Closing shall occur on or before December 31, 2023. Buyer shall have the option to extend Closing to December 31, 2024 upon 30 days written notice to Seller.

Contingencies: Buyer's obligation to close shall be contingent upon the following (the "Contingencies"):

- a) Buyer's receipt of necessary governmental approvals to acquire, develop and operate a minimum of 76 residential units at the Property. Buyer shall be responsible for obtaining such approvals and paying for the cost of the approvals;
- b) Buyer's receipt of a tax credit award and financing commitments to cover the costs of acquisition and development of the Property, satisfactory to Buyer in its sole discretion. These financing commitments shall include a subsidy loan from Broome County in an amount no less than \$2,000,000.00;
- c) Buyer's confirmation that utility access and capacity are satisfactory to Buyer in its sole discretion;

a HOME for possibilities.

www.coniferllc.com

1000 UNIVERSITY AVENUE, SUITE 500, ROCHESTER, NY 14607

[E] contactus@coniferllc.com [P] (585) 324-0500



- d) Buyer's receipt of a PILOT agreement and exemptions from mortgages and sales taxes from the Broome County IDA, satisfactory to Buyer in its sole discretion.

Exclusivity: From the date of acceptance of this offer by the Seller until a purchase contract is executed, Seller agrees that it shall not advertise, offer to sell or execute any other agreement or contract to sell the Property to any other party. Seller acknowledges that Buyer will be expending time and money in performing due diligence on the Property during this period and will be damaged if Seller violates this provision.

Except for the exclusivity provision in the immediately preceding paragraph, this offer is a non-binding Agreement. Seller and Buyer shall become legally bound to each other only upon execution by both parties of a purchase contract. The parties agree to act in good faith to execute a purchase contract within 30 days of Seller's acceptance of this letter.

This offer shall remain in effect until October 31, 2021.

Sincerely,



Sam Leone
Executive Vice President

Agreed to and accepted by:
SELLER:

By: _____

Date: _____

a HOME for possibilities.

www.coniferllc.com

1000 UNIVERSITY AVENUE, SUITE 500, ROCHESTER, NY 14607

[E] contactus@coniferllc.com [P] (585) 324-0500



DEVELOPMENT APPROACH

I. PROJECT DESCRIPTION & DEVELOPMENT APPROACH

By reactivating an underutilized property, which currently serves as a vacant country club, the proposed development will create a much-needed quality, permanent affordable housing community for families in Johnson City.

The proposed development will include the demolition of the existing structure and the construction of a new double-loaded corridor apartment building. The proposed development will create 75 new mixed-income apartments affordable to families earning between 30 % and 90 % of the Area Median Income ("AMI"). The three-story, double-loaded corridor, elevator building will be approximately 35 feet tall and contain 18 one-bedroom apartments, 38 two-bedroom apartments, and 19 three-bedroom apartments. Vehicular access will be provided off of Watson Boulevard with parking lots on both ends of the building. The central drive connecting the two parking lots will provide a convenient drop off area directly in front of the main entrance canopy and doors, also providing ADA accessible parking adjacent to the entry. The proposed development will be constructed as a wood-framed structure that will hold all 75 apartments, as well as communal amenities such as a fitness center, community room with kitchenette, laundry facilities, outdoor patio, and playground. There will also be an onsite management office and maintenance shop.

The architectural style is transitional, inspired by the historic architecture in the region. Using familiar forms and details, the design composes historic and present-day materials in a contemporary way. The use of brick and masonry at the ground level helps to keep the building durable where it gets the most abuse. Fiber cement, EIFS and lap siding are used above the ground level and add to the different textures and scale of the building to create a pleasant composition. The entry canopy and shading devices add detail and provide shading and shelter and help mitigate direct solar heat gain in the warmer months.

The development will incorporate green building techniques and will be certified through the New York State Energy Research & Development Authority New Construction 3rd Tier Program (NYSERDA). The proposed development's building systems will be fully electric creating a carbon neutral environment. Residential units will be heated and cooled with highly efficient ductless heat pumps and all appliances will be ENERGY STAR rated.

10% of the units will be fully adapted to be accessible for persons with mobility impairments and 4% will be adapted for persons with hearing/visual impairments.

Proposed financing sources include federal Low Income Housing Tax Credit equity, NY State Low Income Housing Tax Credit equity, NYS Housing Trust Funds, Federal Housing Trust Funds, and a conventional mortgage. Conifer is highly experienced with securing this type of financing.

II. TECHNICAL ISSUES WITH WATERFRONT DEVELOPMENT

A significant portion of the site is located within the 1% annual flood zone. This creates unique challenges to the redevelopment of the site. As an initial step, the proposed building is located mostly out of the flood zone and therefore does not require all 9.3 acres of the site. However, since so much of the site is within the flood zone, a small portion of the building's footprint will need to be elevated to keep from flooding hazards. Many of the other features on the proposed site plan, including most of the resident parking and proposed community amenities will remain within the flood zone.

Beyond the physical design of the site and building, the project will also have to satisfy the requirements of NYS Homes and Community Renewal (NYSHCR) and an insurance provider. NYSHCR is New York's primary housing finance agency responsible for allocating low-income housing tax credits. As part of their project evaluations, NYSHCR evaluates the site suitability for development of affordable housing

through the lens of environmental justice by evaluating the surrounding area for uses or features that may adversely affect the health and well-being of future residents. While this certainly does not preclude development of the project as proposed, it may require some time to work through these concerns with NYSHCR.

At a minimum, NYSEHR, other lenders, and investors, will require the project to obtain flood insurance. This will add to the ongoing operation expenses of the development and there may be additional design features that the insurance carrier will require to provide coverage.

III. PROJECT TIMELINE

Once the proposed development is selected as the qualified bid, Conifer and the IDA will enter into a Purchase and Sale agreement based on the terms of the Letter of Intent included within this proposal. Conifer will have a 90-day due diligence period from the time of an executed Purchase and Sale agreement. The Financing Plan proposed includes 9% Low Income Housing Tax Credits issued through NYS Homes and Community Renewal (NYS HCR). These tax credits are awarded as part of a competitive process bi-annually with applications due in January and August.

The proposed development is anticipated to be submitted into NYS HCR in August 2022. If a funding award is secured by December of 2022, the proposed development would close on all construction financing and begin construction by December 2023. It's anticipated that site plan approval will occur in June 2023. Final PILOT approval is anticipated in March 2023.

The proposed development is expected to have a 16-month construction period with a completion date of April 2025. It's anticipated that the project will be fully leased by November 2025.

IV. PARTNERSHIP STRUCTURE

Conifer will form an HDFO to hold the fee title to the site to facilitate the PILOT agreement and a limited liability company ("LLC") will be formed to retain the beneficial interest. Conifer or an affiliate will hold a 0.001% managing member interest in the LLC. An Investor Member will be added to the LLC and will purchase a 99.99% interest. Below please find a list of development team members along with their project roles and responsibilities:

- **Conifer, LLC (Conifer)**

Developer

Conifer will be primarily responsible for pre-construction tasks including acquisition, design, approvals, and financing. It will provide compliance, third party supervision and construction monitoring. Conifer will arrange for all required guarantees for the project. Susan Jennings, Conifer's General Counsel, will complete all organizational filings and loan/equity closings.

Conifer works in multiple states with virtually every housing program and utilizes a hands-on expert approach in assembling and integrating the right programs to meet the objectives of every development. Conifer has extensive experience with HTF, LIHTC and SLIHC Developments. Over the past 10 years, in NYS, Conifer has acted as Developer on 14 HTF Developments, 28 LIHTC Developments, 4 SLIHC Developments. Since 2011, Conifer has developed 28 affordable apartment communities in NYS (2,278 units) with total development costs (TDC) exceeding \$4.5M; an additional 6 communities are in various stages of construction and development with over \$3M in TDC.

- **Conifer-LeChase Construction, LLC (CLC)**

General Contractor

Dedicated to creating sustainable developments, the construction team at CLC brings an award-winning combination of knowledge; with a professional staff of project managers and estimators, CLC has significant experience with LIHC, SLIHC and HTF projects. Over the past 10 years, CLC has completed 28 NYS Developments totaling over 2,278 units, accumulating over \$438,541,960 in total development costs.

The proposed development will have a fixed construction contract with the General Contractor.

- **Conifer Management, LLC (CMLLC)**
Management Agent

CMLLC will bring their extensive property management experience to work for this project. Conifer Management currently manages 15,340 apartment units in four states and 234 apartment communities. Since the inception of the Low-Income Housing Credit Program CMLLC has maintained an impeccable reputation of compliance and customer satisfaction.

Conifer's internal Marketing Department will offer Leasing & Marketing support services. The department will complete a community specific marketing plan outline that develops a target audience, sets an advertising plan, outlines area competition, and ensures curb appeal at the site.

In addition, Conifer Management has an internal Compliance Department to assist and support the management operation as it relates to numerous "affordable" financing commitments. Compliance team members offer Property Management staff training, on-going monitoring and audit functions for Tax Credit Bond, Section 8, Rural Development, and other regulated programs. The Compliance Department reviews every move-in file for all units Conifer currently manages in four states. In addition to its own review, Conifer employs two third party tax credit compliance companies to review Conifer's initial lease up files for any new tax credit property or acquisition rehab property.

V. PUBLIC AMENITIES

Given the significant space that will not be occupied by the apartment building there is ample opportunity to provide public amenities on the site, particularly at the corner of Watson Boulevard and Barton Avenue. The proposed site plan shows a ballfield in this area, but other types of outdoor recreation facilities could be developed as well. These types of amenities could easily be incorporated in the development if ownership of these facilities are transferred to the Town, County, or other public entity to provide for long-term maintenance and enable access to the general public. In addition to ownership and operating of the amenity space, capital resources to support the public amenities would be required from the local municipalities.

DESIGN & INNOVATION

- Design Narrative
- Preliminary Plans
 - Site Plan
 - First Floor Plan
 - Second Floor Plan
 - Third Floor Plan
 - Front Elevation
 - Entrance Rendering

DESIGN APPROACH

- a. The proposed development will create 75 new mixed-income apartments affordable to families earning between 30 % and 90 % of the Area Median Income ("AMI"). The three-story, double-loaded corridor, elevator building will be approximately 35 feet tall and contain 18 one-bedroom apartments, 38 two-bedroom apartments, and 19 three-bedroom apartments.

Vehicular access will be provided from Watson Boulevard with parking lots on both ends of the building. The central drive connecting the two parking lots will provide a convenient drop off area directly in front of the main entrance canopy and doors, also providing ADA accessible parking adjacent to the entry.

- b. Enclosed please find conceptual plans

- c. The architectural style is transitional, inspired by the historic architecture in the region. Using familiar forms and details, the design composes historic and present-day materials in a contemporary way. The use of brick and masonry at the ground level helps to keep the building durable where it gets the most abuse. Fiber cement, EIFS and lap siding are used above the ground level and add to the different textures and scale of the building to create a pleasant composition. The entry canopy and shading devices add detail and provide shading and shelter and help mitigate direct solar heat gain in the warmer months.

The proposed development will be constructed as a wood-framed structure that will hold all 75 apartments, as well as communal amenities such as a fitness center, community room with kitchenette, laundry facilities, outdoor patio, and playground. There will also be an onsite management office and maintenance shop.

- d. The development will incorporate green building techniques and will be certified through the New York State Energy Research & Development Authority New Construction 3rd Tier Program (NYSERDA). The proposed development's building systems will be fully electric creating a carbon neutral environment. Residential units will be heated and cooled with highly efficient ductless heat pumps and all appliances will be ENERGY STAR rated.

10% of the units will be fully adapted to be accessible for persons with mobility impairments and 4% will be adapted for persons with hearing/visual impairments.

PROJECT TOTAL UNIT MATRIX

ONE BEDROOM	18
TWO BEDROOM	38
THREE BEDROOM	19
PROJECT TOTAL	75



- BEDROOM (DOUBLE)
- BEDROOM (SINGLE)
- BEDROOM (TRIPLE)
- CIRCULATION
- COMMON AREA
- STAFF
- SUPPORT

FIRST FLOOR UNIT MATRIX

ONE BEDROOM	7
TWO BEDROOM	11
THREE BEDROOM	5
FIRST FLOOR TOTAL	23



Second Floor Plan
Redevelopment of 4301 Watson Boulevard



Third Floor Plan
Redevelopment of 4301 Watson Boulevard



Front Elevation
Redevelopment of 4301 Watson Boulevard

SWBR



Entrance Rendering
Redevelopment of 4301 Watson Boulevard

conifer 
REAL ESTATE DEVELOPMENT CONSTRUCTION & MANAGEMENT

SWBR

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

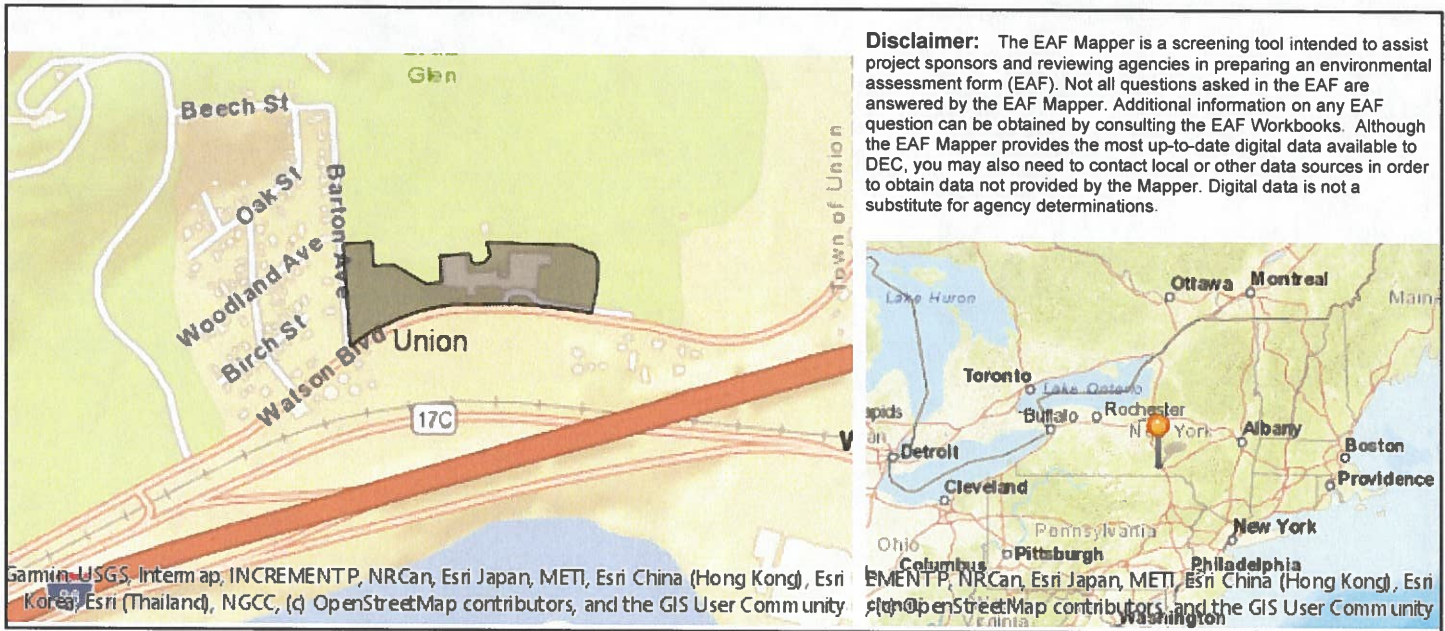
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Watson Blvd Affordable Housing							
Project Location (describe, and attach a location map): 4301 Watson Blvd, Johnson City, NY 13790							
Brief Description of Proposed Action: The proposed development will include the demolition of the existing structure and the construction of a new double-loaded corridor apartment building. The proposed development will create 75 new mixed-income apartments affordable to families earning between 30 % and 90 % of the Area Median Income ("AMI"). The three-story, double-loaded corridor, elevator building will be approximately 35 feet tall and contain 18 one-bedroom apartments, 38 two-bedroom apartments, and 19 three bedroom apartments. Vehicular access will be provided off of Watson Boulevard with parking lots on both ends of the building. The central drive connecting the two parking lots will provide a convenient drop off area directly in front of the main entrance canopy and doors, also providing ADA accessible parking adjacent to the entry. The proposed development will be constructed as a wood-framed structure that will hold all 75 apartments, as well as communal amenities such as a fitness center, community room with kitchenette, laundry facilities, outdoor patio, and playground. There will also be an on-site management office and maintenance shop.							
Name of Applicant or Sponsor: Conifer Realty, LLC		Telephone: 585-324-0500 E-Mail: mbirkby@coniferllc.com					
Address: 1000 University Ave, Suite 500							
City/PO: Rochester		State: NY	Zip Code: 14607				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Funding Approval from NYS Homes and Community Renewal			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		9.33 acres					
b. Total acreage to be physically disturbed?		9.33 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		9.33 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):							
<input type="checkbox"/> Parkland							

5. Is the proposed action,		NO	YES	N/A
a.	A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
_____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ Storm water management facilities TBD at this time	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Conifer Realty, LLC</u> Date: <u>03/08/2022</u> Signature: <u></u> Title: <u>Sr. Project Director</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes