Date: February 19, 2019

At a meeting of the Town of Hempstead Industrial Development Agency (the "**Agency**"), held at Town Hall Pavilion, 1 Washington Street, Hempstead, New York 11550 on the 19th day of February, 2019, the following members of the Agency were:

Present:	Florestano Girardi, Chairman James G. Marsh, Esq., Vice-Chairman Rev. Dr. Eric C. Mallette, Secretary Gerilyn Smith, Treasurer Jack Majkut, Member John A. Ardito, Esq., Member
Recused:	
Absent:	
Also Present:	Frederick E. Parola, Chief Executive Officer Michael Lodato, Deputy Executive Director Edie Longo, Chief Financial Officer Lorraine Rhoads, Agency Administrator Arlyn Eames, Deputy Financial Officer John Ryan, Esq., Agency Counsel William F. Weir, Esq., Transaction Counsel

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to acquisition of a leasehold interest in a certain industrial development facility more particularly described herein (AvalonBay Communities, Inc. 2019 Facility), and the leasing of the Facility to AvalonBay Communities, Inc.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye	Voting Nay

RESOLUTION OF THE TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE APPOINTMENT OF AVALONBAY COMMUNITIES, INC., A MARYLAND BUSINESS CORPORATION, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF AVALONBAY COMMUNITIES, INC. AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE FACILITY, APPROVING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF SUCH INDUSTRIAL DEVELOPMENT FACILITY AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY AND APPROVING THE FORM, SUBSTANCE AND EXECUTION OF RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 529 of the Laws of 1971 of the State of New York, as the same may be amended from time to time (collectively, the "**Act**"), the Town of Hempstead Industrial Development Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, AvalonBay Communities, Inc., a Maryland business corporation authorized to transact business in the State of New York, on behalf of itself and/or the principals of AvalonBay Communities, Inc. and/or an entity formed or to be formed on behalf of the foregoing (the "**Company**"), has applied to the Town of Hempstead Industrial Development Agency (the "**Agency**") to enter into a transaction in which the Agency will assist in the acquisition of an approximately 11.6 acre parcel of land located at Sheridan Place and Island Parkway South in the Village of Island Park, Town of Hempstead, Nassau County, New York (the "**Land**"), the construction and equipping of an approximately 266,267 square foot apartment complex containing approximately 172 units (to be a mixture of 1-bedroom, 2-bedroom and 3-bedroom luxury apartments) located thereon (the "**Improvements**" and "**Equipment**"; and, together with the Land, the "**Facility**"), to be used by the Company as a waterfront rental community (the "**Project**"); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of March 1, 2019, or such other date as the Chairman, the Chief Executive Officer or the Deputy Executive Director of the Agency and counsel to the Agency shall agree (the "**Company Lease**"), by and between the Company and the Agency; and

WHEREAS, the Agency will acquire title to the Equipment pursuant to a certain Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the "**Bill of Sale**"), from the Company to the Agency; and

WHEREAS, the Agency will sublease and lease the Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of March 1, 2019 or such other date as the Chairman, the Chief Executive Officer or the Deputy Executive Director of the Agency and counsel to the Agency shall agree (the "**Lease Agreement**"), by and between the Agency and the Company; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of (i) exemptions from sales and use taxes in an amount not to exceed $2,285,625, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit C hereof), consistent with the policies of the Agency; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, a public hearing (the "**Hearing**") was held on January 22, 2019 and notice of the Hearing was given and such notice (together with proof of publication) together with the minutes of the Hearing are in substantially in the form annexed hereto as Exhibits A and B respectively; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed Facility is either an inducement to the Company to maintain and expand the Facility in the Town of Hempstead or is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, the Company has represented to the Agency that the approval of the Project and the transactions contemplated by the Lease Agreement shall not result in the removal of an industrial or manufacturing plant of any Facility occupant(s) from one area of the State to another area of the State or in the abandonment of one or more plants of facilities of the Facility occupant(s) located within the State; and

WHEREAS, the Agency required the Company to provide to the Agency a feasibility report together with letters or reports from interested parties and governmental agencies or officials, if any (collectively, the "**Requisite Materials**"), to enable the Agency to make findings and determinations that the Facility qualifies as a "project" under the Act and that the Facility satisfies all other requirements of the Act, and such Requisite Materials are listed below are attached as Exhibit E hereof:

1. AvalonBay Communities, Inc.: Economic and Fiscal Impact Analysis, dated November 2018 and prepared by Camoin Associates Economic Development;

2. Fiscal and Impact Summary, dated August 23, 2018, prepared by Nelson, Pope & Voorhis, LLC;

3. AvalonBay –Island Park Project – Estimate of IDA Benefits;

4. New York Law Journal article 3-22-17 on Eligibility of Residential Developments for IDA Benefits by Anthony Guardino, Esq.; and

5. Ryan et al. v Town of Hempstead Industrial Development Agency et al.

WHEREAS, the Agency's Uniform Tax Exemption Policy ("**UTEP**"), which such UTEP is annexed hereto as Exhibit F, provides for the granting of financial assistance by the Agency for unusual projects pursuant to Sections 1(A) and (B); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the "**SEQR Act**" or "**SEQR**"), the Agency constitutes a "State Agency"; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company prepared and submitted to the Agency an Environmental Assessment Form ("**EAF**") and related documents (the "**Questionnaire**") with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, the Questionnaire has been reviewed by the Agency; and

WHEREAS, under a previous rezoning application, a review pursuant to SEQR was performed by the Town of Hempstead Town Board ("**Town Board**"); and

WHEREAS, pursuant to the review of a full environmental assessment form, traffic study and environmental remediation plan summary, the Town Board by Resolution No. 629-2007 issued a SEQR negative declaration and determination of non-significance for the rezoning of the premises dated June 5, 2007; and

WHEREAS, the Company submitted to the Town Board a full site plan application package for the site plan approval application which included the present site plan, a full environmental assessment form, and copies of decision documents issued by the New York State Department of Environmental Conservation ("**NYSDEC**"), dated May 20, 2017 and June 2018, calling for remediation for Track 4 Restricted Residential Use; and

WHEREAS, the Town Board appointed itself "Lead Agency" for purposes of SEQR; and

WHEREAS, pursuant to Resolution No. 1615-2018 adopted by the Town Board on December 11, 2018, the Town Board determined that the Action was an "Unlisted Action" which will not have a significant impact on the environment; and

WHEREAS, by the Agency concurs with the negative declaration of the Lead Agency and desires to adopt the Lead Agency's negative declaration as its own negative declaration under SEQR; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the leasing of the Facility by the Agency to the Company.

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. Based upon the EAF completed by the Company and other representations and information furnished regarding the Facility, the Lead Agency determined that, based upon its review of the EAF, the appropriate criteria for determination of significance, and such other and further information which the Lead Agency felt necessary to review the Facility, the Facility would not have a "significant effect" on the environment and, therefore, an environmental impact statement will not be prepared. That determination constitutes a negative declaration for purposes of SEQR, which is binding on the Agency.

Section 2. In connection with the acquisition, construction and equipping of the Facility the Agency hereby makes the following determinations and findings based upon the Agency's review of the information provided by the Company with respect to the Facility, including, the Company's Application, the Requisite Materials and other public information:

(a) There is a lack of safe, clean and modern rental housing in the Town of Hempstead;

(b) Such lack of rental housing has resulted in residents leaving the Town of Hempstead and therefore adversely affecting businesses, retailers, banks, financial institutions, insurance companies, health and legal services providers and other merchants in the Town of Hempstead and otherwise adversely impacting the economic health and well-being of the residents of the Town of Hempstead and the tax base of the Town of Hempstead;

(c) The Facility, by providing such housing will enable persons to remain in the Town of Hempstead and thereby to support the businesses, retailers, banks, and other financial institutions, insurance companies, health care and legal services providers and other merchants in the Town of Hempstead which will increase the economic health and well-being of the residents of the Town of Hempstead, help preserve and increase permanent private sector jobs in furtherance of the Agency's public purposes as set forth in the Act, and therefore the Agency finds and determines that the Facility is a commercial project within the meaning of Section 854(4) of the Act;

(d) The Facility will provide services, i.e., rental housing, which but for the Facility, would not otherwise be reasonably accessible to the residents of the Town of Hempstead.

Section 3. The Agency hereby finds and determines:

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

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) The acquisition, construction and equipping of the Facility, the leasing and subleasing of the Facility to the Company will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Town of Hempstead, and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(d) The acquisition, construction and equipping of the Facility is reasonably necessary to induce the Company to maintain and expand its business operations in the State of New York; and

(e) Based upon the representations of the Company, the transactions contemplated by the Lease Agreement shall not result in the removal of any facility or plant if any Facility occupant(s) from one area of the State to another area of the State or in the abandonment of one or more facilities or plants of the Facility occupant(s) located within the State; and

(f) Based upon representations of the Company and counsel to the Company, the Facility conforms with the local zoning laws and planning regulations of the Town of Hempstead, Nassau County, and all regional and local land use plans for the area in which the Facility is located; and

(g) It is desirable and in the public interest for the Agency to lease and sublease the Facility to the Company; and

(h) The Company Lease will be an effective instrument whereby the Agency leases the Land and the Improvements from the Company; and

(i) The Lease Agreement will be an effective instrument whereby the Agency leases and subleases the Facility to the Company, the Agency and the Company set forth the terms and conditions of their agreement regarding payments-in-lieu of taxes, the Company agrees to comply with all Environmental Laws (as defined therein) applicable to the Facility and will describe the circumstances in which the Agency may recapture some or all of the benefits granted to the Company.

Section 4. The Agency has assessed all material information included in connection with the Company's application for financial assistance, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the Agency a reasonable basis for its decision to provide the financial assistance described herein to the Company.

Section 5. In consequence of the foregoing, the Agency hereby determines to: (i) lease the Land and the Improvements from the Company pursuant to the Company Lease, (ii) execute, deliver and perform the Company Lease, (iii) lease and sublease the Facility to the Company pursuant to the Lease Agreement, and (iv) execute, deliver and perform the Lease Agreement.

Section 6. The Agency is hereby authorized to acquire the real property and personal property described in Exhibit A and Exhibit B, respectively, to the Lease Agreement and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 7. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the acquisition, construction and equipping of the Facility in the form of (i) exemptions from sales and use taxes in an amount not to exceed $2,285,625, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit C hereof), consistent with the policies of the Agency.

Section 8. Subject to the provisions of this resolution, the Company is herewith and hereby appointed the agent of the Agency to acquire, construct and equip the Facility. The Company is hereby empowered to delegate its status as agent of the Agency to its agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company may choose in order to acquire, construct and equip the Facility. The Agency hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company as agents of the Agency solely for purposes of making purchases or leases of goods, services and supplies to the Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company, as agent of the Agency, shall be deemed to be on behalf of the Agency and for the benefit of the Facility. This agency appointment expressly excludes the purchase by the Company of any motor vehicles, including any cars, trucks, vans or buses which are licensed by the Department of Motor Vehicles for use on public highways or streets. The Company shall indemnify the Agency with respect to any transaction of any kind between and among the agents, subagents, contractors, subcontractors, materialmen, vendors and/or suppliers and the Company, as agent of the Agency. The aforesaid appointment of the Company as agent of the Agency to acquire, construct and equip the Facility shall expire at the earlier of (a) the completion of such activities and improvements, (b) a date which the Agency designates, or (c) the date on which the Company have received exemptions from sales and use taxes in an amount not to exceed $2,285,625 in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility; provided however, such appointment may be extended at the discretion of the Agency, upon the written request of the Company if such activities and improvements are not completed by such time. The aforesaid appointment of the Company is subject to the execution of the documents contemplated by this resolution.

Section 9. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company is further notified that the exemption of sales and use tax provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this Authorizing Resolution is subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Lease Agreement.

Section 10. The form and substance of the Company Lease and the Lease Agreement (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 11.

(a) The Chairman, the Chief Executive Officer, the Chief Financial Officer or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Company Lease and the Lease Agreement, all in substantially the forms thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, the Chief Executive Officer, the Chief Financial Officer or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the "**Agency Documents**"). The execution thereof by the Chairman, the Chief Executive Officer, the Chief Financial Officer or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, the Chief Executive Officer, the Chief Financial Officer or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 12. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 13. Any expenses incurred by the Agency with respect to the Facility shall be paid by the Company. The Company shall agree to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 14. This resolution shall take effect immediately.

STATE OF NEW YORK)
: SS.:
COUNTY OF NASSAU)

We, the undersigned Chief Executive Officer and Chairman of the Town of Hempstead Industrial Development Agency, DO HEREBY CERTIFY:

That we have compared the annexed extract of the minutes of the meeting of the Town of Hempstead Industrial Development Agency (the "**Agency**"), including the resolutions contained therein, held on February 19, 2019, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings are each in substantially the form presented to the Agency and/or approved by said meeting.

WE FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, we have hereunto set our hands as of the 19th day of February, 2019.

By: _____
Frederick E. Parola
Chief Executive Officer

By: _____
Florestano Girardi
Chairman

4840-1964-9157.2

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Hempstead Industrial Development Agency on the 22nd day of January, 2019, at 9:30 a.m., local time, at Hempstead Town Hall, Court Room, 350 Front Street, Hempstead, New York, 11550 in connection with the following matters:

AvalonBay Communities, Inc., a Maryland business corporation authorized to transact business in the State of New York, on behalf of itself and/or the principals of AvalonBay Communities, Inc. and/or an entity formed or to be formed on behalf of the foregoing (the "**Company**"), has applied to the Town of Hempstead Industrial Development Agency (the "**Agency**") to enter into a transaction in which the Agency will assist in the acquisition of an approximately 11.6 acre parcel of land located at Sheridan Place and Island Parkway, Town of Hempstead, Nassau County, New York (the "**Land**"), the construction and equipping of an approximately 266,267 square foot apartment complex containing approximately 172 units (to be a mixture of 1-bedroom, 2-bedroom and 3-bedroom luxury apartments) located thereon (the "**Improvements**" and "**Equipment**"; and, together with the Land, the "**Facility**"), to be used by the Company as a waterfront rental community (the "**Project**"). The Facility will be initially owned, operated and/or managed by the Company.

The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from sales and use taxes and abatement of real property taxes, consistent with the policies of the Agency

A representative of the Agency will, at the above-stated time and place, hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. At the hearing, all persons will have the opportunity to review the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: January 6, 2019

TOWN OF HEMPSTEAD INDUSTRIAL
DEVELOPMENT AGENCY

By: Frederick E. Parola
Title: Chief Executive Officer

EXHIBIT B

Minutes from Public Hearing held on January 22, 2019

COPY

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NOTICE OF PUBLIC HEARING

IN THE MATTER OF AVALONBAY

COMMUNITIES, INC.

----------x

350 Front Street
Hempstead, New York

January 22, 2019
9:30 a.m.

B E F O R E:

FREDERICK PAROLA, Executive Director and

Chief Executive Officer

Denise Mantekas,
Court Reporter

A P P E A R A N C E S:

TOWN OF HEMPSTEAD INDUSTRIAL
DEVELOPMENT AGENCY
Representing the
INDUSTRIAL DEVELOPMENT AGENCY
350 Front Street
Hempstead, New York 11530
BY: FREDERICK E. PAROLA, CEO

ALSO PRESENT:

Michael Lodato, Deputy Agency Administrator

MR. LODATO: My name is Mike Lodato. I'm with the Town of Hempstead IDA. I'm deputy executive director. I'm here with the CEO, Frederick Parola.

I'm now going to read the Notice of Public Hearing into record.

"Notice is hereby given that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Hempstead Industrial Development Agency on the 22nd day of January, 2019, at 9:30 a.m., local time, at Hempstead Town Hall, Room 234A, 350 Front Street, Hempstead, New York, 11550 in connection with the following matters:

AvalonBay Communities, Inc., a Maryland business corporation authorized to transact business in the State of New York, on behalf of

itself and/or the principals of AvalonBay Communities, Inc. And/or an entity formed or to be formed on behalf of the foregoing (the "Company"), has applied to the Town of Hempstead Industrial Development Agency (the "Agency") to enter into a transaction in which the Agency will assist in the acquisition of an approximately 11.6 acre parcel of land located at Sheridan Place and Island Parkway, Town of Hempstead, Nassau County, New York (the "Land"), the construction and equipping of an approximately 266,267 square foot apartment complex containing approximately 172 units (to be a mixture of 1-bedroom, 2-bedroom and 3-bedroom luxury apartments) located thereon (the "Improvements" and "Equipment"; and, together with the Land, the "Facility"), to be used by the Company as a waterfront rental

1 community (the "Project"). The
2 Facility will be initially owned,
3 operated and/or managed by the
4 Company.
5 The Agency contemplates that it
6 will provide financial assistance to
7 the Company in the form of
8 exemptions from sales and use taxes
9 and abatement of real property
10 taxes, consistent with the policies
11 of the Agency.
12 A representative of the Agency
13 will, at the above-stated time and
14 place, hear and accept written
15 comments from all persons with views
16 in favor or opposed to either the
17 proposed financial assistance to the
18 Company or the location or nature of
19 the Facility. At the hearing, all
20 persons will have the opportunity to
21 review the application for financial
22 assistance filed by the Company with
23 the Agency and an analysis of the
24 costs and benefits of the proposed
25

Facility."

MR. PAROLA: Anyone wishing to come forward is welcome to provide testimony to the assembled multitude.

MR. COHEN: Just for the record, my name is Robert Cohen. I'm with the Law Firm of Lamb & Barnosky in Melville, New York. We represent the Island Park School District.

We received a notice of the public hearing. My client asks that we be here today just to speak in opposition to the application. I just want to briefly give you some points, some bullet points highlighting the school district's concerns.

MR. PAROLA: Go ahead.

MR. COHEN: First of all, we note that there really are no new jobs that are going to be created from this project. Pursuant to the

applicant's own application, they're estimating in the second year six jobs at the most. My experience with these things is that that is on the high side, not a conservative number usually. That's one thing we wanted to point out.

The second thing is that, with 172 new rental units, the existing traffic conditions are going to be exacerbated. I don't know if you're aware, this is in Harbor Isle. It's an island that is separate from Island Park. There are only two ways to get in and out of Harbor Isle, one of which was right past the Hegarty Elementary School. It's already crowded. Then it's also subject to flooding. And we really have a concern that if you add that many people on Harbor Isle, yes, there's enough parking spots that the builder has provided for. You can get in and out of the proposed

development, but to get in and out of Harbor Isle, we believe is going to be a nightmare. These are not, you know, highways. These are small, basically, streets, neighborhood streets, that happen to have a bridge that you get in and out. So we ask you to consider that.

We don't know whether there's ever been a traffic study with this. The traffic study that we saw as part of SEQRA, again, seemed to focus on the number of parking spots within the proposed community that's proposed to be built, not how do you get in and out. Then once you get out of Harbor Isle, you then have to get onto either Austin Boulevard or Long Beach Road which is a nightmare. Between Oceanside and Long Beach, it's very crowded. I know because, you know, I go every month to the Board meetings. I know

what it's like, so I can testify to that from firsthand knowledge. It is very crowded. Going down Long Beach Road from Oceanside through Island Park to Long Beach can be at times a very daunting experience, to say the least. So we ask you to please consider that.

The other concern is that, you know, particularly with the 2 and 3-bedroom apartments that are being proposed, there is going to be an influx of some new children which is fine if we got the commensurate real property revenue to pay for that, especially when you're talking about extending this to 15 years. We don't see that happening, not for many, many years. So there's going to be an increased burden on the school district to provide education, again, without the commensurate tax revenue. Please consider that.

The other thing that I don't know if you're aware of is the situation with the Barrett Power Plant. There is an old power plant that is currently owned by National Grid that had been operated by LIPA. Now it's being operated by PSEG. That provides about, just shy of 50 percent of the tax base, the entire tax base, to the Island Park community and the Island Park schools. We're involved right now in litigation. There are tax certs that are pending. But there is a potential to lose 50 percent of 50 percent. So effectively, 25 percent of the school district's and the Village's tax base, there is a potential for that happening within the next year or two.

So I'm here to tell you, because of that sort of unique situation that I know normally you wouldn't consider, I'm asking you to

consider that because the residents, the residential taxpayers, cannot afford anymore burden being shifted to them. If that happens, it's going to be very, very difficult. And to sort of shift the burden to more work through a 15-year PILOT, you know, it's going to be too little too late. 15 years from now, you know, should this happen, should Barrett close eventually, which we don't think will happen but still is an outside possibility or threat that we've heard from the LIPA folks, it's going to be catastrophic. And to push all of the revenue to that 15 years is really going to be too little too late for the residential taxpayers who are going to have to pick up the slack if Barrett Power Plant assessment is reduced and the tax is reduced 50 percent. So that is really a unique factor that I really

urge you to consider.

Lastly, you know, we don't think that there is any justification for the IDA to deviate from its uniform policy, its Uniform Tax Exemption Policy, which calls for a PILOT schedule of 10 years. There is really no reason to deviate from 10 to 15 years. Avalon is one of the largest, if not the largest, developer of multifamily housing rental housing on Long Island. They are a tremendous company. I don't think they need you to deviate from your policy to get that kind of a tax break for 15 years. This project should be finished and fully rented by year 5. They have the wherewithal we believe to pay for it. So again, we don't think that under your own rules there is a justification for the deviation from your established policy.

With that, I will conclude my

presentation. I appreciate the opportunity to be heard.

MR. PAROLA: Of course.

Usually, this is not a back and forth, but you've made some very cogent arguments that we have considered -- and the Board will get a copy of this today or tomorrow prior to a vote -- but let me just say a couple of things that we have considered.

First of all, the number of students, which is of greatest concern I think to us, generally speaking, we've done three projects comparable in Rockville Centre with Avalon. I must tell you that the first two were raucous, angry, deep concerns, you know, 70, 80 kids. It's a larger project than this. And by the third project, we kept our word, and there wasn't a peep. In fact, there was support for it because these comparable projects --

the Huntington project, others, Long Beach -- have generated a handful of students no more than virtually one a year in each graduating class. So these projects are not predicated upon the desire to have students per se. These are starter-ups for the most part. The second bedroom is usually used by young professionals as an office, and obviously, bedroom primary for their pleasure. So that's an argument. And the track record is very strong. It's not that we're in a cave here and not sure what's going to happen. We're very sure what will happen.

The other item, we're very well aware of the situation with the Barrett. They came to us fix, six years ago. We discussed the PILOT for them because, you know, what is happening with the generation of power, they don't need the kind of facility unfortunately, and you

1 know, that they had. At one point,
2 they were looking at closing it. I
3 know the governor has proposed in
4 his budget to help a transitional
5 situation in terms of these closed
6 plants or reduced plants in terms of
7 property taxes to help you and your
8 constituents in this case to bear up
9 or at least phase in what is going
10 to be a less property tax generation
11 than you've benefitted from the
12 past. Unfortunately, that's a
13 situation that we can't per se do
14 anything to, but it's there, and
15 hopefully, you will get some relief
16 as it transitions in.
17 The third issue is a major one
18 to us and that's the PILOT. Just to
19 put things in perspective,
20 especially with the number of
21 students generated, the current tax
22 overall that is generated is
23 $98,000, of which I trust more than
24 half, so maybe 60,00 is going to the
25

school district. By the 10th year, we're up to $650,000 in taxes. I don't know what the Board is gonna do. They have to make a compelling case before the Board to justify 15 years. But in that 15th year, it goes to a million. So they have made the but for in terms of the fact that if they don't have the benefit, this project is not going to be viable for them.

Having said that, I can't talk for the Board. I don't vote. I'm just there in a staff capacity. But you've got $100,000 in taxes and a piece of -- and I've seen the property -- a piece of blighted land that has been dormant for many years. I don't know if it's progress, but we'll call it progress in terms of additions that will be attractive esthetically, and you'll end some visual pollution, and tax dollars will generate.

So, yes, there is a negative, but I think in the analysis in the amount of money you're going to raise and offsetting any student increase, for the most part, looking down the road from there, I think it will be a benefit to the community. I think that's what's been on the Board's mind in terms of the nature of this project and then why it is a positive addition to Island Park and general Nassau County community. Those are just some thoughts that we had as we venture forth.

MR. COHEN: The question I have though is, what possible justification there would be to spread this out to 15 years. I understand all the points you've made.

MR. PAROLA: Right.

I think the rationale is that, they want to make it as viable as possible for the tenants. And in

the short term at least, 10, 15, years, is relatively short term, they want to keep those rents down to some extent. Quite obviously, if they don't get a PILOT as attractive, I'll use that term, as we have potentially offered, as well as going out as far, you may get less attractive, because, obviously, in the 11th, 12th, 13th year, you're going to see a dramatic rise in the taxes, so they want to defer that as long as possible. That's the rationale.

Again, the Board is very reluctant -- you have to make a compelling case -- to go beyond 10 years for housing; although, they have done it. I don't know what they're going to do.

We don't have a definitive answer yet, right?

MR. LODATO: I believe they were leaning toward the 15.

MR. PAROLA: They authorized us to go to 15 but, again, a final vote hasn't been taken, so I'm not sure what they'll do. I never know. We never know.

MR. COHEN: I understand.

And just for the record, you know, we don't believe that a compelling case has been made for the deviation.

The other thing is that, in terms of traffic in and out of Harbor Isle and then in and out of Island Park, has that been considered? Is that something that the Board would consider, the impact on the traffic?

MR. PAROLA: Counsel, do you want to respond to that?

MR. SNIPAS: Whether the Board has considered or whether Avalon has?

MR. PAROLA: You.

MR. SNIPAS: I believe we have

1 looked into it. I'm not a hundred
2 percent sure whether it has been
3 studied from coming out of Harbor
4 Isle and the intersection you
5 mentioned. I can look into it and
6 get back to you.
7 MR. LODATO: What I was going
8 to mention is, I think that they did
9 do something along with the SEQRA,
10 as you said, but as for it being
11 specifically in and out, I don't
12 believe I have anything.
13 MR. PAROLA: Please identify
14 yourself.
15 MS. BOVINO: Rosmarie Bovino,
16 Superintendent of Schools.
17 MR. PAROLA: Obviously, Island
18 Park.
19 MS. BOVINO: B-O-V-I-N-O.
20 MR. COHEN: Do you want to add
21 anything?
22 MS. BOVINO: I don't know
23 whether or not you're aware but, the
24 school district's free and reduced
25

population of students has been over 40 percent since Sandy. So in terms of the community's ability to pay and, you know, the need for, you know, the assistance with the tax burden, it's there, because the people just don't have the ability to pay, you know. That's a major concern, especially as Mr. Cohen said, with respect to the issue of the Barrett Power Plant.

MR. PAROLA: I'm just curious, and aside, do you expect to get more of those people back into the homes -- I know they have to be raised 50 percent for benefits -- are you getting folks coming back to the community?

MS. BOVINO: We have, but there are a number of homes that are actually being taken off the rolls.

MR. PAROLA: Yes, Of course.

MS. BOVINO: Because there are a lot of elderly families who had no

insurance who have abandoned their properties.

MR. PAROLA: I was down there. I'm from Wantagh. We have a handful left, but it's nothing like what you have.

MS. BOVINO: So that's still a, you know, very major issue that we still have homes coming off the tax rolls as well.

MR. PAROLA: Yes.

MS. BOVINO: And that is part of the evacuation route.

MR. PAROLA: Right.

MS. BOVINO: And you may also be aware that there's been a study to actually reduce the number of lanes going south to five lines from six lanes in order to create more parking on the streets now. It's a big concern that has been expressed by the people of Long Beach in terms of, you know, evacuation. We have a lot of problems with the traffic

around the school, especially the one in the Village, and that's the one that would be impacted.

MR. PAROLA: Directly.

MS. BOVINO: Directly.

We do have, as you're saying, more and more young professionals who are going to the train station which is in the Village, and it's created a problem.

Mr. D'Esposito has helped tremendously in terms of trying to reduce the speed limit. We've put up more stop signs and traffic lights with the assistance of the Town, but it really is -- the traffic patterns are a problem in that vicinity.

MR. COHEN: Would the Board consider adjourning action from Thursday to consider some of these issues, consider the traffic, and we can get you more information?

MR. PAROLA: You can make that

request. Again, we never know what they're going to do.

MR. COHEN: So we would be able to make that request on Thursday?

MR. PAROLA: I think so, yes.

MR. COHEN: Okay. I appreciate that.

MS. SCHNITZER: Lauren Schnitzer with Robert Cohen's office.

Is there a way to make that request for the adjournment prior to Thursday's meeting?

MR. PAROLA: They're not going to consider it. You can't consider it, so, no. I would do it at the hearing.

MS. SCHNITZER: I have to talk to my Chair, Flo Gerardi, later today. I will pass on the request to him.

MS. SCHNITZER: My second question is, the Notice of Public Hearing for today, the last

paragraph, the last sentence says, "At the hearing, all persons will have the opportunity to review the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Facility."

Is that available today?

MR. LODATO: Sure. If you need any copies to take, I would have to redact things, so you can't take it with you.

MS. SCHNITZER: Before we leave today, can we wait for the redactions to get a copy?

MR. LODATO: For the application, probably not.

MS. SCHNITZER: Okay.

MR. LODATO: That I probably have to do this afternoon.

MS. SCHNITZER: Okay.

Could you arrange for us to pick it up either tomorrow or Thursday?

MR. LODATO: Yes, I would think so.

MS. SCHNITZER: Thank you.

MR. COHEN: Pick it up tomorrow.

MS. SCHNITZER: Yes.

MR. COHEN: Because, obviously, I'm good, but I'm not that good.

MS. BOVINO: Can I ask you when the schedule of tax payments would be available to us in order to be able to --

MR. PAROLA: The PILOT you mean?

MS. BOVINO: Yes.

MR. COHEN: We have that.

MR. PAROLA: But understand that it's the macro amount.

MS. BOVINO: Right.

MR. PAROLA: You can do the math with respect to the percentage that's currently being paid in the school district. That ratio will continue through the life of the

PILOT whether it's 10, 12, 15 years. Obviously, we can't foresee what it will be in, say, year 7, because the relatives may change in terms of the general tax and the school tax, but it's fairly, you know, close, unless there is a dramatic shift.

MR. COHEN: I think the school tax is roughly 60 percent.

MR. PAROLA: Yes. It usually is for most districts.

Is there anything else for today?

Counsel, do you want to add anything?

MR. SNIPAS: No, that's fine. We'll be making a presentation on Thursday.

MR. PAROLA: Right. You'll have your opportunity as well.

Observing that there are no other witnesses that wish to be heard and it being 10:00, we've had an opportunity to discuss the merits

and the concerns with respect to this project, on behalf of the IDA, I would close this hearing sine die.

(Time noted: 10:00 a.m.)

CERTIFICATION

I, DENISE MANTEKAS, a Notary Public in and for the State of New York, do hereby certify:

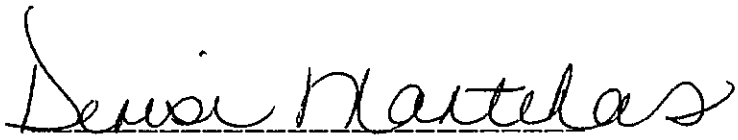
THAT the witness whose testimony is herein before set forth, was duly sworn by me; and

THAT the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related, either by blood or marriage, to any of the parties to this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of January, 2019.



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IN THE MATTER OF A SPECIAL MEETING

RE: AVALONBAY

Presentation and Consideration for AvalonBay amended PILOT and Authorizing Resolution

----------X

350 Front Street
Hempstead, New York

February 19, 2019
9:00 a.m.

B E F O R E:

FLORESTANO GIRARDI, Chairman

JACK MAJKUT, Board Member

JAMES MARSH, Board Member

REV. DR. ERIC MALLETT, Board Member

JOHN ARDITO, Board Member

GERILYN SMITH, Board Member

A P P E A R A N C E S :

TOWN OF HEMPSTEAD
INDUSTRIAL DEVELOPMENT AGENCY
350 Front Street
Hempstead, New York 11550
BY: FREDERICK PAROLA, ESQ.

ALSO PRESENT:

JOHN RYAN
EDIE LONGO
MICHAEL LODATO
ARLYN EAMES
LORRAINE RHOADS
LAURA TOMEO

CHAIRMAN GIRARDI: I'd like to call to order the meeting of the Town of Hempstead IDA.

Can everybody please stand and join me in the Pledge of Allegiance.

(Pledge recited.)

CHAIRMAN GIRARDI: I'd like to begin the meeting by saying there is questions as to why we recalled a special meeting for the developer.

Before the last meeting was adjourned, the developer asked for reconsideration of the benefits. I directed staff at the previous meeting to renegotiate the PILOT. The full board was not present for the original vote and clarification was needed by Board members on the environmental issues on that site. The school district had requested additional information. Additional information was requested about the number of school-aged children in comparison to other similar

developments and we increased the PILOT years four, five and six with additional funds going to the taxes jurisdiction. So with that being said --

MR. MARSH: Mr. Chairman, I would, at this time, move to table this special meeting and adjourn the agenda item to our March meeting.

This special meeting was called virtually almost immediately after the last meeting and the last vote. At that time, the date was fixed about two weeks ago. I asked that all the information that you have referenced be forwarded to me because that is the purpose of the special meeting and none of it came until Thursday midday which left one business day to look at it. Most of the information you listed on your summary this morning of what the basis of the reconsideration is for I did not see in the package. It

was very bad bones.

This morning we were just handed a couple of other e-mails that apparently came in on Friday. Frankly, I don't think this Board has had an opportunity to review all of the information that staff was supposed to obtain and furnish to us so I move that we put it off to the March meeting.

I've been told that the February meeting is already overbooked so that we can't do it then. I believe this is a serious matter and requires serious consideration in getting fast-pitched, one business day before the meeting is not the way we should be operating.

MR. RYAN: Mr. Chairman, we have a motion. Anyone want to second the motion?

Hearing none, motion failed.

MR. MARSH: Excuse me, Mr.

Ryan, who's running the meeting, the Chairman or you?

MR. GIRARDI: Motion failed. In the matter of AvalonBay Island Park project, we're going to take a revote. I'll make a motion.

UNKNOWN SPEAKER 1: After we get a few minutes?

CHAIRMAN GIRARDI: Anyone want to speak?

UNKNOWN SPEAKER 1: Yes.

MR. GIRARDI: We're going to keep it at two to three minutes per speaker. It's not a public hearing. We had a meeting. This is another meeting. I just want to keep -- I really want to keep it for the people who have not spoken which is probably a little difficult -- excuse me.

UNKNOWN SPEAKER 1: This is a new hearing.

MS. LONGO: It's not a hearing and she's recording this. You need

to announce who --

UNKNOWN SPEAKER 1: Are you going to vote on this today?

MR. GIRARDI: Yes, we are.

UNKNOWN SPEAKER 1: Then it should be a new hearing because there's changes to it. Legitimately, there is changes to their PILOT program. You have to hold another meeting so that the residents and the local businesses and so on can --

MR. GIRARDI: The increase in the PILOT -- I don't want to, you know, the increase in the PILOT was put on the website. There has been an increase in the years, I think, three, four and five.

UNKNOWN SPEAKER 1: There is other ways to handle this if you're not going to follow through. There are lawsuits that can be brought. There is a lot of problems.

MR. RYAN: Are you going to

make a statement?

UNKNOWN SPEAKER 1: I do want to make a statement. My name is Mark Tannenbaum. I live at 184 Harrison Avenue. I'm a resident. I was the president of Long Beach Chamber of Commerce that took in over 35 businesses in Island Park and I did fight the last Avalon project which Avalon pulled out because they knew they were wrong. I'd like to come up and give a statement.

CHAIRMAN GIRARDI: Please do.

MR. TANNENBAUM: This PILOT program is defective. It's defective because you're going to bring in two and three-family -- and I know there is a two and three bedrooms. I know there is one bedroom in there but two and three bedrooms that will bring more children into the community. We have problems going forward with

possible increases because we may lose tax from the power plant.

The PILOT program that these guys are looking for, they bring in union workers from New Jersey and Pennsylvania and it's been documented. They don't bring in local people. New York just forced Amazon to leave because they were looking for PILOT programs and Amazon was going to bring 25,000 plus jobs and billions of dollars into New York. This development is not going to do that. It will become an expense. You're going to have maybe two people working there. I know they say six but we all know how these buildings work.

It would be criminal, literally, to award this program. And it would be criminal to bring this meeting forward today without a good time when it's not during the holiday week where the kids are all

1 off from school so half the people
2 are away and the other half that are
3 not away at 9 o'clock in the morning
4 have to go to work. They can't take
5 off work. This should be held at
6 six or 7 o'clock in the evening just
7 like most of the Nassau County
8 hearings are held, and not in the
9 morning.
10 You guys should be listening to
11 the community, not to AvalonBay.
12 That's my statement.
13 MR. PAROLA: Thank you.
14 MR. SCHURIN: Hi. My name is
15 Richard Schurin, 167 Jefferson
16 Avenue. I was present at the
17 previous public hearing. I spoke
18 along with dozens of community
19 members there who all spoke. My
20 understanding was there was a
21 hearing two days previous where
22 testimony was taken.
23 I spoke to Mr. Parola after I
24 found out there was a revote and my
25

1 concern, based on my discussion with
2 Mr. Parola, my concern is that the
3 Board is not getting complete and
4 accurate information from Mr.
5 Parola. If they are relying on
6 information from Mr. Parola, it's
7 clear that you're getting
8 misinformation.
9 First of all, as far as the
10 environmental work that is supposed
11 to be done, that environmental work
12 is required to be done whether or
13 not the building takes place. The
14 owner has gotten various extensions.
15 They have a legal obligation to do
16 that work. Whether or not AvalonBay
17 proceeds with the development so
18 that cannot be a justification for a
19 PILOT. The owner has a legal
20 obligation to remedy the condition
21 regardless so that's a bogus reason
22 for granting them this PILOT.
23 Number two. The representation
24 that Mr. Parola is making to -- I've
25

heard it on telephone messages he's left with community members -- is that between five and nine students will be added to the District. That is completely wrong.

In Princeton, AvalonBay had a similar project, more apartments but the school district calculated 130 students based on 280 units. I sent an e-mail, perhaps that is what this gentleman is referring to, documenting that. If you do that same math, it's going to add 80 students to our school. Our school currently has less than 800 students so you will be increasing our school population by 10 percent. It's not insignificant. It's not something that the school can just absorb. The added cost to the School District are real. This is not a situation where we have 2,000 students and we're adding 50. We have 800 students and we're adding

80. My concern is that Mr. Parola is out there spreading misinformation to members of the community trying to persuade them not to come to this hearing.

I have it on tape, Mr. Parola, and I spoke to you for half an hour.

Those are two very important points. If the Board is relying on information provided by Mr. Parola, they are getting bad information.

The last point that I want to make, and I made this point before, this parcel has been in litigation for over 10 years. The developer has, at various times, made different proposals to build. Those proposals were fought by the Town of Hempstead in litigation and taken all the way to the Court of Appeals for 10 years. So the representation, once again, that Mr. Parola is making that this property has been dormant for 10-20 years and

nothing is going to happen and that if this doesn't pass it's going to be another 20 years is completely false.

This is a highly desirable location and something will be built on this location. The developer prior to AvalonBay who I think owns the property, Posillico, who has spent millions of dollars making proposals to the Town Board and has fought it in litigation for many, many years, they want to build. This is extremely desirable piece of property. You don't need to provide them with immense financial incentive to build.

The representation that Mr. Parola and other people are making to the community that this is not going to be built if you don't give them the PILOT is false. It's demonstratively false just by looking at the record. That's all I

1 want to say.
2 MR. RANDAZZO: Good morning.
3 My name is Vincent Randazzo. I'm
4 the Assistant Superintendent of
5 Schools. Unfortunately, due to the
6 fact that this meeting was called
7 during a vacation break, our
8 Superintendent of Schools, Dr.
9 Bovino could not be here but I'm
10 going to read a statement that was
11 prepared.
12 Before permitting the AvalonBay
13 Communities project to move forward,
14 I respectfully request that you
15 consider the following:
16 Since 1927 when the Francis X.
17 Hegarty School was built in the
18 village of Island Park, flooding has
19 occurred on its surrounding streets.
20 I do call your attention to this
21 photo of a very recent flooding that
22 happened, not during any particular
23 period. You can see that both
24 Warwick Road and Radcliffe Road are
25

completely flooded out and you can see the traffic that is building up all the way behind that.

Today news stores on Channel 12 an YouTube provide proof positive that flooding continues. Moderate flooding brings about 6 to 8 inches of water that rises above the street curbs to the sidewalk. However, several times during the year streets turn to rivers with water that can be 18 to 24 inches or more. Again, you can see that in the poster there.

Moreover, because we cannot close the schools every time it floods, we are reliant on the Island Park Fire Department and the police department to close off local roads, re-direct traffic as well as provide fire trucks and other high axle vehicles to assist our teachers and students into and out of the elementary school building. The

fact is, whether we have six or 16 inches of rain, the traffic on the local roads surrounding the elementary school are chock-a-block with school buses car and emergency vehicles for up to 2 hours.

Worth mentioning is the fact that there is no public transportation in or out of Harbor Isle. Thus, the residents must drive into and out of the community. Consider the 480 residences of Harbor Isle dealing with nearly twice as many cars, let's say 800, and the 172 new residences of AvalonBay with twice as many cars, let's say 300. This could mean upwards of 1,000 or more vehicles departing on the only two roads that run through the area of Harbor Isle, which is just 0.2 square miles.

Now, envision a day with driving rains and the new volume of traffic on the roads along with 20

or more school buses crossing and 50 t0 60 cars from employees coming to work at the Hegarty School. I worry that I may not be able to ensure the safety of my students.

It is my understanding that a traffic study was conducted in 2006 for a different project to be developed by Posillico Development and that it did not examine traffic flow during driving rains and when flooding occurs. And let's be honest, it was done in 2006. That was six years prior to Hurricane Sandy and everyone knows that the infrastructure in and around Island Park has been completely compromised since Sandy.

Envision the scene during a Nor'easter evacuation. How will emergency responders gain access to the only two bridges with ingress to Harbor Isle on Warwick Road and Island Parkway North with all of the

traffic trying to exit? And let's keep in mind, if you look at that map right there where the bridge is, the elementary school is located just two blocks away from that egress point.

Furthermore, Island Parkway North, which runs parallel to Island Park Harbor, becomes Long Beach Road when it crosses Waterford Road in Island Park. Long Beach Road is the main emergency evacuation route for the public living in the southwest quadrant of Nassau County. In fact, it is designated by Nassau County as a Hurricane Evacuation Route B for the residents of the City of Long Beach and all of Island Park.

Coincidently, Austin Boulevard is intended to be narrowed from six lanes to five lanes in the next year or so when the Town of Hempstead completes it traffic project with anticipated funds from a $5 million

Federal grant. The cars from AvalonBay will add to the number of cars backed up from Long Beach Road to Island Parkway and all the way back to Harbor Isle.

For these reasons the District respectfully requests that the IDA Board not reverse its prior decision today. At the very least, it should seek to obtain a comprehensive traffic study of the roads into and out of the proposed AvalonBay Communities, as well as the immediate streets around the Francis X. Hegarty Elementary School and the greater community of Island Park, which, by the way, is comprised of three island communities; the Village, Harbor Isle and Barnum Island, each surrounded by water and completely vulnerable to flooding. As I mentioned, as you know, the infrastructure has been completely compromised since Hurricane Sandy.

Beyond the safety concerns expressed, there are some additional points I would like to bring to your attention. The Wall Street Journal reported quarterly net income of nearly $4 million for AvalonBay Communities at the end of December 2018. Its quarterly balance sheet for the same period reflects total assets of almost $20 billion. Following super-storm Sandy, Island Park property owners' ability to pay taxes decreased significantly. Our low socio-economic poverty rate increased to 42 percent, nearly half of the students and family members. In contrast, AvalonBay's financial growth over the past several years has been significant. It is an S&P 500 company. As such, it should not be shifting tax responsibility onto the shoulders of homeowners who do not have the ability to pay. I do not believe AvalonBay is entitled to

a PILOT, but certainly there is no objective basis for allowing a 15-year PILOT. Fixed payments in lieu of taxes for a period of 15 years provides AvalonBay with corporate welfare.

What is the most anticipated rising cost to the community? The Island Park community faces a potential 25% increase in taxes due to the tax challenge by LIPA regarding the Barrett Power Plant. Were AvalonBay Communities to pay the going Class 2 rate, Island Park Schools would realize approximately $14.6 million versus $8 million in 15 years' time. This would help the community compensate for the education in revenue from the power plant. Our District counsel will provide more detail with respect to this.

Finally, there is concern that AvalonBay two-and-three bedroom

apartments will raise the cost of education and the School District's annual budget. We believe the new development will attract many families with young children to Island Park for its "free" Universal Pre-kindergarten Program. It is well known that following Sandy, I wrote and was awarded a competitive NYS Universal Pre-kindergarten Grant for the families of Island Park. Unfortunately, this $600,000 grant is fixed by the State to provide annual full-day instructional program for just sixty 4 year-olds. The grant is intended to relieve current Island Park parents of the cost of pre-kindergarten, which is $10,000 per child. Might AvalonBay commit to paying this annual Universal Pre-kindergarten fee for any child residing in the AvalonBay development so that Island Park families with less ability to pay

who have come to depend on the program need not compete for pre-k places with parents living in luxury rental apartments? You have said AvalonBay developments in Rockville Centre and other communities have not attracted families with children; however, the developments in these other communities do not have access to a school with free Universal Pre-k. We believe ours will not only attract additional four-year-olds but older siblings as well. In this case, there is the very real possibility that additional students in kindergarten through Grade 8 will drive up employee and program costs at a time when local property owners cannot afford this.

As you can see, this is much to consider. Safety is my first concern; however, the financial sustainability of our schools and

1 programs is, in deed, a close
2 second. There is simply no good
3 reason to renege on your original
4 vote. Thank you for your time.
5 MR. SPEZIALE: Mr. Chairman, my
6 name is Sal Speziale. 1600 Walt
7 Whitman Road, Long Island. I
8 represent General Building Laborers,
9 local 66. I'm representing my
10 members that live in Island Park.
11 It is our understanding that
12 one of the considerations to get a
13 PILOT program is the job creation.
14 Now, 90 percent of, you know, the
15 construction jobs that Avalon hires
16 are non-union. Ninety percent of
17 the workers on those projects are
18 non-union. They have a history of
19 hiring out-of-state contractors to
20 perform work here.
21 After this is done, how many
22 jobs will those apartment buildings
23 create? Five, six at the most?
24 While 90 percent of the construction
25

work is being done by substandard contractors that aren't paying the area standards to live in the Town of Hempstead.

So on behalf of Labors Local 66, we ask the Board to vote no on this project. Thank you.

Also, I have a point of order. I believe Jack should recuse himself from this vote since him and his union directly negotiate with Avalon and there could be a conflict of interest here.

Thank you, Mr. Chairman for that consideration.

MR. PAROLA: Just for the record, you're going to deny other people a chance to vote if you overspeak and we need new information. Most of what has already been said is on the record. The record is what counts so please keep that in mind respectfully for those that maybe should speak.

MR. VOBIS: My name is Jack Vobis. I'm the President of the Board of Education in Island Park. I was not present at the last meeting so thank you for the opportunity to speak here today.

I'm not going to read my full statement at this time. I will provide a copy. A lot of it has already been said by the community members and also by our Assistant Superintendent.

I would like to reiterate that a PILOT program for Avalon will severely impact the taxpayers of Island Park of which I am one and of which I represent all the taxpayers. In fact, the Board of Education is the only body in Island Park that represents all of the taxpayers. The Village is one section but the Town of Hempstead encompasses Harbor Isle where this project is and also Barnum Isle. So we feel it is our

1 responsibility and our duty to
2 represent those taxpayers at
3 hearings just like this.
4 As I spoke here two years ago
5 for the Waterview project for a
6 similar tax break for that project,
7 I had the occasion on Father's Day
8 two years ago to drive up and down
9 every block in Island Park and I did
10 an informal tally of how many houses
11 were abandoned or destroyed by
12 Hurricane Sandy, how many houses
13 were being raised and there were
14 over 60 houses being raised at that
15 time.
16 Now, if you drive around Island
17 Park, there are still houses being
18 raised to this day. There are
19 houses that are up that have never
20 come down because people ran out of
21 money. There are houses because
22 people that were scammed by
23 contractors that took their money
24 and left while the house was still
25

in the air. All of those people did not get a tax break, not a single dime. Their property was taxable. They were living somewhere else. They were paying their mortgage and their taxes. No one helped them. Some of them are not even able to get back in their houses because they couldn't afford to do both. They had no money or they were scammed out of their money.

When we're talking about, as Mr. Randazzo said, a company like Avalon, which yesterday went on -- just did a check trading at $196.07 a share up from one year ago, $160.42. That's well over 30 percent increase in one year.

If you read any of the stock information on Avalon, Avalon is a highly-regarded real estate investment trust and it's well known for its dividends. So it's something that is very, very

attractive to investors and for a company like that to come to our community and tell this Board that we cannot afford to do this project unless we get a tax break is preposterous and I think intelligent people like you and everyone here to take that at face value and accept it and believe it after the information we heard about the wealth and the money they make, I think it's disgraceful. I really think that anyone that can sit here and accept that statement and say that they cannot build this project without the tax break, I think that person should look at themselves in the mirror because for me to go back to the community and tell the community that these people are going to get a tax break but your neighbor whose home was destroyed in Hurricane Sandy got nothing, and then go and look and see the wealth

that this company possesses, I think that's ridiculous. I don't think the community should stand for it and this body should stand for it.

One other comment Mr. Schurin made about an Avalon project in Princeton. Two years ago I also did some research. There was an Avalon project in New Rochelle which had a very similar study that was done and they said there were only going to be a few school children that were going to be added by the apartments that were there. Well, as it turns out, they were wrong by about 100 kids and at the cost of over $1 million a year to the New Rochelle school district.

If you look at the cost of educating a child in Island Park, it's approximately $25,000 per child. So if you talk about 50 kids coming in there, that's $1.25 million that the community has

to bear.

If this project is going to be built, that's fine. There are going to be 172 apartments there. If there's going to be people in there, 50 kids, those kids should go to school in Island Park. They should get the same education but they should not get it on the backs of all the other taxpayers. Everyone has to pay their fair share. Especially a company that's making money like they're making.

Thank you for your time. I hope you reconsider your vote to reconsider the vote. I don't think that's a good idea.

MS. SCHNITZER: My name is Lauren Schnitzer. I'm with the Law Firm Lamb & Barnosky. We're attorneys for the Island Park School District.

This morning you've heard from -- there was a statement that

was written by the Superintendent of Schools, Dr. Bovino. Because of the school break she could not be here today. And you just heard from the school board member, Jack Bovis. I would like to just speak about a couple of points and some additional points.

The last time we were here, which was the January 24th Board Meeting, we did explain there was no reason to deviate from the IDA's uniform past exemption policy and guidelines that places a 10-year cap on AvalonBay's requested PILOT agreement. This is not an affordable housing project. Their application to the Town lists it as a market value apartment complex so the 10-year cap on the PILOT does stay and they have to be approved for this 5-year deviation that they are seeking.

Since that January meeting,

there was a change to the PILOT agreement that was discussed earlier adding $95,000 at years four, five and six. This was originally an $8 million PILOT. That's approximately a 1% increase in this PILOT. A 1% increase is not a substantial change. There is no reason to reconsider your prior vote because nothing has changed. This is almost the same application that you voted on last month.

What would be relevent for the Board to review is a traffic study in response to AvalonBay's request for you to reconsider to replace the 2006 traffic study that was done for a different project that proposed 167 units, not the current proposed 172 units by Posillico Development, not AvalonBay.

And as stated earlier, 2006 was prior to Hurricane Sandy and the situation in Island Park has

1 changed. And, in addition, the full
2 environmental assessment form that
3 was prepared by AvalonBay which was
4 submitted in August of 2018, it
5 stated that the project, this
6 172 unit project in Harbor Isle,
7 they wrote down it will not result
8 in a substantial increase in traffic
9 above present levels and that it
10 would not substantially increase the
11 demand for transportation.
12 The New York State Department
13 of Environmental Conservation has a
14 workbook that explains how to fill
15 out this environmental assessment
16 form and the DEC has stated as a
17 matter of fact that if you have a
18 complex of more than 150 units --
19 here we have 172 -- over 150 units
20 this "will" result in an increase in
21 traffic. The DEC is very clear over
22 150 units this will result in an
23 increase and will likely result in
24 the need for a traffic analysis
25

which AvalonBay did not have conducted in this case.

As stated earlier, there are only two ways in and out of Harbor Isle. There is a bridge that goes right onto Warwick Road and that bridge is shown -- The road for that bridge is shown on the back of that picture. And in this photograph it shows the two bridges. There is a bridge in the southern part of Harbor Isle and that goes directly into the elementary school that was discussed earlier today. There is a bridge higher up that goes into town but this is the project. The project site is on the lower end and the nearest bridge of the two bridges out of Harbor Isle goes directly past the elementary school and, as you can see from these photos and the explanation a few moments ago on behalf of the Superintendent, Hagerty Elementary

1 School is frequently flooded and
2 this is exactly where these 172
3 units are going to come out of
4 Harbor Isle in the morning and after
5 work, going back and forth.
6 This analysis has to be done
7 because the traffic is already bad.
8 The flooding is already bad. We've
9 been told that frequently, because
10 the flooding is so poor, they can't
11 close school every time it rains so
12 instead they have to have the police
13 and fire department come out to help
14 the students get in and out and to
15 help with traffic, so this analysis
16 needs to be done.
17 UNKNOWN SPEAKER 2: Permission
18 to circulate this.
19 MR. GIRARDI: Sure.
20 MR. PAROLA: Thank you.
21 MS. SCHNITZER: You also heard
22 today that the residents of Island
23 Park cannot afford an additional
24 shift in their taxes that would
25

result in a 15-year PILOT.

As also stated, I want to give some more information that there is a potential that the Barrett Power Plants, which is located in Island Park, will have a 50 percent or up to 50 percent decrease in its tax assessment and this would result in an average increase in our Class 1 residential taxpayers of almost 32 percent.

MR. RYAN: Where is that decrease coming from?

MS. SCHNITZER: The Barrett Power Plant property is subject to several tax certiorari petitions in Nassau County Supreme Court and it's being negotiated as we speak. And similar settlements in Long Island have been 50 percent reduction, so that is a possibility. Similar settlements with LIPA have been 50 percent.

UNKNOWN SPEAKER 2: They are

seeking 90.

MS. SCHNITZER: They're seeking 90.

MS. LONGO: Wait. Just one second. She's typing for the record. You can't just interject.

MS. SCHNITZER: Just for clarification, the tax certiorari petitions that were filed by the owners of the Barrett Power Plant they are seeking in their court papers up to a 90 percent reduction in their tax assessment; however, in terms of negotiating a settlement, similar settlements on Long Island have decreased their tax assessment by 50 percent. That is by way of settlement to avoid the courts having the uncertainty of the court system and that settlement was with the Town of Brookhaven.

So we respectfully urge that you stand by your original decision denying the 15-year PILOT. And the

10-year PILOT, if the Board insists on going through with this, the 10-year PILOT could end with a million year ten. On the other hand, if the Board is determined to grant a 15-year PILOT against the community's wishes, we would suggest that formulating that PILOT the last five years be frozen at the current estimated taxes of the project once it's built and that's estimated, to be by AvalonBay 1.091,713.

Again, the average Island Park homeowner cannot afford to subsidize one of the wealthiest developers on Long Island. Thank you.

MR. SKULLY: My name is Michael Skully. I'm a property owner and business owner in Island Park. I live about 555 feet from the entrance of the project.

I don't need to go on with anything. Everyone has covered everything pretty thoroughly but I

have two quick statements.

We've already been, on this project, suffered and damaged enough by the Town's inability to approve the 96 units that were asked for many years ago, which the same Town Board then gave 172 units to, so we are passed that. However, I ask that maybe some or all of you or a few of you can visit Island Park, visit the school, visit the community. Take a look at what we have there before you make your decision.

And finally, I'm a little confused why there is a revote. Can somebody explain.

MR. GIRARDI: I made a statement when we opened.

MR. SKULLY: Thank you.

MR. MARSH: They didn't like our decision. That's the real short answer.

MR. SKULLY: Who?

MR. MARSH: Avalon.

MR. SKULLY: Is there new information that's going to persuade the community --

MR. MARSH: We have to listen to what they have to say.

MR. SKULLY: Thank you.

MR. KEATING: Good morning. My name is John Keating, business representative for Roofers and Waterproofers Local 154 in Nassau and Suffolk County. I'm here to speak on behalf of my members and especially my members that live in Island Park.

AvalonBay has never utilized roofers and waterproofers 154 that always pays the area standard. Thank you.

MR. GRANDE: Good morning. My name is Don Grande. I'm a business agent for Local 1 Bricklayers and Allied Craftworkers. As for Local 1 and my members that live in Island

Park, we are not in favor of this project due to Avalon using out-of-state workers and non-union workers. Again, we are note for this project.

CHAIRMAN GIRARDI: You're going to be the last one.

MR. McCARTHY: My name is Tim McCarthy. IBAW Local 25. We are in favor of this project.

A couple of points I would like to touch on is the economic developments that these developments always bring. It is going to bring, you know, tax revenues to the Town of Hempstead all and all. There's a remediation that is going to take place that AvalonBay is going to eat the cost of, which is, you know, more of a relief for the Town of Hempstead.

And for the record, we have not negotiated with AvalonBay on this at all but we do want to. We've done

their work in the past. We want to continue to do their work.

MR. GIRARDI: I take it that the Board --

MR. ROTOLO: I'm a representative for the Sheet Metal Workers, Local 28. My name is Robert Rotolo. I'm here on behalf of my members also and I'm all about responsible building, I really am, because that's how my members make their money. This is not a project, in my opinion, that is representing responsible building. You're not looking at the studies. You're not listening to the people in the neighborhood.

You represent the people. That's your job. Listen to them. Don't vote for this project in its current form. Make them meet the standards required for this town to make it a better place to live, not to cost the people that live here

money. This project is going to cost the people of this town more money to live here.

Regardless of who represents or it doesn't, look at the facts. It's all numbers and the numbers don't lie. This project will cost the people of this town more money to live here. It's not good business. This is a business. Run it like one. Be responsible. Do what you were elected to do. Thank you.

MR. BONESSO: Good morning, Mr. Chairman and members of the agency. William Bonesso, Forchelli Deegan & Terrana, 333 Earle Ovington Boulevard, Uniondale, New York. I'm here on behalf of AvalonBay Communities, Inc.

Thank you again for this opportunity to reconsider the application before the Board and before the Agency. As indicated, the PILOT has been modified to

provide an additional $95,000 in the years four, five and six.

As you know, AvalonBay is a national builder with an excellent reputation. It has an excellent track history and has been good partners with the IDA in the past. The Rockville Centre facility that they operate is thriving, fully occupied. It was assisted with IDA benefits.

The items that you heard brought up today, first of all, with all due respect to the comments that were made, those comments are misplaced with regard to traffic, with regard to flooding, with regard to things involving infrastructure. That's not the purview of this Board, with all due respect. Those items are the purview of the Town Board during a site plan review. If those are concerns that were absorbing or very important to the

1 community, they could have made
2 those known to the Town Board during
3 the site plan review process. The
4 process has been completed. The
5 Town Board adopted a SEQRA
6 declaration with very strict
7 language and a great deal of
8 safeguards involving the overall
9 cleanup and, after the remediation,
10 the continued use and operation of
11 the facility.
12 The SEQRA determination and the
13 approval by the Board gives the
14 Department of Conservation and
15 waterways unprecedented authority to
16 require further and continuing
17 remediation on the part of the
18 Applicant. They are required to put
19 a financial undertaking in place in
20 order no safeguard and make sure
21 that future upkeep and maintenance
22 of the facility is done in that
23 regard.
24 But that being said, those are
25

all really Town Board issues. The issues before this Board are the PILOT program and the request for the sales tax exemption.

Now, with regard to the --

MR. MARSH: Sir, could you tell us exactly how you think this project fits within the purview of this Board giving this tax break to Avalon for 15 years?

You're right, that's our issue but tell us how many jobs are you going to be creating. Tell us how this is going to be good for the economic benefit of the rest of the members of the Town of Hempstead who are going to have to subsidize this for 15 years.

MR. CAPECE: My name is Chris Capece. I'm with AvalonBay Communities and I thank the Board for allowing us the time to present today.

We've heard a lot of the

typical concerns that we often hear throughout these applications. This is not a unique situation. You know, in preparation for this I had a chance to look back and look at the institutional size multi-family developments that have been approved in Nassau County, whether it be by the Town of Hempstead IDA Board or by the Nassau County Board and a quick math, there have been at least 10 this over the last number of years.

These types of project don't get approved and don't get built without the help of the IDA Board. You know, in looking through the PILOT duration, the average was 20 years. I think one of the concerns was about a deviation. The real number is 20 years. Remember, this is a contaminated grounds field site. That is language for a very long time now. And maybe 3.5

million gallons of petroleum storage on Reynold's Channel was a good idea in the forties, fifties and sixties but not today.

MR. MARSH: But how is that our problem? Doesn't the DEC have jurisdiction if they want a cleanup? Can't they force a cleanup from the current owner?

MR. CAPECE: What the DEC will tell you is that the worse thing that you can do is let it sit and that's what they said publicly. If you let it sit, there is the opportunity for it to continue to contaminate.

MR. MARSH: Then they let it sit.

MR. CAPECE: As part of the overall development program, we're working with the land seller. We don't own the site right now. Posillico owns the site right now. As part of the overall development

program, if the site is going to be cleaned up to residential standards, which is part of the process. It's something that we have done in other sites on Long Island.

MR. MARSH: Why should the other taxpayers -- To your issue, we should mind our Ps and Qs and not listen to all the other concerns that were expressed this morning, okay. How are you developing jobs, long-term jobs that justifies 15 years' worth of benefits and making everybody else pay for it? The environmental cleanup should not factor into that.

MR. CAPECE: And I appreciate that question because it's kind of a part of what we're talking about right here, which is these types of communities don't get built without the IDA assistance and that's been proven.

MR. MARSH: Our business, as I

1 understand it, is to try to induce
2 the production of jobs, not to
3 induce the production of market-rate
4 housing.
5 This project could be built.
6 The question is -- The problem is
7 what the anticipated rate of return
8 to the developer is. You're not
9 going to build it if you don't get
10 what you want as a rate of return.
11 You figure you can't get a rate of
12 return unless we give and transfer
13 the taxes that you should be paying
14 to everybody else in the Town of
15 Hempstead.
16 MR. CAPECE: Look, I stood up
17 here because there were a lot of
18 concerns that were voiced and I
19 wanted to stand up and answer the
20 concerns. I'm happy to do so.
21 MR. MARSH: But your answers to
22 the concern is that they are not
23 relevant to what this Board's about
24 and you're right, they're not.
25

MR. CAPECE: I don't think anybody said that.

MR. MARSH: That's what you started with.

MR. CAPECE: I don't think I said that.

MR. ARDITO: Mr. Capece, sir, what is the expected timeframe from the time that you begin cleanup until the time that someone takes occupancy in the apartments there? What is the anticipated timeframe?

MR. CAPECE: The anticipated timeframe from cleanup to occupancy is about 30 months.

MR. ARDITO: That's the estimate. So three years likely?

MR. CAPECE: Three years likely.

MR. ARDITO: So what is the cost of that cleanup?

MR. CAPECE: It's a little over $9 million.

MR. ARDITO: With respect to

the site plan review, and either yourself or counsel can answer this question, with respect to the site plan review approved by the Town of Hempstead, was there a traffic study as part of that review?

MR. BONESSO: The traffic study that was reviewed by the Town was the 2006 traffic study that was prepared in association with the rezoning. They did not request an additional traffic study.

MR. ARDITO: When was that site plan review? When did the Town approve the site plan?

MR. BONESSO: Earlier this year.

MR. ARDITO: So the Town of Hempstead Board that approved the site plan, they obviously knew that this was an area impacted by Sandy so that was something that was taken into consideration when they approved the site plan.

MR. BONESSO: Clearly.

MR. ARDITO: With respect to Mr. Schurin's point, there was litigation involving this property and one of the reasons I voted no at the last meeting was because I wanted more time to understand the litigation and I wanted more time to understand the Barrett Power station issue. I had intended to make a motion to adjourn at that last meeting but Mr. Majkut made the motion to go forward at that last meeting. I felt I didn't have enough information so I was one of the "no" votes.

I've done some research with respect to the litigation. Mr. Schurin says this litigation went up to the Court of Appeals. Did the Court of Appeals say that a development such as what has been presented now and intended to be developed by AvalonBay was an

acceptable development at this location?

MR. BONESSO: The Court of Appeals did not accept certiorari on this case. The Town made motion to the Court of Appeals to be heard but the Court of Appeals is not required to hear a case. Instead, it rejected it. So that left the Appellate Division determination to be the last ruling judgement in the matter and they upheld Posillico's right to improve the property and to utilize it the way they --

MR. ARDITO: So with respect to the litigation, the courts upheld that a development such of this nature is permissible at this site?

MR. BONESSO: Yes.

MR. ARDITO: Counsel, Mr. Ryan, is that an accurate statement by counsel?

MR. RYAN: Yes, it is.

MR. ARDITO: With respect to

1 the Barrett power station, I
2 understand there's a tax certiori
3 issue there. It would seem at some
4 point that there would be another
5 landowner in Island Park to bear a
6 brunt of the tax burden. AvalonBay,
7 based on the residents that have
8 spoken here, have indicated, and our
9 research and our history with
10 AvalonBay have shown that they are a
11 very viable entity, so we anticipate
12 that after this 15-year PILOT is
13 lapsed that AvalonBay is going to
14 have to bear their fair burden of
15 whatever taxes will be assessed by
16 the government at that site,
17 correct?
18 MR. BONESSO: That's actually a
19 point I was going to make in
20 response to the concerns of the
21 potential reduction in taxes for the
22 Barrett Power Plant.
23 It would only make sense to
24 have another ratable in the
25

1 community such as AvalonBay which as
2 the PILOT proceeds through the years
3 will increase in its tax
4 contributions to the community.
5 MR. ARDITO: Mr. Capece, to Mr.
6 Marsh's point, can you briefly
7 summarize for us what is anticipated
8 in terms of job creation and the
9 economic benefit to the local
10 community?
11 MR. CAPECE: Sure. So the
12 application we have six permanent
13 jobs that will be created as part of
14 the overall development plan and
15 that's inclusive of on-site leasing
16 staff and maintenance.
17 And then, there will be
18 approximately 350 jobs, construction
19 jobs, that will be created as part
20 of the overall development plan.
21 MR. ARDITO: Now, you've heard
22 these union members that have come
23 up and speak. Is it AvalonBay's
24 intention to use the locals here on
25

Long Island to construct that project?

MR. CAPECE: Yes. And so, to that end, I also, after the last public hearing --

MR. ARDITO: You're on the record, sir.

MR. CAPECE: I had a chance to go back and research and during our Rockville Centre 2 community construction, which this IDA had approved, we had over 90 percent local labor and we plan to do the same.

MR. ARDITO: Thank you.

MR. BONESSO: I would point out one other item. With regard to school-age children, we looked at the Rockville Centre Avalon and phases 1 and 2 as of 2018 generated 27 school-age children. That's a total of 514 units.

Based on that generation of students which is .053 students per

unit, we would expect a generation of 9.04, let's call it even 10, students added to the school district once fully occupied and operating.

MR. GIRARDI: Thank you.

We have a Board member who has made a motion. We're going to make a motion on the project. Do we have a second?

MR. ARDITO: Second.

MR. GIRARDI: Vote.

MS. SMITH: Aye.

MR. MAJKUT: Aye.

REV. MALLETT: Aye.

MR. ARDITO: Aye.

MR. MARSH: Can I have the motion read back.

CHAIRMAN GIRARDI: We voted on the PILOT for the new Island Park with the $95,000 more a year and a final authorizing resolution thereto.

MR. MARSH: Okay. "No." I

think this is one of the worse cases of corporate welfare I've seen.

CHAIRMAN GIRARDI: Meeting ended.

(Time noted: 9:55 a.m.)

CERTIFICATION

I, DOLLY FEVOLA, a Notary Public in and for the State of New York, do hereby certify:

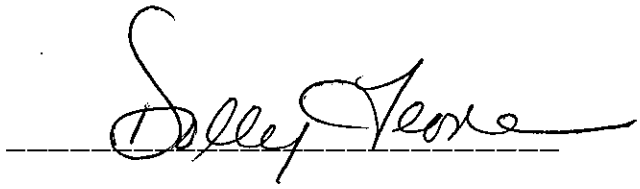
THAT the witness whose testimony is herein before set forth, was duly sworn by me; and

THAT the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related, either by blood or marriage, to any of the parties to this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of February, 2019.



DOLLY FEVOLA

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EXHIBIT C

Form of proposed PILOT Benefits

Schedule of In-Lieu-of-Taxes Payment **less any amounts payable by the Company in connection with any special ad valorem levies, special assessments or Special District Taxes and service charges levied against the Facility** to the Town of Hempstead, Island Park Union Free School District 31 and Appropriate Special Districts:

Sheridan Place and Island Parkway South
Island Park, NY 11558
Current Tax Information:
Section; 43, Block: 381, Lots: (35-36,102,314) 328
Parcels: 2
SD- 31
Total Tax ***Land Only (Now)***: $97,813.70
Estimated Taxes Within Independent Impact Study Once Built: $1,091,713.00

Year	Total
1	$ 100,000.00
2	$ 100,000.00
3	$ 100,000.00
4	$ 375,000.00
5	$ 410,000.00
6	$ 460,000.00
7	$ 500,000.00
8	$ 550,000.00
9	$ 600,000.00
10	$ 650,000.00
11	$ 700,000.00
12	$ 800,000.00
13	$ 850,000.00
14	$ 900,000.00
15	$1,000,000.00

EXHIBIT D

SEQR Findings Statement

CASE NO. 27007 RESOLUTION NO. 1614-2018

Adopted: December 11, 2018

Senior Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION ADOPTING A SEQR NEGATIVE DECLARATION AND DETERMINATION OF NON-SIGNIFICANCE IN CONNECTION WITH AN APPLICATION FOR SECTION 305 SITE PLAN APPROVAL FOR THE REDEVELOPMENT OF AN 11.56 ACRE PARCEL OF LAND SITUATED ON THE SOUTHSIDE OF ISLAND PARKWAY SOUTH TO CONSTRUCT 172 APARTMENT UNITS, A COMMUNITY BUILDING WITH OUTDOOR POOL AND AMENITY DECK AND PARKING FOR 408 CARS.

WHEREAS, the applicant Avalon Bay Communities, Inc. has submitted to the Town of Hempstead an application for site plan approval, pursuant to Section 305 of the Building Zone Ordinance of the Town of Hempstead, for premises known as Harbor Isle, Town of Hempstead, Nassau County, New York; and

WHEREAS, the application involves the construction of 172 apartment units with parking for 408 cars, a clubhouse, outdoor swimming pool and elevated amenity deck, and floating docks and boat slips for 31 boats and 2 kayaks; and

WHEREAS, the property was previously zoned "Y" industrial district and was rezoned to "CA" residence district by the Town Board of the Town of Hempstead in 2007 in contemplation of a similar development as that proposed herein; and

WHEREAS, the project proposed when the property was rezoned contemplated townhomes for private ownership and required variance and special permit relief for height and parking in front yard setbacks; and

WHEREAS, the presently proposed project contemplates only rental apartment units to be rented, maintained and managed by the applicant and a modified site development plan that does away with any need for variance and/or special permit relief; and

WHEREAS, the property was previously used as a petroleum bulk storage facility; and

WHEREAS, due to the previous industrial use of the property, the premises experienced contamination of both the groundwater and soil; and

WHEREAS, the project when proposed for the original rezoning, and the project now both involve extensive remediation plans for both the soil and groundwater contamination existing on the site; and

WHEREAS, the extensive remediation will have to meet the standards of, and satisfy the New York State Department of Environmental Conservation (NYSDEC) for both soil and groundwater in order to receive approval from the NYSDEC to permit construction; and

WHEREAS, under the previous rezoning application, a review pursuant to SEQR was performed by the Town of Hempstead; and

WHEREAS, pursuant to the review of a full environmental assessment form, traffic study and environmental remediation plan summary, the Town of Hempstead Town Board by Resolution No. 629-2007 issued a SEQR negative declaration and determination of non-significance for the rezoning of the premises dated June 5, 2007; and

WHEREAS, the applicant has now submitted to the Town of Hempstead a full site plan application package for its site plan approval application which included the present site plan, a full environmental assessment form, and copies of decision documents issued by the NYSDEC dated May 20, 2017 and June 2018 calling for remediation of the site for Track 4 Restricted Residential Use; and

WHEREAS, the NYSDEC authorized remediation of the site for Track 4 Restricted Residential Use finding it appropriate for the present project as there is now a single owner/managing entity for the site; and

WHEREAS, said site plan, EAF, and NYSDEC decision documents have been reviewed by the commissioner of the Department of Conservation and Waterways and his staff and the significance of all environmental considerations, including those enumerated in the 6 NYCRR Part 617.7(C), have been thoroughly evaluated to determine whether adverse environmental impacts will result; and

WHEREAS, both geology and water resources were investigated and due to the proposed remediation plan, which will be completed prior to construction, it was determined that there would be no significant adverse impacts due to the proposed projects in these areas; and

WHEREAS, the Town Board, after due consideration of the full environmental assessment form, the site plan, the NYSDEC decision documents and the complete record, considers the project to be an "Unlisted Action" which will not have a significant impact on the environment for the following reasons:

The proposed action will not have a significant impact on land. Due to the sites previous use as a petroleum storage area and subsequent contamination of portions of the site, remediation will be required prior to the commencement of construction. The project will be required by the NYSDEC to meet standards for a Track 4 Restricted Residential Use and receive approval from the NYSDEC prior to construction. The existing site is level and does not include any significant landforms. All existing concrete foundations located on the site will be removed prior to construction. Sediment and erosion control measures will be implemented to address potential soil erosion impacts during construction.

Moreover, engineering controls will be implemented as part of the project which will include 1) site cover involving buildings, pavement and, where there are no structures, at least three (3) feet of clean, unrestricted soil above a demarcation layer; 2) periodic monitoring for vapor intrusion in occupied buildings; and 3) if a subslab depressurization system is installed, the monitoring of indoor air quality and activation of said system as necessary based upon the monitoring results.

The proposed action will not have a significant adverse impact on water. Due to the previous use and contamination of areas of the groundwater found on the site, extensive remediation will be required prior to construction. The project will be required to meet NYSDEC standards for a Track 4 Restricted Residential Use and receive approval from the NYSDEC prior to construction. Groundwater flow patterns will not be altered by the proposed action and there will be no subsurface sewage disposal. The proposed action is located within the Ocean/Island Park sewer collection district and will be connected to the existing system. The proposed action will also not have a significant adverse impact to surface water resources.

Moreover, engineering controls will be implemented in this area of concern as well. Periodic monitoring of groundwater to assess the performance of the remediation will be required.

The proposed action will not have a significant adverse impact on vegetation nor any threatened or endangered species. The existing NYSDEC regulated wetland will remain undisturbed and any proposed construction within the wetland buffer or surrounding waterways will required approval from the NYSDEC. The proposed project will also involve implementation of a landscape plan, increasing the vegetation currently found on the site, which may provide additional wildlife habitat. Rodent control measures will be implemented prior to construction activities top further prevent offsite incursion.

The proposed action will not have an impact on agricultural land or resources since none exist on or within the vicinity of the project site.

The proposed action will not have a significant adverse impact on visual or aesthetic resources. The proposed action will be consistent with the surrounding residential uses. Landscaping will be provided to increase screening of the property and further mitigate any potential visual impacts.

The proposed action will not have a significant adverse impact on historic or archeological resources. The proposed action will re-use an existing industrial property for a multi-family residential project. Due to the significant amount of disturbance existing on the site, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) determined that there will be no impact on cultural or historic resources.

The proposed action will not have any significant adverse impact on dedicated open space or recreational opportunities.

The proposed action will not have a significant adverse impact on critical environmental areas since none exist on the site.

The proposed action will generate additional vehicle trips, but those trips will not have a significant adverse impact on the level of service on areas roadways. The project proposes multiple entrances and exits to the site thereby disbursing traffic throughout neighborhood roadways, reducing the potential for significant traffic related impact.

The proposed action will not have a significant adverse impact on noise or odor. The proposed project will be consistent with the existing surrounding uses. Noise will be generated on a short-term basis in connection with the proposed construction activities. All construction will be conducted in accordance with Town requirements.

The proposed action will not have a significant adverse impact on public health. Surface and subsurface contamination onsite will be remediated prior to construction activities. Traffic generated will not adversely impact area roadways. Noise and odor generated by construction activities will be temporary and will not have a signification adverse impact.

The proposed action will not have a significant adverse impact on the growth or character of the surrounding community. The proposed action will not result in a significant increase and demand for additional community services. The expected increase in the number of children attending the Island Park Union Free School District and the associated costs should be sufficiently offset by the increase in taxes collected to the proposed development.

Requirements and controls imposed will be the subject of an environmental easement to be recorded against the property so that all subsequent owners of the property are on notice and all tenants of the property are made aware of the restrictions and requirements affecting the property and the Site Management Plan imposed by the NYSDEC.

Upon completion of the remediation of the site, periodic certification by a professional engineer or other qualified environmental professional that all institutional and engineering controls are in place, in the Department-approved format will be required. Certification that nothing has occurred that would impair the ability of the control to protect public health and the environment and that there have been no violations of the Site Management Plan for such controls will also be required. Copies of all required filings will also be provided to the Department of Conservation and Waterways.

The Commissioner of the Department of Conservation and Waterways has also considered the impact of the project and the remediation of the premises in connection with the post-remediation monitoring and maintenance of the premises to ascertain the impact of the same upon the local community and the burdens that may be placed upon the Town of Hempstead.

The applicant has recognized the concerns of the Town of Hempstead to assure that all required monitoring and maintenance for the remediation measures implemented be implemented and continued once the project is constructed and occupied.

The applicant having reviewed its monitoring and maintenance obligations at other Avalon Bay Community, Inc. sites has agreed to provide the Town of Hempstead

with a cash undertaking with funds sufficient to accommodate up to five years of maintenance and monitoring should, for some reason, the applicant not perform its obligations or should said performance be determined to be insufficient by the Commissioner of the Department of Conservation and Waterways. Based upon current cost estimates, a cash undertaking in the amount of $88,750.00 will be deposited with the Town of Hempstead, to the benefit of the Town of Hempstead, to accommodate the monitoring and maintenance requirements of the premises.

The applicant will also enter into an escrow agreement with the Town of Hempstead with provisions acceptable to the Town Attorney requiring, among other things, that (1) should the Commissioner of the Department of Conservation and Waterways determine that the monitoring and maintenance actions taken by the applicant are deficient and do not meet the standards of the NYSDEC imposed monitoring and maintenance requirements, then, upon fair notice to the applicant to correct said action and upon the applicant's failure to do so, the Commissioner of the Department of Conservation and Waterways will be unconditionally permitted to access the provided funds and utilize the same to implement the required monitoring and maintenance activities; and (2) should, during the five year period, the Commissioner of Conservation and Waterways determine at any time that the provided funds are not sufficient to accommodate the monitoring and maintenance needs of the premises for the entire five year period, then the applicant will be required to deposit additional funds satisfactory to the Commissioner of the Department of Conservation and Waterways to cover the requirements of the remainder of the five year period. Additionally, applicant shall agree in the escrow agreement to provide the Commissioner of Conservation and Waterways with timely copies of reports of all monitoring, maintenance and remediation activities occurring at the site. Applicant shall agree that no certificates of occupancy for any dwelling units shall be issued unless and until, in addition to all other requirements, the escrow agreement is fully executed and the cash undertaking is on deposit.

Notwithstanding the initial undertaking amount contained herein, the amount of the cash undertaking to be implemented will be re-evaluated by and between the applicant and the Commissioner of the Department of Conservation and Waterways after the completion of the site remediation and a determination by the NYSDEC that the remediation is completed, and the issuance of a Site Management Plan. If, after consulting with the Department of Conservation and Waterways, the NYSDEC determines that no Site Management Plan or other monitoring and maintenance plan is necessary, then no escrow agreement need be entered into and no deposit made. If the NYSDEC determines that a Site Management Plan is necessary that would require expenditures greater than the amount contained herein, then the agreement will reflect the greater amount.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board is "Lead Agency" in connection with the applicants site plan approval request for the redevelopment of the 11.86 acre parcel situated in Harbor Isle, Town of Hempstead, County of Nassau, New York; and

BE IT FURTHER RESOLVED, that the prosed action is and "Unlisted Action" pursuant to Part 617.6 and will not have a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares that a declaration of non-significance in connection with said redevelopment of the subject premises for the construction of a multi-family residential development is consistent with considerations of public interest; and

BE IT FURTHER RESOLVED, that the State Environmental Quality Review process has been satisfied and completed with the completion of the above-mentioned review and approved Negative Declaration.

The foregoing resolution was adopted upon roll call as follows:

AYES: SEVEN (7)

NOES: NONE (0)

CASE NO. 27007

RESOLUTION NO. 1615-2018

Adopted: December 11, 2018

Senior Councilwoman Goosby offered the following resolution and moved its adoption:

RESOLUTION APPROVING SITE PLANS SUBMITTED BY CHRISTOPHER CAPECE, V.P., AVALON BAY COMMUNITIES INC. ON BEHALF OF JOSEPH POSILLICO, TREASURER, POSCILLICO DEVELOPMENT CO. @ HARBOR ISLE INC. IN CONNECTION WITH BUILDING APPLICATION #201811319, FOR THE DEVELOPMENT OF A 172 UNIT RENTAL COMMUNITY WITH ASSOCIATED SITE IMPROVEMENTS LOCATED ON THE SOUTHWEST CORNER OF WASHINGTON AVE. AND ISLAND PARKWAY SOUTH, ISLAND PARK, TOWN OF HEMPSTEAD, NEW YORK.

WHEREAS, heretofore, Christopher Capece, V.P., Avalon Bay Communities Inc., on behalf of Joseph Posillico, Treasurer, Posillico Development Co. @ Harbor Isle Inc. has submitted an application bearing #201811319 for the development of a 172 unit rental community with associated site improvements located on the southwest corner of Washington Ave. and Island Parkway South, Island Park, Town of Hempstead, New York; and

WHEREAS, in connection with such application and pursuant to the requirements of Section 305 of Article XXXI of the Building Zone Ordinance of the Town of Hempstead, said applicant has submitted a Site Plan, dated June 13, 2018, last revised November 16, 2018, and bearing the seal of Joseph R. Amato, P.E., License # 56484, University of the State of New York, which site plans show the use, dimensions, types and locations of each of the buildings, structures, or other improvements existing or proposed to be installed, erected or altered upon the site shown and the provisions proposed to be made for the facilities and improvements required by said Section 305 to be shown; and

WHEREAS, said site plan has been approved as submitted by the Commissioner of the Highway Department, the Town Engineer and the Commissioner of the Department of Buildings; and

WHEREAS, the Town Board, after giving due consideration to those matters required to be considered by them pursuant to the provisions of the aforesaid Section 305, finds it in the public interest that the site shown be developed and improved in accordance with the site plan as submitted subject to the conditions thereon noted;

NOW THEREFORE, BE IT

RESOLVED, that the site plan submitted by Christopher Capece, V.P, Avalon Bay Communities Inc. on behalf of Joseph Posillico, Treasurer, Posillico Development Co. @ Harbor Isle Inc. entitled Site Plan, dated June 13, 2018 and last revised November 16, 2018 and bearing the seal of Joseph R. Amato, P.E., License #56484, University of the State of New York, in connection with building application #201811319, for the development of a 172 unit rental community with associated site improvements located on the southwest corner of Washington Ave. and Island Parkway South, Island Park, Town of Hempstead, New York, be and the same is hereby approved.

The foregoing resolution was adopted upon role call as follows:

AYES: SEVEN (7)

NOES: NONE (0)

EXHIBIT E

Requisite Materials (in order as follows)

1. AvalonBay Communities, Inc.: Economic and Fiscal Impact Analysis, dated November 2018 and prepared by Camoin Associates Economic Development;

2. Fiscal and Impact Summary, dated August 23, 2018, prepared by Nelson, Pope & Voorhis, LLC;

3. AvalonBay –Island Park Project – Estimate of IDA Benefits;

4. New York Law Journal article 3-22-17 on Eligibility of Residential Developments for IDA Benefits by Anthony Guardino, Esq.; and

5. Ryan et al. v Town of Hempstead Industrial Development Agency et al.

AvalonBay Communities, Inc.: Economic and Fiscal Impact Analysis

November 2018

Prepared for:

Town of Hempstead Industrial Development Agency
350 Front Street, Room 234-A
Hempstead, NY 11550

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About Camoin Associates

Camoin Associates has provided economic development consulting services to municipalities, economic development agencies, and private enterprises since 1999. Through the services offered, Camoin Associates has had the opportunity to serve EDOs and local and state governments from Maine to California; corporations and organizations that include Lowes Home Improvement, FedEx, Volvo (Nova Bus) and the New York Islanders; as well as private developers proposing projects in excess of $6 billion. Our reputation for detailed, place-specific, and accurate analysis has led to projects in 32 states and garnered attention from national media outlets including *Marketplace* (NPR), *Forbes* magazine, *The New York Times* and *The Wall Street Journal*. Additionally, our marketing strategies have helped our clients gain both national and local media coverage for their projects in order to build public support and leverage additional funding. We are based in Saratoga Springs, NY, with regional offices in Portland, ME; Boston, MA; Richmond, VA and Brattleboro, VT. To learn more about our experience and projects in all of our service lines, please visit our website at www.camoinassociates.com. You can also find us on Twitter @camoinassociate and on Facebook.

The Project Team

Michael N'dolo
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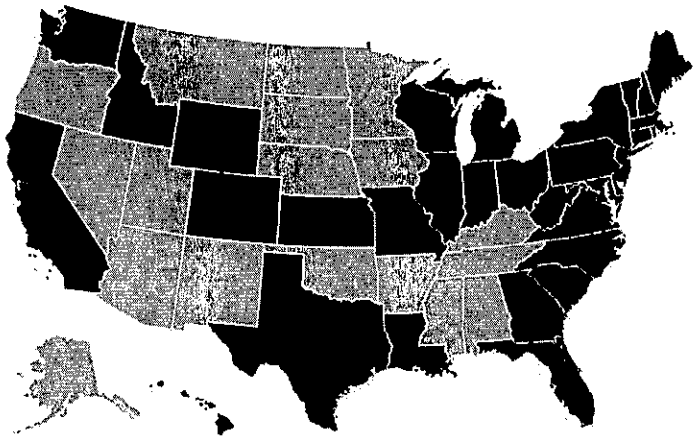
Dina DeCarlo
Project Manager

Bethany Meys
Analyst



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Summary

The Town of Hempstead Industrial Development Agency (the "Agency") received an application for financial assistance from AvalonBay Communities, Inc. (the "Applicant") for the acquisition of a brownfield site and construction of 172 residential units (the "Project") at Sheridan Place and Parkway South or more specifically Tax Map Section 43; Block 381; Lots 35, 36,102,314 and 328 in the Hamlet of Harbor Isle, Town of Hempstead, Nassau County, New York (the "Site"). The Agency commissioned Camoin Associates to conduct an economic and limited fiscal impact analysis of the Project on the Town of Hempstead (the "Town").

Camoin Associates conducted a market analysis of market-rate housing in the Town to determine the extent to which any of the housing units would create "new" households and, therefore, new household spending in the Town. We determined that all 172 market-rate units would be considered as providing "net new" households to the Town (i.e. allowing households to exist in the Town that otherwise would locate elsewhere). We then computed the total amount of net new spending by these new households to derive job creation resulting from the Project.

The following is a summary of our findings from this study, with details below.

Summary of Benefits		
Construction Phase Jobs		95
Construction Phase On-Site Jobs		68
Construction Phase Earnings	$	7,198,721
Construction Phase On-Site Earnings	$	5,680,772
One-Time Construction-Related Sales Tax Revenue	$	4,724
Annual Jobs		75
Direct Jobs		57
Indirect Jobs		18
Annual Earnings	$	3,308,475
Direct Earnings	$	2,243,502
Indirect Earnings	$	1,064,973
Annual Sales Tax Revenue to Town	$	9,305
Average Annual PILOT Payment	$	533,333
Average Annual PILOT Town Payment	$	19,509
Average Annual PILOT Benefit	$	420,564
Average Annual PILOT Benefit to Town	$	15,031

Note: Jobs and Earnings only include "net new" positions.

Source: Camoin Associates, Town of Hempstead IDA

- The construction of the building would result in approximately 68 new direct construction jobs generating nearly $5.7 million in direct new earnings on-site and an additional $1.5 million in indirect earnings.
- The Project would support 75 net new jobs in the Town annually with over $3.3 million in associated earnings. Those figures are composed of net new jobs resulting from maintenance and operation of the facility and new economic activity from household spending.
- The Applicant has proposed a 15-year PILOT agreement with the Agency, where the Applicant would pay an average of $533,333 each year, of which $19,509 would be allocated to the Town. As compared to the otherwise-applicable property taxes, the PILOT represents a benefit to the Town of $15,031 per year on average.

Estimated One-Time Costs to Affected Jurisdictions	
	State and County
Total Sales Tax Exemption*	$ 2,285,625

**The IDA may or may not consider this a "cost."*

Source: Town of Hempstead IDA, Camoin Associates

- Through negotiations with the Agency, the Applicant could have access to a sales tax exemption valued at up to $2,285,625. However, if we assume that the Project would not occur absent IDA benefits, this is not actually a "cost" to the State and County since no future revenue stream would exist without the exemptions.

Economic Impact Analysis

The estimates of direct economic activity generated during facility operation and new resident spending, as provided by the Applicant, were used as the direct inputs for the economic impact model. Camoin Associates used the input-output model designed by Economic Modeling Specialists, International (EMSI) to calculate total economic impacts. EMSI uses the amount of new direct economic activity (spending or jobs) occurring within the Town of Hempstead as a direct input to estimate the spillover effects that the net new spending or jobs have as these new dollars circulate through the Town economy. This is captured in the indirect impacts and is commonly referred to as the "multiplier effect." See Attachment A for more information on economic impact analysis.

The Project would have economic impacts on the Town of Hempstead as a result of Project construction, new permanent jobs, and spending by new tenant households.

Construction Phase Impacts

The Applicant anticipates that the private sector investment in the construction of the Project (excluding land acquisition, legal fees, and financial fees) would be approximately $51.2 million.[1] Assuming that approximately 30%[2] of the total renovation and construction cost is sourced from within the Town of Hempstead, this results in approximately $15.4 million in net new spending in the Town of Hempstead associated with the construction phase.

Construction Phase Spending	
Construction Cost	$ 51,200,000
Percent Sourced from Town	30%
Net New Construction Spending	$ 15,360,000

Source: Applicant, Camoin Associates

The $15.4 million worth of net new direct spending was used as an input to determine the one-time impact of construction throughout the Town. We determined that there would be a total of nearly $19.6 million in total construction-related spending supporting 95 jobs and about $7.2 million in earnings within the Town of Hempstead.

Economic Impact - Construction Phase			
	Direct	Indirect	Total
Jobs	68	27	95
Earnings	$ 5,680,772	$ 1,517,949	$ 7,198,721
Sales	$ 15,360,000	$ 4,199,122	$ 19,559,122

Source: EMSI, Camoin Associates

[1] Includes project costs as provided by Applicant in the application under Project Costs, except for legal and financial fees, land acquisition, permits, and real estate taxes.

[2] Camoin Associates conducted an industry analysis on the construction industry in the Town of Hempstead and found that 31% of the industry's inputs are purchased from within the region. Based on this data, Camoin Associates assumes that 30% of the total construction sales will be sourced from within the Town.

Impacts of New Household Spending

In order to determine the annual economic impact of the Project on the Town, the first step is to calculate the number of households that can be considered "net new" to the Town's economy. In other words, the number of households that, but for the Project, would not exist in the Town of Hempstead. With respect to this Project, net new households consist of those who would otherwise live elsewhere if the Project were not to occur.

For this study, we analyzed the existing supply and demand of market-rate apartments. The following summarizes the research conducted to determine the percentage of the market-rate units that could be considered new to the Town of Hempstead.

In 2017, the vacancy rate for multifamily rental units for Long Island (Nassau and Suffolk counties) ranged from 0.7% to 8.3% depending on the class and style of development.[3] Overall, vacancy rates remain below 3%, with less than 30% of inventory representing Class A product. According to Integra Realty Resources, new construction has been minimal, which will ensure continued unmet rental demand.

The following table compares 2017 multifamily rental vacancy rates for Nassau/Suffolk counties, the U.S. East Region, and the nation:

2017 Annual Multifamily Vacancy Rates			
	Long Island*	East Region	National
Urban Class A	8.3%	7.5%	7.8%
Urban Class B	4.7%	5.9%	5.4%
Suburban Class A	1.8%	3.7%	4.0%
Suburban Class B	0.7%	3.3%	3.8%

* Nassau and Suffolk counties

Source: Integra Realty Resources, 2017 mid-year report

Overall, rental units comprise a small share of the total housing stock in Nassau County and the Town of Hempstead, especially relative to neighboring New York City and the New York Metropolitan Statistical Area (MSA). Only 19.5% of Nassau County and 19.7% of the Town of Hempstead's housing units are rental units, compared to 68.0% in New York City, and 49.0% in the MSA.

Rental Housing Units		
	Renter-Occupied Units	% of All Occupied Units
Town of Hempstead	47,621	19.7%
Nassau County	86,139	19.5%
New York City	2,116,613	68.0%
New York MSA	3,484,472	49.0%

Source: 2016 American Community Survey 1-Year Estimates

Given low vacancies for multifamily rental units and the overall dearth of rental units in the Town of Hempstead and across Long Island, the Project will likely capture a notable amount of the Town's pent-up rental housing demand, retaining residents within the Town and/or attracting new residents.

Therefore, due to the high demand for housing units in the Town of Hempstead and on Long Island in general, this analysis assumes that 100% of those occupying the 172 units will be net new to the Town.

[3] 2017 Long Island, NY Multifamily Annual Report, Integra Realty Resources.

Spending by New Tenants

The Project consists of 172 apartment units ranging from one to three-bedroom units. The new residents of these units would make purchases in the Town, thereby adding dollars to the Town's economy. For this analysis, we researched spending patterns by household income to determine the spending by new tenants.

Given an average rental price point of $3,383 per unit per month and estimating that housing costs typically account for 30% of a household's income, qualifying tenants will need a household income of at least $135,333. Therefore, we consider qualifying tenants to fall within the income bracket of $100,000 and $149,999. Using this bracket, we can determine spending patterns for the market-rate tenants.

Analyzing a spending basket for the region which details household spending in individual consumer categories by income level, we concluded likely tenant spending. According to the Bureau of Labor Statistics 2016 Consumer Expenditure Survey, households with an income between $100,000 and $149,999 have annual expenditures (excluding housing and utility costs) of $44,521.

We assume that 70%[4] of total expenditures would occur within the Town of Hempstead and, therefore, have a positive impact on the Town's economy. The Total Net New Town Spending column shows the total amount that we estimate will be spent in the Town based on the 172 net new units.

Tenant Spending Basket			
$100,000 to $149,999 Annual Household Income			
Category	Annual per Unit Spending Basket	Amount Spent in Town (70%)	Total Net New Town Spending (172 net new units)
Food	$ 10,351	$ 7,246	$ 1,246,260
Household furnishings and equipment	$ 2,927	$ 2,049	$ 352,411
Apparel and services	$ 2,456	$ 1,719	$ 295,702
Transportation	$ 13,658	$ 9,561	$ 1,644,423
Health care	$ 6,560	$ 4,592	$ 789,824
Entertainment	$ 4,350	$ 3,045	$ 523,740
Personal care products and services	$ 1,058	$ 741	$ 127,383
Education	$ 1,841	$ 1,289	$ 221,656
Miscellaneous	$ 1,420	$ 994	$ 170,968
Annual Discretionary Spending	$ 44,621	$ 31,235	$ 5,372,368
		Total Net New Spending	$ 5,372,368

Source: 2016 Consumer Expenditure Survey, Bureau of Labor Statistics

The total net new spending in the Town was calculated by multiplying the amount spent in the Town by the number of net new units. As shown in the table above, spending in the Town by all new households would total approximately $5.4 million per year. We used the above spending basket amounts to calculate the direct, indirect, and total impact of the Project on the Town. To do this, we attributed the various spending categories to the NAICS codes shown in the table below.

[4] Every category of retail exists within the Town, but some portion of the retail expenditure occurs outside the Town limits.

Spending Basket Breakdown by NAICS Code		
NAICS Code	Industry	Spending Basket Category
445110	Supermarkets and Other Grocery (except Convenience) Stores	Food
722511	Full-Service Restaurants	Food
442299	All Other Home Furnishings Stores	Household furnishings and equipment
448140	Family Clothing Stores	Apparel and services
441110	New Car Dealers	Transportation
447110	Gasoline Stations with Convenience Stores	Transportation
811111	General Automotive Repair	Transportation
524114	Direct Health and Medical Insurance Carriers	Health care
622110	General Medical and Surgical Hospitals (Private)	Health care
512131	Motion Picture Theaters	Entertainment
452319	All Other General Merchandise Stores	Entertainment, Personal care products and services, Miscellaneous
	All Other General Merchandise Stores	Personal care products and services
	All Other General Merchandise Stores	Miscellaneous
611310	Colleges, Universities, and Professional Schools	Education

Source: Camoin Assocaites

Using $5.4 million as the new sales input, Camoin Associates employed EMSI to determine the indirect and total impact of the Project on the Town of Hempstead.[5] The following table outlines the findings of this analysis.

Spending from new tenant households will result in a total of 65 net new jobs, over $2.7 million in earnings, and over $7.6 million in sales in the Town of Hempstead, annually.

Town Economic Impact - Household Spending			
	Direct	Indirect	Total
Jobs	51	14	65
Earnings	$ 1,877,502	$ 868,632	$ 2,746,134
Sales	$ 5,372,368	$ 2,236,689	$ 7,609,058

Source: EMSI, Camoin Associates

[5] Analysis uses the 33 ZIP codes that are predominately located within the Town of Hempstead (map image shown in Attachment B).

Impacts of On-Site Employment

The Applicant projects that 6 full-time workers will be employed on-site as a result of the Project. The table below details the impact the 6 new jobs with an average salary of $61,000[6] will have on the Town of Hempstead in terms of direct, indirect and total impacts on employment and wages.

Annual Economic Impact - Operations and Maintenance			
	Direct	Indirect	Total
Jobs	6	4	10
Earnings*	$ 366,000	$ 196,341	$ 562,341
Sales	$ 999,472	$ 523,707	$ 1,523,179

**Earnings adjusted based on information from the Applicant*

Source: EMSI, Camoin Associates

As shown in the tables above, we anticipate that 6 new jobs and $366,000 in new earnings would occur at the Site itself. Taking into account the additional indirect and induced economic impacts on the Town from the 6 direct jobs, total employment created by the project is estimated at 10 jobs and about $562,000 in annual earnings. Over $1.5 million in total sales would be generated as a result of operating and maintaining the Project.

The complete economic impact, both from new household spending as well as operation and maintenance of the multifamily residential facility, is displayed in the table below. The total annual economic impact will include 75 new jobs with over $3.3 million in new earnings, and over $9.1 million in new sales.

Town Economic Impact - Household Spending			
	Direct	Indirect	Total
Jobs	51	14	65
Earnings	$ 1,877,502	$ 868,632	$ 2,746,134
Sales	$ 5,372,368	$ 2,236,689	$ 7,609,058
Town Economic Impact - Operation and Maintenance			
	Direct	Indirect	Total
Jobs	6	4	10
Earnings	$ 366,000	$ 196,341	$ 562,341
Sales	$ 999,472	$ 523,707	$ 1,523,179
Town Economic Impact - Combined Annual Impact			
	Direct	Indirect	Total
Jobs	57	18	75
Earnings	$ 2,243,502	$ 1,064,973	$ 3,308,475
Sales	$ 6,371,840	$ 2,760,396	$ 9,132,237

Source: EMSI, Camoin Associates

[6] As estimated by the Applicant.

Fiscal Impact Analysis

In addition to the economic impact of the Project on the local economies (outlined above), there would also be a fiscal impact in terms of annual property tax and sales tax generation. The following section of the analysis outlines the impact of completion of the Project on the Town in terms of the cost and/or benefit to the municipal budget.

Payment in Lieu of Taxes (PILOT)

The Applicant has applied to the Agency for a Payment In Lieu of Taxes (PILOT) agreement. The Applicant has proposed a 15-year payment schedule based on the current tax rate, taxable value, and assessed value of the Project.

Based on the terms of the PILOT as proposed, Camoin Associates calculated the potential impacts on the Town:

Tax Payments With PILOT		
Year	Total Payment	Town Portion of Payment
1	$ 100,000	$ 3,658
2	$ 100,000	$ 3,658
3	$ 100,000	$ 3,658
4	$ 325,000	$ 11,888
5	$ 375,000	$ 13,717
6	$ 450,000	$ 16,461
7	$ 500,000	$ 18,290
8	$ 550,000	$ 20,119
9	$ 600,000	$ 21,948
10	$ 650,000	$ 23,777
11	$ 700,000	$ 25,606
12	$ 800,000	$ 29,264
13	$ 850,000	$ 31,093
14	$ 900,000	$ 32,922
15	$ 1,000,000	$ 36,580
Total	$ 8,000,000	$ 292,637
Average	$ 533,333	$ 19,509

Source: Town of Hempstead IDA, Camoin Associates

Tax Policy Comparison

Without financial assistance from the Agency, Camoin Associates assumes that the Applicant would not undertake the Project. Based on the current taxes applicable on the Site and an assumed annual increase to the tax rate of 2.00%[7] (holding taxable value constant), the following table outlines the estimated tax payments made by the building owner without the Project.

Tax Payment Without Project*		
Year	Payment Without Project	Town Portion of Payment Without Project
1	$ 97,814	$ 3,578
2	$ 99,770	$ 3,650
3	$ 101,765	$ 3,723
4	$ 103,801	$ 3,797
5	$ 105,877	$ 3,873
6	$ 107,994	$ 3,950
7	$ 110,154	$ 4,029
8	$ 112,357	$ 4,110
9	$ 114,604	$ 4,192
10	$ 116,896	$ 4,276
11	$ 119,234	$ 4,362
12	$ 121,619	$ 4,449
13	$ 124,051	$ 4,538
14	$ 126,532	$ 4,629
15	$ 129,063	$ 4,721
Total	$ 1,691,533	$ 61,876
Average	$ 112,769	$ 4,125

** Assumes 2.00% annual increase*

Source: Town of Hempstead IDA, Camoin Associates

[7] The tax rate is increased by 2.00% annually, the maximum inflation factor that can be reasonably anticipated into the future. New York State property tax cap legislation limits tax levy growth to an inflation factor set by the State or 2.00%, whichever is less, the amount by which a government entity may increase its annual tax levy (certain exceptions apply). Although in recent years the inflation factor has been less than 2.00%, using 2.00% for the purposes of comparing future otherwise applicable property tax payments without the Project to the proposed PILOT schedule provides a conservative estimate of the Project's benefit/cost to the Town.

The tables below calculate the benefit (or cost) as the difference between the PILOT payments associated with the Project and the property tax payments without the Project. Over the course of the proposed PILOT term, the average annual collection by local jurisdictions would be approximately $420,564 more in PILOT revenue than property taxes without the Project. The total benefit to the affected taxing jurisdictions of the PILOT agreement over 15 years would be $6,308,467.

Tax Policy Comparison			
	A	B	C
Year	Payment Without Project	Total Payment	Benefit (Cost) of Project (Col. B - Col. A)
1	$ 97,814	$ 100,000	$ 2,186
2	$ 99,770	$ 100,000	$ 230
3	$ 101,765	$ 100,000	$ (1,765)
4	$ 103,801	$ 325,000	$ 221,199
5	$ 105,877	$ 375,000	$ 269,123
6	$ 107,994	$ 450,000	$ 342,006
7	$ 110,154	$ 500,000	$ 389,846
8	$ 112,357	$ 550,000	$ 437,643
9	$ 114,604	$ 600,000	$ 485,396
10	$ 116,896	$ 650,000	$ 533,104
11	$ 119,234	$ 700,000	$ 580,766
12	$ 121,619	$ 800,000	$ 678,381
13	$ 124,051	$ 850,000	$ 725,949
14	$ 126,532	$ 900,000	$ 773,468
15	$ 129,063	$ 1,000,000	$ 870,937
Total	$ 1,691,533	$ 8,000,000	$ 6,308,467
Average	$ 112,769	$ 533,333	$ 420,564

Source: Town of Hempstead IDA, Camoin Associates

The table below calculates the benefit (or cost) to the Town. The Town would receive approximately $15,031 more in PILOT revenue annually than it would receive in property taxes without the Project. The total benefit to the Town would be $225,458 over the 15-year period.

Tax Policy Comparison for Town			
	A	B	C
Year	Payment Without Project	Total Payment	Benefit (Cost) of Project (Col. B - Col. A)
1	$ 3,578	$ 3,658	$ 80
2	$ 3,650	$ 3,658	$ 8
3	$ 3,723	$ 3,658	$ (65)
4	$ 3,797	$ 11,888	$ 8,091
5	$ 3,873	$ 13,717	$ 9,844
6	$ 3,950	$ 16,461	$ 12,510
7	$ 4,029	$ 18,290	$ 14,260
8	$ 4,110	$ 20,119	$ 16,009
9	$ 4,192	$ 21,948	$ 17,756
10	$ 4,276	$ 23,777	$ 19,501
11	$ 4,362	$ 25,606	$ 21,244
12	$ 4,449	$ 29,264	$ 24,815
13	$ 4,538	$ 31,093	$ 26,555
14	$ 4,629	$ 32,922	$ 28,293
15	$ 4,538	$ 31,093	$ 26,555
Total	$ 61,876	$ 292,637	$ 225,458
Average	$ 4,125	$ 19,509	$ 15,031

Source: Town of Hempstead IDA, Camoin Associates

Other Exemptions

There are other benefits to working with the Agency including a one-time sales tax exemption on renovation materials and furniture, fixtures, and equipment.

Estimated One-Time Costs to Affected Jurisdictions	
	State and County
Total Sales Tax Exemption*	$ 2,285,625

**The IDA may or may not consider this a "cost."*

Source: Town of Hempstead IDA, Camoin Associates

The additional incentive offered by the IDA will benefit the Applicant but will not negatively affect the tax jurisdictions because, without the Project, the State and County by definition would not be receiving any associated sales tax.

Sales Tax Revenue - Construction Phase

The one-time construction phase earnings described by the total economic impact of the construction work would lead to additional sales tax revenue for the County, a portion of which is distributed to the Town. It is assumed that 70%[8] of the construction phase earnings would be spent within Nassau County and that 25% of those purchases would be taxable.

One-Time Sales Tax Revenue Construction Phase		
Total New Earnings	$	7,198,721
Amount Spent in the County (70%)	$	5,039,105
Amount Taxable (25%)	$	1,259,776
New Town Sales Tax Revenue Portion*		0.375%
New Town Tax Revenue	$	4,724

** Nassau County's sales tax rate is 4.25%, of which 0.75% is allocated to the towns and cities within the county. For this analysis we assume half of the 0.75% is allocated to the Town of Hempstead.*

Source: Town of Hempstead IDA, Camoin Associates

As a result of construction phase employment, the Town would receive approximate $4,724 in sales tax revenue.

Sales Tax Revenue – New Household Spending

The Town would receive sales tax revenue from the purchases made by the new households. Based on in-Town spending by new households, the Town of Hempstead would receive $7,133 annually in net new sales tax revenue.

Annual Town Sales Tax Revenue Household Spending		
Total New Spending	$	7,609,058
Amount Taxable (25%)	$	1,902,264
New Town Sales Tax Revenue Portion*		0.375%
New Town Tax Revenue	$	7,133

* Nassau County's sales tax rate is 4.25%, of which 0.75% is allocated to the towns and cities within the county. For this analysis we assume half of the 0.75% is allocated to the Town of Hempstead.

Source: Town of Hempstead IDA, Camoin Associates

Note that the household spending figure has already been adjusted to account for 70% of total spending occurring within the Town.

[8] A retail leakage analysis of Nassau County suggests that a vast majority of the goods and services that employees will be purchasing are available within the county (food, clothing, vehicles, computers, etc.), but there still will be some outside spending on travel and through purchases made online and in neighboring counties. Based on third-party proprietary retail spending data, 70% is a reasonable assumption for the amount of in-county spending. (Source: ESRI Business Analysis Online Retail Market Profile)

Sales Tax Revenue – Employee Earnings

In addition to the sales tax revenue from the construction phase, new earnings generated by jobs that will occur as a result of on-site operation jobs at the Project would lead to additional annual sales tax revenue for the County. Sales tax is collected at the Nassau County level with 0.75% of the 4.25% sales tax distributed to Towns. For this analysis we assume half of the 0.75% sales tax is allocated to the Town of Hempstead. It is assumed that 70% of the earnings would be spent within Nassau County and that 25% of those purchases will be taxable.

Annual Town Sales Tax Revenue Employee Earnings		
Total New Earnings	$	3,308,475
Amount Spent in the County (70%)	$	2,315,932
Amount Taxable (25%)	$	578,983
New Town Sales Tax Revenue Portion*		0.375%
New Town Tax Revenue	$	2,171

* Nassau County's sales tax rate is 4.25%, of which 0.75% is allocated to the towns and cities within the county. For this analysis we assume half of the 0.75% is allocated to the Town of Hempstead.

Source: Town of Hempstead IDA, Camoin Associates

Under these assumptions, the Town would receive approximately $2,171 each year in new tax revenue from the economic impacts of the Project.

Total Annual Sales Tax Revenue

In total, we estimate that the Town would receive $9,305 in annual sales tax related to the Project.

Town Total Annual Sales Tax Revenue		
Household Spending	$	7,133
Employee Earnings	$	2,171
New Town Tax Revenue	$	9,305

Source: Town of Hempstead IDA, Camoin Associates

Attachment A: What is Economic Impact Analysis?

The purpose of conducting an economic impact study is to ascertain the total cumulative changes in employment, earnings and output in a given economy due to some initial "change in final demand". To understand the meaning of "change in final demand", consider the installation of a new widget manufacturer in Anytown, USA. The widget manufacturer sells $1 million worth of its widgets per year exclusively to consumers in Canada. Therefore, the annual change in final demand in the United States is $1 million because dollars are flowing in from outside the United States and are therefore "new" dollars in the economy.

This change in final demand translates into the first round of buying and selling that occurs in an economy. For example, the widget manufacturer must buy its inputs of production (electricity, steel, etc.), must lease or purchase property and pay its workers. This first round is commonly referred to as the "Direct Effects" of the change in final demand and is the basis of additional rounds of buying and selling described below.

To continue this example, the widget manufacturer's vendors (the supplier of electricity and the supplier of steel) will enjoy additional output (i.e. sales) that will sustain their businesses and cause them to make additional purchases in the economy. The steel producer will need more pig iron and the electric company will purchase additional power from generation entities. In this second round, some of those additional purchases will be made in the US economy and some will "leak out". What remains will cause a third round (with leakage) and a fourth (and so on) in ever-diminishing rounds of industry-to-industry purchases. Finally, the widget manufacturer has employees who will naturally spend their wages. Again, those wages spent will either be for local goods and services or will "leak" out of the economy. The purchases of local goods and services will then stimulate other local economic activity. Together, these effects are referred to as the "Indirect Effects" of the change in final demand.

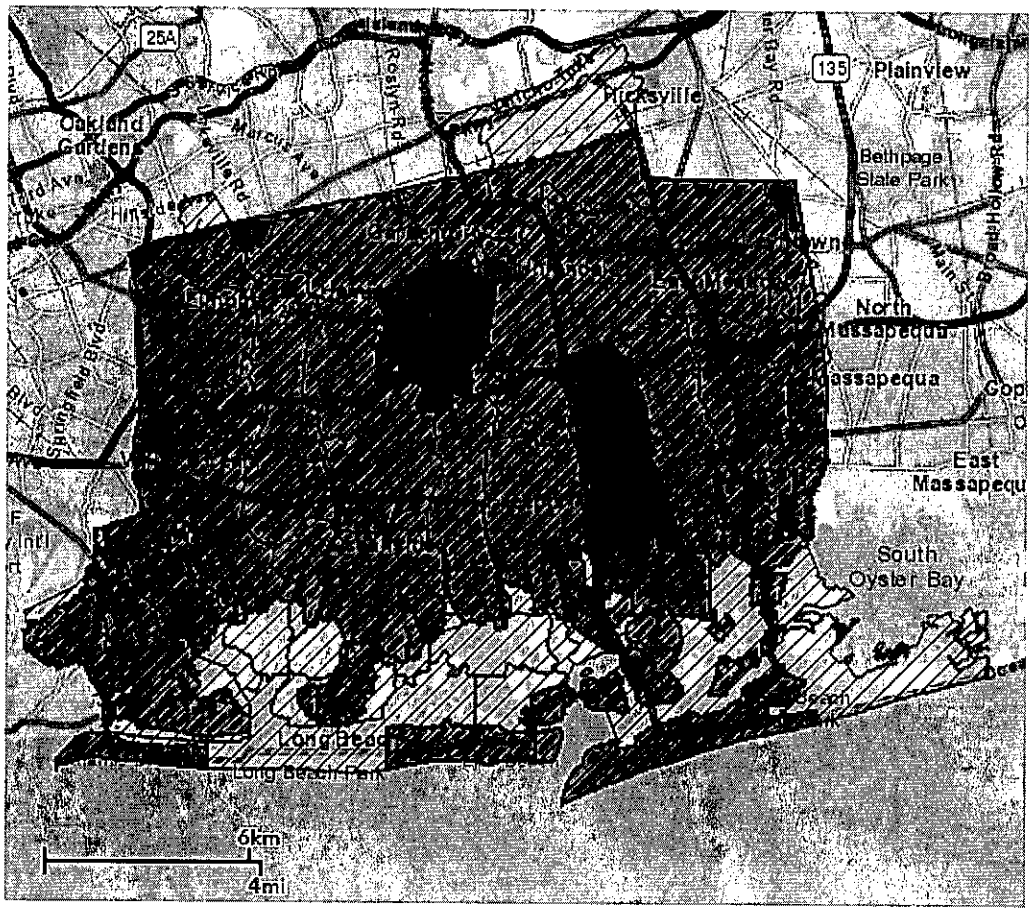
Therefore, the total economic impact resulting from the new widget manufacturer is the initial $1 million of new money (i.e. Direct Effects) flowing in the US economy, plus the Indirect Effects. The ratio of Total Effects to Direct Effects is called the "multiplier effect" and is often reported as a dollar-of-impact per dollar-of-change. Therefore, a multiplier of 2.4 means that for every dollar ($1) of change in final demand, an additional $1.40 of indirect economic activity occurs for a total of $2.40.

Key information for the reader to retain is that this type of analysis requires rigorous and careful consideration of the geography selected (i.e. how the "local economy" is defined) and the implications of the geography on the computation of the change in final demand. If this analysis wanted to consider the impact of the widget manufacturer on the entire North American continent, it would have to conclude that the change in final demand is zero and therefore the economic impact is zero. This is because the $1 million of widgets being purchased by Canadians is not causing total North American demand to increase by $1 million. Presumably, those Canadian purchasers will have $1 million less to spend on other items and the effects of additional widget production will be cancelled out by a commensurate reduction in the purchases of other goods and services.

Changes in final demand, and therefore Direct Effects, can occur in a number of circumstances. The above example is easiest to understand: the effect of a manufacturer producing locally but selling globally. If, however, 100% of domestic demand for a good is being met by foreign suppliers (say, DVD players being imported into the US from Korea and Japan), locating a manufacturer of DVD players in the US will cause a change in final demand because all of those dollars currently leaving the US economy will instead remain. A situation can be envisioned whereby a producer is serving both local and foreign demand, and an impact analysis would have to be careful in calculating how many "new" dollars the producer would be causing to occur domestically.

Attachment B: Study Areas

Town of Hempstead (Green) and ZIP Code Region (Red outline with dashes)



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ECONOMIC DEVELOPMENT

FISCAL AND ECONOMIC IMPACT SUMMARY

AvalonBay Island Park

Hempstead, New York

NP&V No. 18190

Submitted to: AvalonBay Communities, Inc.
58 South Service Road, Suite 303
Melville, New York 11747

Submitted by: Nelson, Pope & Voorhis, LLC,
Environmental Planning Consultants
572 Walt Whitman Road
Melville, New York 11747
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August 23, 2018

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FISCAL AND ECONOMIC IMPACT SUMMARY

AvalonBay Island Park

Hempstead, New York

NP&V No. 18190

Prepared For:	AvalonBay Communities, Inc. 58 South Service Road, Suite 303 Melville, New York 11747
Prepared By:	Nelson, Pope & Voorhis, LLC 572 Walt Whitman Road Melville, New York 11747 (631) 427-5665
Date:	August 23, 2018

1.0 INTRODUCTION AND PURPOSE

Nelson, Pope & Voorhis, LLC (NP&V, LLC) has been requested to prepare a fiscal and economic impact summary for a proposed residential development known as AvalonBay Island Park, located in Hempstead, New York. NP&V is a professional environmental, planning and economic consulting firm with qualifications and expertise to prepare fiscal and economic impact analyses. NP&V has a track record of similar completed projects as well as residential and commercial market analysis and related economic development services to private and municipal clients. The economic qualifications of the firm and personnel are provided in **Attachment A.**

This analysis examines the beneficial fiscal and economic impacts that are anticipated to occur through the construction and annual operations of a residential development to be located on the south side of Island Parkway South and southeast of Sheridan Place in the Town of Hempstead, Nassau County, New York. The location can be more specifically described as Nassau County Tax Map Section 43; Block 381; Lots 35, 36,102,314 and 328.

The proposed project responds to the public need for increased quality rental housing opportunities in the area, as recognized in comprehensive planning documents and evidenced by current conditions within the surrounding community. The project provides a positive contribution toward addressing demand for such housing needs in the Town, through the

construction of 172 multi-family housing units.

The proposed project will create strong economic activity by providing employment and tax base. Consumer activity will ripple through the local community, creating beneficial fiscal and economic impacts throughout the Town of Hempstead, Nassau County, and the region as a whole. The following analysis examines and quantifies the fiscal and economic impacts that are anticipated to result from the proposed development at AvalonBay Island Park. **Section 2.0** outlines the methodology and the sources of data used to project the fiscal and economic impacts generated in this analysis. **Section 3.0** summarizes the existing fiscal and economic conditions – including the local land use and tax base composition, detailed budgets and the current tax rates and levies for both the Town of Hempstead and Nassau County. Moreover, this section summarizes the fiscal impacts that are anticipated to result from the proposed project. These include the generation of annual property tax revenues allocated to each of the taxing jurisdictions located within the boundary of the site. Lastly, **Section 3.0** presents a summary of the direct economic impacts, as well as those indirect and induced impacts that are estimated to occur – on output, employment and labor income – during both the three (3)-year construction period, and annually upon stabilized operations of the proposed project. **Section 4.0** outlines the references and sources of information utilized in this analysis.

2.0 METHODOLOGY

Various data and information from federal, state, local, and commercial data sources was used to analyze the existing conditions and projected fiscal and economic impacts stemming from the construction and annual operation of the proposed development at AvalonBay Island Park.

AvalonBay Communities, Inc. supplied information regarding the unit mix, construction cost and construction schedule, as well as the estimated rental rates, employment and associated salaries during annual operations of the proposed project.

The Town of Hempstead and Nassau County provide information regarding approved budgets and current tax rates for the parcels that comprise the subject property. This tax information was used to compare the existing revenues to those that are projected to be generated upon full build-out of proposed project.

New York State Office of Real Property Services provides data pertaining to the existing tax base and tax revenues for the Town of Hempstead. This information was used to better understand how local budgets and taxing jurisdictions will be affected by the proposed project.

United States Bureau of Labor Statistics and New York State Department of Labor publish the Occupational Employment Statistics survey. This survey was used to estimate the wages earned among those employed within "construction and extraction" occupations in the Long Island labor market. These wages were assumed for each of the workers responsible for the construction of the proposed project.

United States Census Bureau provides the latest population counts and other pertinent demographic data for the Town of Hempstead.

Minnesota IMPLAN Group developed an economic impact modeling system called IMPLAN, short for "impact analysis for planning". The program was developed in the 1970s through the United States Department of Agriculture's Forest Service, and was privatized in 1993.

IMPLAN is built on a mathematical input-output (I-O) model to express relationships between various sectors of the economy in a specific geographic location. The I-O model assumes fixed relationships between producers and their suppliers based on demand, and the inter-industry relationships within a region largely determine how that economy will respond to change. In an I-O model, the increase in demand for a certain product or service causes a multiplier effect; increased demand for a product affects the producer of the product, the producer's employees, the producer's suppliers, the supplier's employees, and so on, ultimately generating a total impact in the economy that is greater than the initial change in demand.

The IMPLAN model is a method for estimating local economic multipliers, including those pertaining to production, value-added, employment, wage and supplier data. IMPLAN differentiates in its software and data sets between 440 sectors that are recognized by the United

States Department of Commerce. Multipliers are available for all states, counties and zip codes, and are derived from production, employment and trade data from sources including the United States Census Bureau, County Business Patterns, Annual Survey of Government Employment, Annual Survey of Retail Trade; United States Bureau of Labor Statistics, Quarterly Census of Employment and Wages, Consumer Expenditure Survey; United States Department of Labor; Office of Management and Budget; United States Department of Commerce; Internal Revenue Service; United States Department of Agriculture, National Agricultural Statistical Service; Federal Procurement Data Center; and United States Bureau of Economic Analysis, Regional Economic Information System, Survey of Current Business, among other national, regional, state and local data sources.

IMPLAN is widely accepted as the industry standard for estimating how much a one-time or sustained increase in economic activity in a particular region will be supplied by industries located in the region. Federal government agencies such as the Army Corps of Engineers, Bureau of Economic Analysis, Bureau of Land Management, Environmental Protection Agency, Federal Reserve Bank, Fish and Wildlife Service, and National Park Service have used the multipliers to study the local impact of government regulation on specific industries and to assess the local economic impacts of Federal actions. State and local governments including New York State Department of Labor, New York State Division of the Budget, New York State Office of the State Comptroller, New York State Assembly and New York City Economic Development Corporation, have used the multipliers to estimate the regional economic impacts of government policies and projects and of events, such as the location of new businesses within their state, or to assess the impacts of tourism. Likewise, businesses, universities and private consultants have used the multipliers to estimate the economic impacts of a wide range of projects, such as building a new sports facility or expanding an airport; of natural disasters; of student spending; or of special events, such as national political conventions.

NP&V personnel have received formal IMPLAN training through the Minnesota Implan Group, and possess the qualifications to project economic impacts for a multitude of project types using this software. For the purpose of this analysis, multipliers specific to socio-economic data in Nassau County's "Construction of new multi-family residential structures" industry were analyzed to determine the direct, indirect and induced economic impacts during the construction period of the proposed project. Moreover, multipliers specific to socio-economic data in Nassau County's "Real estate" industry was analyzed to determine the direct, indirect and induced economic impacts during the annual operations of the proposed project. A summary of these economic impacts can be found in **Section 3.0** of this analysis.

3.0 SUMMARY OF FISCAL AND ECONOMIC IMPACTS

As noted in **Section 1.0**, this analysis summarizes the existing conditions and the fiscal and economic impacts that are associated with the development of the 172-unit multi-family residential development at AvalonBay Island Park. Fiscal impacts include the generation of property tax revenues and their distribution among local taxing jurisdictions subject to any tax deferral and Payment in Lieu of Tax (PILOT) arrangements. Economic impacts include direct, indirect and induced benefits on output, employment and associated labor income during the construction phase and during a stabilized year of annual operations.

The proposed project responds to the public need for increased quality rental housing opportunities in the area, as recognized in comprehensive planning documents and evidenced by current conditions within the surrounding community. The project provides a positive contribution toward addressing demand for such housing needs in the Town, through the construction of 172 multi-family housing units.

The proposed project will increase the distribution of tax ratables throughout the Town of Hempstead and Nassau County. Moreover, the proposed project will generate immediate construction jobs as well as permanent employment opportunities for Town and area residents. Such fiscal and economic benefits are most crucial to the economic well-being of Long Island, New York State and the nation as a whole.

A summary of findings is provided herein, with detailed methodologies and references provided throughout this analysis. This analysis was prepared using methods, data and information that are considered to be industry standard for such fiscal and economic impact analyses.

Definition of Economic Impacts

A *direct impact* arises from the first round of buying and selling. These direct impacts are used to identify additional rounds of buying/selling for other sectors of the economy and to identify the impact of local household spending. *Indirect impact* refers to the increase in sales of other industry sectors, which include further round-by-round sales. *Induced impact* accounts for the changes in output and labor income by those employed within the region, resulting from direct and indirect impacts. The *total impact* is the sum of the direct, indirect and induced impacts.

Key Findings

Existing Conditions

- According to the U.S. Census Bureau, there are 768,708 persons residing within 254,674 housing units in the Town of Hempstead.[1]
- The vast majority of assessed parcels in the Town of Hempstead are residential properties, comprising 88.1% of the total number of parcels. However, such properties comprise 32.7% of the Town's tax base[2] and cause the greatest burden on community services.
- The Town of Hempstead adopted a balanced operating budget for the 2017-18 fiscal year, with budgeted expenditures and revenues of $418.6 million. This includes both town-wide funds and special district funds.[3]

[1] 2016 American Community Survey 5-Year Estimates, via the U.S. Census Bureau.
[2] New York State Office of Real Property Tax Services, 2017 Annual Assessment Rolls, 2017 Parcel Counts by Individual Property Class Code.
[3] Town of Hempstead, "*Adopted Budget for the year ending December 31, 2018.*"

- Nassau County created a 2018 operating budget with expenditures and revenues of over $3.0 billion.[4]
- Unemployment has decreased substantially since its peak in 2010. As of December 2017, approximately 17,500 persons – 4.3% of the Town's labor force – are unemployed. While it is important to note that this data has not been seasonally adjusted, such trends are nonetheless higher than Nassau County and Long Island rates, and slightly lower than that of New York State.[5]
- Under existing conditions, the subject property is taxed as a Class I property. Class I property owners within this part of the Town are currently taxed at a rate of $1,132.76 per $100 assessed valuation. Such tax rates include taxes paid to the Town of Hempstead, Island Park UFSD and Nassau County.[6] The existing distribution of tax revenues is shown in **Table 1.**

Table 1
EXISTING TAX REVENUES

Taxing Jurisdiction	Current Tax Rate (per $100 Assessed Valuation)	Current Tax Revenue	Percent of Total Tax Revenue
Total: School Tax	**688.605**	**$59,461**	**60.8%**
Island Park UFSD	661.132	$57,089	58.4%
Library District	27.473	$2,372	2.4%
Total: County Tax	**222.562**	**$19,218**	**19.6%**
County General Fund	11.943	$1,031	1.1%
County Environmental Bond	1.694	$146	0.1%
Fire Prevention	3.330	$288	0.3%
Nassau Community College	11.272	$973	1.0%
County Police Headquarters	84.112	$7,263	7.4%
NYS Property Tax Refund Fund	0.000	$0	0.0%
Storm Water Resources Zone of Assessment	2.486	$215	0.2%
Sewer Coll & Disposal Zone of Assessment	22.488	$1,942	2.0%
County Police	85.237	$7,360	7.5%
County General Fund	11.943	$1,031	1.1%
Total: Town Tax	**221.592**	**$19,134**	**19.6%**
Wreck Lead Fire Protection District	35.796	$3,091	3.2%
General Town	16.000	$1,382	1.4%
Combined Highway	45.500	$3,929	4.0%
Town Building Dept, Zoning & Appeals, Unincorporated Area	2.549	$220	0.2%
Hempstead Lighting District	5.940	$513	0.5%
Hempstead Refuse and Garbage District	59.366	$5,126	5.2%
Hempstead Park District	28.920	$2,497	2.6%
Hempstead Refuse Disposal District	27.521	$2,376	2.4%
TOTAL: ALL TAXING JURISDICTIONS	**1,132.759**	**$97,814**	**100.0%**

Source: Nassau County Department of Assessment; Analysis by Nelson, Pope & Voorhis, LLC.

[4] Nassau County, "*2018 NIFA Conformed Adopted Budget Summary of Fiscal 2018, December 2017.*"
[5] New York State Department of Labor.
[6] Nassau County Department of Assessment.

Anticipated Fiscal Impacts

- For the purpose of this analysis, it was assumed that the 172 rental units would be taxed as Class I property.
- For taxing purposes, the total estimated market valuation of the proposed project is based upon monthly rental rates averaging $2,550 for each one (1)-bedroom, $3,450 for each two (2)-bedroom unit, and $4,150 for each three (3)-bedroom unit. After applying estimated loss from vacancies of 5%, as well as an expense ratio of 40% for residential use, a capitalization rate of 0.1 and a Town equalization rate of 0.25%, the estimated assessed valuation of the proposed project upon full build-out and occupancy is approximately $96,377.
- Fiscal impacts are projected based on full build-out and full taxation based on current assessments and projected revenues. It is noted that tax deferral will delay and phase-in full taxation. The projection of tax revenues is useful in determining future taxation and in assisting with an understanding of existing and future taxes to help structure a PILOT agreement.
- At full build-out and full taxation, the proposed project is projected to generate nearly $1.1 million in annual property taxes. This represents a net increase of almost $994,000 per year when compared to existing site conditions. The distribution of tax revenues is shown in **Table 2.**

Table 2
ANTICIPATED TAX REVENUE GENERATION

Taxing Jurisdiction	Current Tax Revenue	Projected Tax Revenue	Change in Tax Revenue	Percent of Total Tax Revenue
Total: School Tax	**$59,461**	**$663,653**	**$604,192**	**60.8%**
Island Park UFSD	$57,089	$637,176	$580,087	58.4%
Library District	$2,372	$26,478	$24,105	2.4%
Total: County Tax	**$19,218**	**$214,497**	**$195,279**	**19.6%**
County General Fund	$1,031	$11,510	$10,479	1.1%
County Environmental Bond	$146	$1,633	$1,486	0.1%
Fire Prevention	$288	$3,209	$2,922	0.3%
Nassau Community College	$973	$10,864	$9,890	1.0%
County Police Headquarters	$7,263	$81,064	$73,801	7.4%
NYS Property Tax Refund Fund	$0	$0	$0	0.0%
Storm Water Resources Zone of Assessment	$215	$2,396	$2,181	0.2%
Sewer Coll & Disposal Zone of Assessment	$1,942	$21,673	$19,731	2.0%
County Police	$7,360	$82,148	$74,788	7.5%
Total: Town Tax	**$19,134**	**$213,563**	**$194,428**	**19.6%**
Wreck Lead Fire Protection District	$3,091	$34,499	$31,408	3.2%
General Town	$1,382	$15,420	$14,039	1.4%
Combined Highway	$3,929	$43,851	$39,922	4.0%
Town Building Dept, Zoning & Appeals, Unincorporated Area	$220	$2,457	$2,237	0.2%
Hempstead Lighting District	$513	$5,725	$5,212	0.5%
Hempstead Refuse and Garbage District	$5,126	$57,215	$52,089	5.2%
Hempstead Park District	$2,497	$27,872	$25,375	2.6%
Hempstead Refuse Disposal District	$2,376	$26,524	$24,147	2.4%
TOTAL: ALL TAXING JURISDICTIONS	**$97,814**	**$1,091,713**	**$993,900**	**100.0%**

Source: Nassau County Department of Assessment; Analysis by Nelson, Pope & Voorhis, LLC.

Economic Impacts of Construction

A detailed analysis of direct, indirect and induced impacts generated during the construction period is outlined below. It is important to note that each of these impacts are temporary and are projected to occur only while the proposed project is being constructed.

- For the purpose of this analysis, it is anticipated that construction of the proposed project will commence in the Spring of 2019, with the construction period anticipated to occur over a period of three (3) years, culminating in the Spring of 2022.[7] The proposed project is projected to represent $38.3 million[8] in construction costs over the three (3)-year construction period.[9] This includes building demolition/construction and site work, but not land and/or building acquisition, machinery and equipment, legal fees, architectural/engineering fees, financial charges, or environmental costs. This $38.3 million in direct annual output is projected to generate an indirect impact of over $11.8 million, and an induced impact of an additional $16.3 million, bringing the total economic impact output to nearly $66.5 million during the three (3)-year construction period.[10]
- During the construction period, direct employment refers to the number of short-term jobs necessary to complete the construction of the proposed project. The construction period is anticipated to generate 90.7 full time equivalent (FTE) jobs, which are anticipated to last the entire duration of the three (3)-year construction period.
- The 90.7 FTE jobs created during the construction period will have an indirect impact of 77.8 FTE employees and an induced impact of 110.6 FTE employees in other industry sectors, bringing the total impact of the three (3)-year construction period to 279.1 FTE jobs.[11] This job creation – direct, as well as indirect and induced – is most crucial to Long Island's economic well-being, and presents opportunities for persons who remain unemployed throughout the region.
- During the construction period, direct labor income refers to the annual earnings, wages, or salary paid to each of the workers responsible for the construction of the proposed project. Labor income typically comprises approximately 50% of the cost of residential construction; the remaining portion represents the cost of materials.[12]
- Labor income is projected to total $70,359 per year, per employee.[13] When applied to the three (3)-year construction period, this represents approximately $211,078 per employee, and

[7] Construction schedule provided by AvalonBay Communities, Inc., in August 2018.

[8] For the purpose of this analysis, this figure and all other figures in the construction portion of this analysis reflect 2019 dollars, the year in which construction is assumed to commence.

[9] Construction costs provided by AvalonBay Communities, Inc., in August 2018. It is important to note that all costs are estimates based upon market conditions as of the date of preparation of this analysis.

[10] According to IMPLAN, a multiplier of 1.676591 represents the total dollar change in output that occurs in all industries for each additional dollar of output delivered to final demand through the "Construction of new multi-family residential structures" (IMPLAN Sector 60) in Nassau County, New York.

[11] According to IMPLAN, a multiplier of 9.941667 represents the total change in the number of jobs that occurs in all industries for each additional one million dollars of output delivered to final demand through the "Construction of new multi-family residential structures" (IMPLAN Sector 60) in Nassau County, New York.

[12] Construction/renovations labor and materials estimates per architectural design group Hawkins, Webb, Jaeger, PLLC.

[13] New York State Department of Labor's Occupational Employment Statistics survey reports a mean wage of $68,310 among those employed within construction and extraction occupations in the Long Island labor market. Data was collected between November 2014 and May 2017, and then updated to the first quarter of 2018 by making cost-of-living adjustments. An additional annual inflation factor of three percent (3%) was applied to the average wage, to reflect wages at the commencement of the construction period – estimated to occur in 2019 for the purpose of this analysis.

$19,150,000 in collective earnings among the 90.7 FTE employees. This labor income is projected to have an indirect impact of over $5.0 million and an induced impact of over $6.0 million, bringing the total economic impact of the three (3)-year construction period to over $30.2 million in labor income.[14]

A summary of key economic findings projected to occur during the three (3)-year construction period is provided in **Table 3**.

Table 3
SUMMARY OF KEY ECONOMIC FINDINGS DURING THREE (3)-YEAR CONSTRUCTION PERIOD

Impact Type	Output (Total Revenue)[15]	Employment (Total Number of FTE Jobs)[16]	Labor Income (Total Wages)
Direct Impact	$38,300,000	90.7	$19,150,000
Indirect Impact	$11,817,769	77.8	$5,091,461
Induced Impact	$16,381,569	110.6	$6,023,246
Total Impact	$66,499,338	279.1	$30,264,707

Source: Data provided by AvalonBay Communities, Inc.; Analysis by Nelson, Pope & Voorhis, LLC, via IMPLAN software.

Economic Impacts of Annual Operations

A detailed analysis of direct, indirect and induced impacts generated annually during operations is outlined below. It is important to note that each of these impacts is permanent and on-going and they are projected on an annual basis, assuming continued stabilized operations of the 172-unit multi-family residential development at AvalonBay Island Park.

- It is assumed that the proposed project will begin the operational phase of development upon the completion of the three (3)-year construction period, anticipated to occur in the Spring of 2022. For the purpose of this analysis, the first year of stabilized operations is assumed to occur in 2023.
- Annual output will be generated in the form of monthly rental income, which averages $2,550 for each one (1)-bedroom, $3,450 for each two (2)-bedroom unit, and $4,150 for each three (3)-bedroom unit.[17] Given these assumptions, the proposed project will generate over $7.0 million[18] in annual operational revenue.

[14] According to IMPLAN, a multiplier of 0.672822 represents the total dollar change in labor income of households employed by all industries for each additional dollar of output delivered to final demand through the "Construction of new multi-family residential structures" (IMPLAN Sector 60) in Nassau County, New York..

[15] The direct impact of output is equal to the total construction cost of the proposed project over the three (3)-year construction period.

[16] For the purpose of this analysis, it is assumed that the persons employed during the construction of the proposed project will be employed for a duration of three (3) years, from the commencement until the culmination of the construction period.

[17] Assumptions pertaining to monthly rental rates provided by AvalonBay Communities, Inc., in August 2018. It is important to note that all costs are estimates based upon market conditions as of the date of preparation of this analysis.

[18] For the purpose of this analysis, this figure and all other figures in the operations portion of this analysis reflect 2023 dollars, the year in which stabilized operations are assumed.

- This $7.0 million in annual revenues are projected to generate an indirect impact of over $2.3 million and an induced impact of $816,443 per year. This additional output is generated through round-by-round sales made at various merchants in other sectors of the regional economy. These include local retailers, service providers, banks, grocers, restaurants, financial institutions, insurance companies, health and legal services providers, and other establishments in the region.
- The sum of the direct, indirect and induced impacts results in a total economic impact on output of over $10.1 million during annual operations.[19]
- The proposed project is anticipated to generate six (6) FTE jobs on site.[20] The six (6) FTE jobs will have an indirect impact of 15.7 FTE employees and an induced impact of 5.4 FTE employees in other industry sectors, bringing the total economic impact of employment to 27.1 FTE jobs during annual operations.[21]
- The six (6) FTE jobs will generate a total of $366,000 in collective labor income.[22] This labor income will have an indirect impact of approximately $848,371 and an induced impact of $301,070, bringing the total economic impact of labor income to over $1.5 million during annual operations.[23]

A summary of key economic findings projected to occur during annual operations is provided in **Table 4.**

Table 4
SUMMARY OF KEY ECONOMIC FINDINGS DURING ANNUAL OPERATIONS

Impact Type	Output (Annual Revenue)	Employment (Number of Annual FTE Jobs)	Labor Income (Annual Wages)
Direct Impact	$7,009,200	6.0	$366,000
Indirect Impact	$2,337,666	15.7	$848,371
Induced Impact	$816,443	5.4	$301,070
Total Impact	$10,163,309	27.1	$1,515,440

Source: Data provided by AvalonBay Communities, Inc.; analysis by Nelson, Pope & Voorhis, LLC, via IMPLAN software.

[19] According to IMPLAN, a multiplier of 1.530718 represents the total dollar change in output that occurs in all industries for each additional dollar of output delivered to final demand by "Real estate" (IMPLAN Sector 440), in Nassau County, New York.

[20] Assumptions pertaining to the direct employment provided by AvalonBay Communities, Inc., in August 2018. It is important to note that all assumptions are estimates based upon market conditions as of the date of preparation of this analysis.

[21] According to IMPLAN, a multiplier of 9.757698 represents the total change in the number of jobs that occurs in all industries for each additional one million dollars of output delivered to final demand by "Real estate" (IMPLAN Sector 440) in Nassau County, New York.

[22] Assumptions pertaining to the direct labor income provided by AvalonBay Communities, Inc., in August 2018. It is important to note that all assumptions are estimates based upon market conditions as of the date of preparation of this analysis.

[23] According to IMPLAN, a multiplier of 0.361540 represents the total dollar change in labor income of households employed by all industries for each additional dollar of output delivered to final demand by "Real estate" (IMPLAN Sector 440) in Nassau County, New York.

4.0 REFERENCES

Minnesota IMPLAN Group, Inc., 2009. IMPLAN Economic Modeling System, Version 3.0.2.1, Revised 2009. Hudson, Wisconsin.

New York State Department of Labor, 2018. Labor Force and Unemployment Data, Local Area Unemployment Statistics Program, Albany, New York, 2018.

New York State Department of Labor, in partnership with United States Bureau of Labor Statistics, 2018. Occupational Employment Statistics Survey. Long Island Region, 2018.

New York State Office of Real Property Services, 2017. 2016 Annual Assessment Rolls, 2016 Parcel Counts by Individual Property Class Code. Albany, New York, 2017.

Nassau County, 2017. 2018 NIFA Conformed Adopted Budget: Summary of Fiscal 2018. Mineola, New York, 2017.

Nassau County Department of Assessment, 2018. Statement of Taxes. Mineola, New York, 2017.

Town of Hempstead, 2017. 2018 Adopted Budget. Hempstead, New York, 2017.

United States Census Bureau, 2018. 2012-2016 American Community Survey 5-Year Estimates. Accessed via American FactFinder. Washington, District of Columbia, 2018.

ATTACHMENT A

Nelson, Pope & Voorhis, LLC
Economic Analysis Qualifications

NELSON POPE & VOORHIS

ABOUT NELSON, POPE & VOORHIS...

ENVIRONMENTAL PLANNING CONSULTING

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Nelson, Pope & Voorhis, LLC was formed in 1997 and has grown in capabilities and size since that time. The merging of Charles Voorhis & Associates (13 year history) with Nelson & Pope (a 50-year tradition in engineering and related services) created an environmental planning firm with a wealth of experience to bring to complex environmental problem solving, planning and feasibility, resource assessment and site investigations.

Nelson, Pope & Voorhis serves governmental and private sector clients in preparing creative solutions in the specialized area of complex environmental project management and land use planning and analysis.

Nelson, Pope & Voorhis has the benefit of knowledge of local issues, local resources, and the passion to provide the very best solutions and strategies for the local area. This provides unparalleled knowledge of the application of the community planning process, comprehensive planning and SEQRA Administration. The result is a team of highly compatible land use professionals that will get the job done in a manner that ensures real and implementable solutions.

Nelson, Pope & Voorhis employees are recognized as experts in environmental, land use and planning issues and have provided consulting services to various municipalities. NP&V encourages continuing education through participation in conferences and seminars for all staff and holds regular training luncheons utilizing APA and other training packages.

Nelson, Pope & Voorhis has a capable staff of professionals, including planners and economic analysts, ecologists, hydrologists, wetlands specialists and environmental professionals. When integrated with technical staff of Nelson & Pope, the team is expanded to include civil, sanitary and transportation engineers and land surveyors.

Nelson, Pope & Voorhis would appreciate the opportunity to discuss how we can assist you in achieving your goals. We are committed to providing quality environmental, planning and consulting services to all clients. This statement of qualifications is an introduction to the many services we provide with a focus on municipal services; the following pages contain a more detailed presentation of services offered by Nelson, Pope & Voorhis, as well as a sampling of completed projects and key staff resumes.

Call us at (631) 427-5665. We welcome the opportunity to serve your environmental, planning and consulting needs.

NP&V

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Charles Voorhis is managing partner and is a member of the American Institute of Certified Planners (AICP) and is a Certified Environmental Professional (CEP), having over 30 years of experience in environmental planning on Long Island and the New York area. Mr. Voorhis oversees the business in terms of management, marketing and expertise, provides expert testimony in hearings and court proceedings, and ensures that client needs are served to the best of the firm's ability.

The firm has significant expertise in applied use of the State Environmental Quality Review Act (SEQRA) with understanding of the practical and legal use of this law from both the private and municipal perspective. Staffing includes environmental professionals assembled to work together as a team with complementary expertise and interests. NP&V personnel maintain wildlife collection permits in New York State, and are active contributors to the Long Island Geographic Information System (GIS) user group meetings and publications.

The firm has developed a number of copyright protected computer models for environmental analysis in the areas of: wildlife and ecology; water budget analysis and groundwater impacts; economic and market analysis; and stormwater impact prediction. The reports and graphics generated for projects are high in quality and professionally prepared through the use of state-of-the-art technology in digital aerial photography, geocoding and mapping of site features using differential global positioning systems (GPS), AutoCAD analysis/mapping, ESRI geographic information systems (GIS) programs including ArcMap and 3D Analyst and Spatial Analyst, custom spreadsheet models for regional land use impact assessment, and related technological tools for advanced data management and word processing. The seamless integration of environmental and engineering services with Nelson & Pope is accomplished by direct communication and computer networking to ensure that projects are managed through the review process to the development stage.

NP&V features three divisions, created to better serve clients with high quality, innovative and responsive consulting

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THE THREE DIVISIONS OF NP&V...

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The division of **ENVIRONMENTAL & COMMUNITY PLANNING** specializes in comprehensive local and regional planning. Technology is key in today's planning field and NP&V continues to keep pace with the most current tools available for planning applications. Use of Geographic Information System (GIS) software, 3D Analyst, ArcScene and Spatial Analyst, as well as CommunityViz (3-D simulation and analysis software), architectural SketchUp (modeling software), AutoCAD, and planning and analysis software and spreadsheets, results in rapid, accurate and high quality data, analysis, illustration and reporting. This division conducts planning studies, revitalization plans, community development/public participation activities, and human resource analysis including noise, air, demographic, socio-economic and visual resource assessment (including 3D simulations, photo simulations and shadow studies). The division is directed by Kathryn Eiseman, AICP and includes planners, economic analysts and GIS specialists with environmental, planning and architectural backgrounds.

The division of **ENVIRONMENTAL RESOURCE & WETLANDS ASSESSMENT** provides quality services in the preparation of Environmental Impact Statements (EIS's), Environmental Assessments (EA's), planning and zoning law review and preparation, stormwater permitting and erosion control compliance, and wetland delineation, assessment, mitigation and permitting. This division is headed by Carrie O'Farrell, AICP and has a capable staff including environmental scientists, wetland ecologists and environmental professionals to ensure timely delivery of quality products.

The division of **PHASE I/II ASSESSMENTS & REMEDIATION** performs Phase I and II Environmental Site Assessments (ESA's), voluntary cleanup, brownfields cleanup, RI/FS and all aspects of site remediation and investigation. The division is headed by Steven McGinn, CEI a member of Nelson & Pope's environmental services branch for 13 years with significant experience in preparation of Phase I/II ESA's field investigations and remediation. This division includes a staff of hydrogeologists and environmental professionals and coordinates required field equipment and laboratory services. NP&V has performed large and small assessments and provides the fastest possible turnaround to meet due diligence periods and deadlines which are often a factor in real estate transactions. NP&V Phase I/II ESA services are known and accepted by lending institutions throughout the tri-state area. NP&V owns, maintains and operates GPR (Ground Penetrating Radar) and PowerProbe units to provide expanded services in site investigations. A description of NP&V qualifications and resumes of personnel proposed for the project and specific project experience is included in the

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What we do at Nelson, Pope & Voorhis...

- **SEQRA Compliance and Environmental Analysis:** Environmental impact statements (EIS); assessment forms (EAF); ecological and wildlife studies; noise and air emission impact studies; and compliance with Federal, State & local environmental regulations & laws.
- **Municipal Planning:** Full environmental and planning review services for municipalities including site plan and subdivision review, zoning board review and SEQRA Administration.
- **Regional and Community Planning:** Conceptual site development planning; public outreach: visioning workshops and charrettes; development alternatives; zoning; site yield studies; build-out analysis; visual analysis (3-D modeling; photo simulations) and comprehensive regional and hamlet planning studies.
- **Feasibility and Due Diligence Assistance:** Comprehensive research into site development related issues affecting project implementation, timing and costs.
- **Economic Planning: Fiscal** and economic impact analyses, market analyses & feasibility studies, economic development strategies, niche market and branding planning, tax base analysis, housing incentives and programs and community development.
- **Grants Administration:** Preparation of federal and state funded municipal grant applications, project management; including the preparation of all reporting documents.
- **Environmental Site Assessment:** Phase I, II and III environmental site assessments; geophysical surveys; remedial investigation and feasibility studies; Brownfield investigations; voluntary cleanup program; oil spill closure; asbestos and lead testing and abatement.
- **Soil Borings & Subsurface Investigations:** Soil borings, Ground Penetrating Radar; groundwater investigations, modeling; and flow studies; monitoring well and peizometer installation.

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- **STORM WATER MANAGEMENT PLANS (SWPPPS):** Design of management plans for storm water and erosion control compliance with latest Federal and State regulations; preparation and processing of NOI; and site compliance during construction...

- **WATERFRONT AND COASTAL ZONE PROJECTS:** Planning; permitting of waterfront improvement projects; water quality data management and studies; and docking facilities...

- **MAPPING:** Inventory of physical features; GIS mapping; data management and analysis; and ground penetrating radar for identification of subsurface conditions...

- **WATERSHED MANAGEMENT AND WATER SUPPLY:** Comprehensive regional watershed and water supply management and planning studies...

- **PERMITTING AND PROCESSING:** Preparation and processing of environmental applications for submittal; client representation before municipal agencies and departments and expert testimony for legal support and hearings...

- **Wetland Permitting:** Flagging and identification of fresh water and tidal wetlands; preparation of wetland permitting; and wetland restoration plans.

Nelson, Pope & Voorhis has the benefit of knowledge of local issues, local resources, and the passion to provide the very best solutions and strategies for the local area. This provides unparalleled knowledge of the application of the community planning process, comprehensive planning and SEQRA Administration. The result is a team of highly compatible land use professionals that will get the job done in a manner that ensures real and feasible solutions.

Economic and Fiscal Impact Analysis, Demographic and Community Needs Assessments

Environmental Planning Consulting

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- Economic Development Strategies
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- Main Street Revitalization
- Comprehensive Community Needs Assessments
- Socioeconomic Analysis
- Demographic analysis
- Tax Base Analysis

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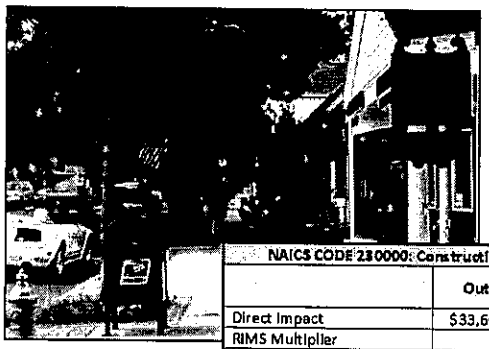
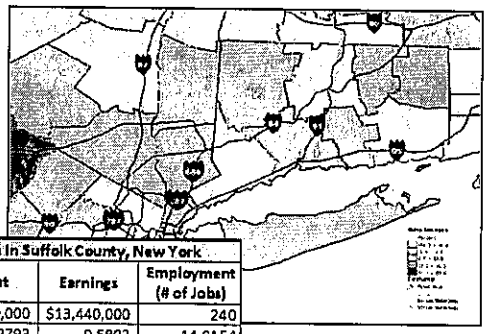
Storm Water Management Plans
Waterfront & Coastal Zone Projects
Mapping
Watershed Management & Water Supply
Permitting & Processing
Sustainability & LEED
Project Planning & Support





NAICS CODE 230000: Construction in Suffolk County, New York			
	Output	Earnings	Employment (# of Jobs)
Direct Impact	$33,600,000	$13,440,000	240
RIMS Multiplier	1.9793	0.5803	14.0154
Indirect and Induced Impact	$66,504,480	$7,799,232	100
Total Impact	$100,104,480	$21,239,232	340

Many of our clients know of our quality services in tax revenue and demographic impact analysis including demographic and school district impact assessments. This expertise combined with our expert use of Geographic Information System (GIS) and census data has allowed NP&V to complete quality fiscal and economic impact studies since the company was formed in 1997.

Our fiscal impact analyses identify project benefits in terms of tax revenue projections and demand for community services from various providers. We have expanded our capabilities and recently, our economic impact analyses concentrate on an expanded quantification of project benefits including job generation during the construction and operation of development, projected salaries, consumer spending, sales tax generation from spending and other economic "ripple effect" benefits. It is critically important to understand the full benefits of economic development projects during difficult economic times.

NP&V has a track record of completed, successful and built projects involving fiscal impact analysis, demographic assessment, market studies and customized analyses of community service related impacts in nearly all Towns in Nassau and Suffolk Counties. NP&V's economic planning expertise can be integrated into economic development strategies, project feasibility, balancing of mixed-use project scenarios, community development and assistance programs and needs assessments. Please contact us for more information on how we can assist with the economic planning aspects of your development, re-development, revitalization or community needs assessment project.

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MARKET ANALYSIS

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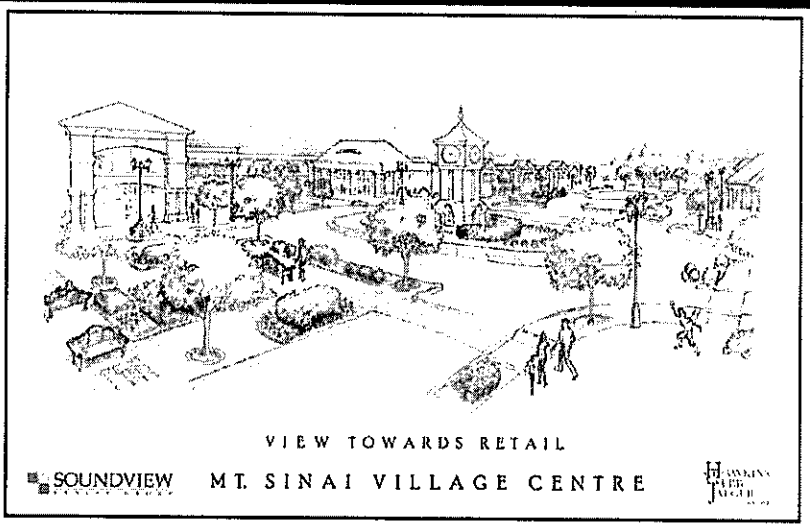
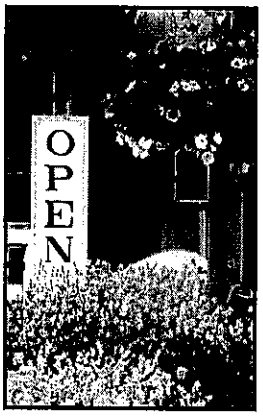


NP&V is a professional environmental and planning firm with qualifications and expertise to prepare various types of residential and commercial market analyses and feasibility studies, and has a track record of such completed projects throughout Long Island.

In the preparation of a market analysis, NP&V strives to identify and quantify the need for a specific type of development – be it a shopping center, office space, a new residential subdivision or an assisted living community, among others – that can be accommodated at a given location. NP&V is able to analyze the relationship between the supply and demand and reveal whether or not a given development could be supported in a specified location. This is accomplished through the definition of a target market area, a critical evaluation of demographics, socioeconomic characteristics and consumer trends, and an analysis of existing and comparable developments.



Findings and recommendations of our market analyses are tailored to each community, and provide the facts necessary to determine the viability of a given project, attract specific types of businesses, and market projects to possible investors. As such, our market analyses have proven to be a valuable tool in the decision-making process – for both the public sector and private developers.

NELSON POPE & VOORHIS

572 Walt Whitman Road
Melville, New York
11747

PHONE: 631-427-5665
FAX: 631-427-5620
NPV@NELSONPOPE.COM

Niche Market and Branding Plan & Build-Out/Tax Base Analysis
Town of Brookhaven

Environmental Planning Consulting

Feasibility & Due Diligence Assistance
Regional & Site Planning
Economic Planning
Grant Preparation & Administration
Environmental Site Assessment
Environmental Science & Analysis
Wetland Permitting
Storm Water Management Plans
Waterfront & Coastal Zone Projects
Mapping
Watershed Management & Water Supply
Permitting & Processing
Sustainability & LEED
Project Planning & Support

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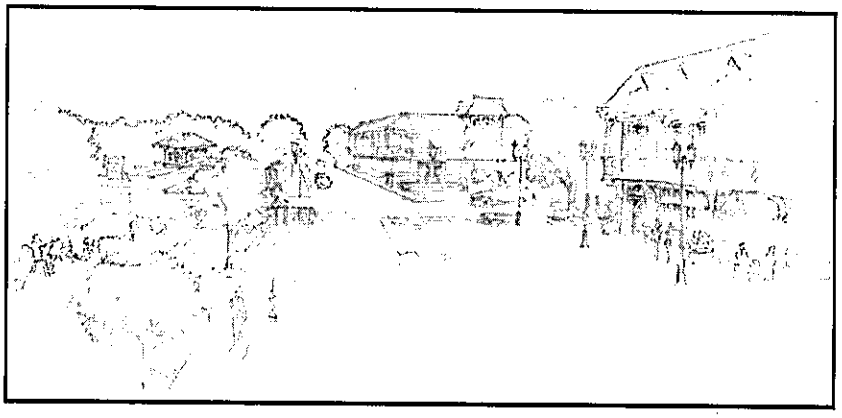

Nelson, Pope & Voorhis (NP&V) is working with the Town of Brookhaven on a niche market and branding plan for Greater Bellport community. The focus of this plan is to form a set of recommendations that outline the necessary steps that members in the Greater Bellport community can take in order to successfully create a sense of place, community pride and positive perceptions through a more niche-oriented position in the local market. NP&V recommended various initiatives to make the Greater Bellport community unique and marketable, creating a place that people want to be, where people are comfortable, and a place that people remember and come back to time and again. The niche market and branding plan strives to promote the community's niche market to new residents, visitors and economic development opportunities alike, offering the Greater Bellport community the opportunity to develop a theme that they want to be known for.

NP&V is also working with the Town of Brookhaven on a build-out/tax base analysis, to analyze how the local school district could be impacted by growth. NP&V is working on the creation of a GIS model to compare tax assessments for various land use scenarios to ensure an adequate tax base to support increased growth in school population without disproportionate increases in residential tax rates. This model will be used to test assumptions for future development and analyze various alternatives in an automated fashion, allowing for easily comparison of scenarios and results. Ultimately, the model will provide a reality check for future planning with respect to provision of quality community services, and may provide support for creating additional commercial tax base within the district. The project is underway, and is nearing completion.

NP&V

Economic Development Chapter of the Comprehensive Plan Update
Town of Southold

Environmental Planning Consulting

Feasibility & Due Diligence Assistance
Regional & Site Planning
Economic Planning
Environmental Site Assessment
Environmental Science & Analysis
Wetland Permitting
Storm Water Management Plans
Waterfront & Coastal Zone Projects
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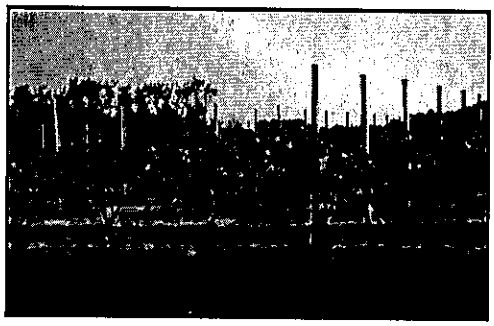
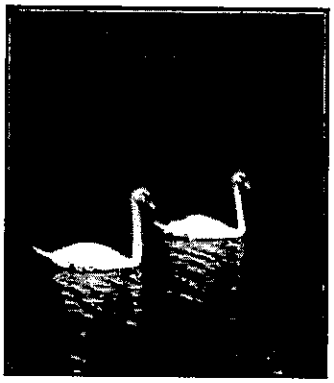
Project Planning & Support





In an effort to achieve the Town's vision, five goals and numerous objectives were formed to provide direction for future decision-making pertaining to the Town's economy. Much of the Town's economic vitality is based on the Town's unique rural, historic and maritime-based character as well as its natural resources. It is critical that these qualities be recognized, enhanced and protected. NP&V is currently working on the preparation of the economic chapter of the Comprehensive Plan Update for the Town of Southold to allow for the formation of appropriate recommendations and implementation strategies focused on long-term economic sustainability throughout the Town.

One of the specific tasks involved with the economic chapter of the Town's Comprehensive Plan is the zoning/build-out analysis. The Town of Southold is facing development pressure and is concerned about the impact that the current zoning may have on the Town's resources. The Town of Southold prepared a build-out analysis of several zoning districts, and NP&V funneled these findings into a model to assess the regional impact of full build-out and modified development scenarios. Ensuring quality of life, protection of environmental resources, housing needs and maintenance of the tax base were key elements of the model. This project involved the creation of a spreadsheet model to synthesize multiple evaluation factors to analyze the impact of full build out of the Town of Southold under its current zoning. This project is an update to a similar project completed for the Town in 2003.

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NP&V

RESUMES

Nelson, Pope & Voorhis

Charles J. Voorhis, AICP, CEP

NELSON, POPE & VOORHIS, LLC
ENVIRONMENTAL • PLANNING • CONSULTING

Title

Managing Partner of Firm, Nelson, Pope & Voorhis, LLC; Melville, New York

Education & Training

- SUNY at Stony Brook; Master of Science in Environmental Engineering, concentration in Water Resource Management, 1984
- Princeton Associates; Groundwater Pollution and Hydrology Short Course, Princeton, New Jersey, 1983
- New York State Health Department, Environmental Health Training Course, Hauppauge, New York, 1982
- Southampton College of Long Island University; Bachelor of Science in Environmental Geology, 1977

Professional Affiliations, Certifications & Training

- American Planning Association, Washington, D.C.
- National Association of Environmental Professionals, Alexandria, VA
- Environmental Assessment Association, Scottsdale, Arizona
- American Water Resources Association, Syracuse, New York
- New York Water Pollution Control Association, Riverdale, NY
- Water Pollution Control Federation, Washington, D.C.
- Long Island Seaport & EcoCenter, Inc., Director, Port Jefferson, NY
- Boy Scouts of America, Trained Scoutmaster, Nathanial Woodhull District,
- Historical Society of Port Jefferson, Trustee, Port Jefferson, NY
- Environmental Conservation Board, Village of Port Jefferson, NY
- Port Jefferson Village, Waterfront Advisory Committee, Port Jefferson, NY
- Town of Brookhaven Mount Sinai Harbor Advisory Committee, Medford, NY
- Brookhaven Conservation Advisory Council, Medford, NY

Professional Experience

Charles Voorhis is a professional planner (AICP) and a certified environmental professional (CEP) with both private sector and public sector experience. Mr. Voorhis has managed municipal projects including regional and local planning studies, wetlands and shoreline restoration, environmental impact statements, permit compliance and environmental analysis. Charles Voorhis has over 39 years of professional environmental planning experience, including the position of Director of Environmental Protection of the Town of Brookhaven, supervising the environmental implementation of the Town of Brookhaven Comprehensive Plan Update and secured grants under the Local Waterfront Revitalization Program. As a private consultant for over 23 years, Mr. Voorhis has managed environmental planning and analysis of large scale planning and development projects throughout Nassau and Suffolk Counties. Recent projects include a study to eradicate aquatic invasive/nuisance species in upper and lower Canaan Lakes, Yaphank, stormwater management studies on the north and south shores for the Town of Brookhaven and Town of Islip, completion of the Water Supply Management & Watershed Protection Strategy for the Town of Southold, completion of the Suffolk County North Shore Embayments Watershed Management Plan, and completion of the Lake Agawam Comprehensive Management Plan, as well as numerous environmental impact statements, wetland and shoreline feasibility analyses and management plans.

Project Experience

- Great Cove Watershed Management Plan, 2011
- Town of Southold Comprehensive Plan Update, Economic Chapter, 2010
- Beaver Dam Creek Watershed Management Plan, 2009
- Lake Agawam Comprehensive Management Plan, 2009
- Southold TDR Planning Report and GEIS, 2008
- The Residences at North Hills, DEIS and FEIS, 2005-06
- Town of Southold Comprehensive Implementation Strategy, 2003
- Southampton Agricultural Opportunities Subdivision, DEIS, FEIS and Findings, 2001
- Old Orchard Woods, DEIS and FEIS, 2000
- Town of Smithtown Armory Park, DEIS, 2000
- Town of Southold Water Supply Management & Water Protection Strategy, 2000
- Knightsbridge Gardens, DEIS and FEIS, 1997
- Camelot Village @ Huntington, DEIS, 1997
- Airport International Plaza, DEIS and FEIS, 1996
- Price Club @ New Rochelle, DEIS and FEIS, 1995
- Commack Campus Park @ Commack DEIS and FEIS, 1994
- Water Mill Shops @ Water Mill DEIS, 1993
- Town of Brookhaven Land Use Plan, 1987

Kathryn J. Eiseman, AICP

NELSON, POPE & VOORHIS, LLC
ENVIRONMENTAL • PLANNING • CONSULTING

Title

Partner/Division Manager
Environmental & Community Planning Division
Full-time | 25 Years with Firm

Education & Training

- State University of NY at Stony Brook, Masters Degree in Environmental and Waste Management, 1996
- Syracuse University; Bachelors Dual Majors: Mathematics and Education, 1988
- IAP2 Certificate Course in Public Participation
- CommunityViz Scenario Constructor, SiteBuilder 3D™ Policy Simulator training
- ArcView GIS, ESRI 16 hour course
- Fundamentals of Dispersion Modeling and Computer Modeling Laboratory
- Rutgers University, Methodology of Delineating Wetlands

Professional Affiliations, Certifications & Training

- Treasurer, American Planning Association - Long Island Section, since 2008
- Advisory Council Member, Boys & Girls Club of Bellport
- American Institute of Certified Planners since July 2000
- American Planning Association Member since 1997

Professional Experience

Kathy Eiseman is a Partner and Division Manager of the Environmental & Community Planning Division at Nelson, Pope & Voorhis and has been with NP&V since its incorporation in 1997 and prior to that, Ms. Eiseman was an employee of Charles Voorhis & Associates, a predecessor to NP&V.

Ms. Eiseman is a certified planner (AICP) with over 20 years of experience in environmental planning and manages both private and public planning projects. Ms. Eiseman is the planner for the Villages of Southampton and Sag Harbor Planning Boards and in an on-call capacity for review of site plan applications for the Town of Oyster Bay. In this capacity she works with other professionals at NP&V to perform site plan and subdivision reviews and attends hearings to present on a regular basis. Ms. Eiseman is skillful in managing complex projects and working with team members both in house and as sub consultants. Ms. Eiseman's staff is proficient in the use of GIS and design software for preparation of high quality graphic products. Ms. Eiseman is experienced in the art of public participation and education and tailors her approach to the unique needs of each project/community.

Ms. Eiseman is an enthusiastic and creative planner who endeavors to bring a fresh approach to each project as well as to her position as Treasurer for the Long Island Section of the American Planning Association.

Prior to joining the firm's predecessor CVA in 1993, Ms. Eiseman taught middle school mathematics in New York's Hudson Valley.

Project Experience

- Glen Cove Step III BOA Implementation Strategy for the Orchard and Sea Cliff Avenue, in progress
- Bellport BOA Step II Nomination Study, Community Engagement, 2018
- Superfund Reuse Feasibility Study for the Lawrence Aviation site for the Suffolk County Landbank Corporation, 2017
- Riverhead Brownfield Opportunity Area Nomination, 2016
- Riverside Revitalization BOA Nomination, December 2015
- Southeast Hicksville Brownfield Opportunity Area Nomination, 2014
- Northeast Hicksville Brownfield Opportunity Area Step I, 2014
- Planning consultant (on-call) for Town of Oyster Bay, 2018
- Industrial Corridor District Study and Code Amendments, Islip, 2017
- Planning consultant - Village of Sag Harbor Planning Board, since 2016
- Environmental planning consultant - Village of Southampton Planning Board, since 2006
- Theodore Roosevelt Blueway Trail Planning and Design, 2014
- Town of North Hempstead Blueway Trail, 2013
- Town of Brookhaven Athletic Fields Needs Assessment, 2012
- Montauk Highway Corridor Study & Land Use Plan for Mastic and Shirley Phase II and Transitional Overlay District Code Preparation, 2009
- Eastern Waterfront Community Vision & Revitalization Plan, 2009
- Lake Ronkonkoma Clean Lakes Study Update, 2008
- Suffolk County North Shore Embayments Watershed Management Plan, 2007

Steven J. McGinn, CEI

NELSON, POPE & VOORHIS, LLC
ENVIRONMENTAL • PLANNING • CONSULTING

Title

Partner/Division Manager
Phase I/II Site Assessments & Remediation

Education & Training

- Bachelor of Science in Geography, January 1986
- 8-Hour HAZWOPER Refresher Course
- 40-Hour Course Hazardous Materials Training
- Performing Phase I Environmental Inspections, Environmental Assessment Association
- Environmental Regulations Course, Executive Enterprises
- Environmental Impact Statements Course

Professional Affiliations, Certifications & Training

- National Association of Environmental Professionals, Alexandria, VA
- Environmental Assessment Association, Scottsdale, AZ
- National Groundwater Association, Association of Groundwater Scientists and Engineers

Professional Experience

Steven McGinn, CEI is a Partner and Division Manager of the Phase I/II Assessments & Remediation Division of Nelson, Pope & Voorhis, LLC. Mr. McGinn has 24 years of experience in the environmental field and is a USEPA certified Asbestos Inspector; a USEPA certified Risk Assessor for Lead Based Paint; a Radon Measurement Specialist; and, has completed the 40 Hour OSHA HAZWOPER training. Mr. McGinn has completed and/or supervised the remediation of numerous sites over the past 21 years of employment with Nelson, Pope & Voorhis, LLC. Mr. McGinn routinely manages numerous site assessment and remediation projects concurrently, and oversees a staff which includes environmental analysts and geologists. The Division possesses numerous pieces of equipment for site assessment and sampling, including Ground Penetrating Radar (GPR), two (2) Power Probe sampling rigs (for soil and groundwater samples) , and a pipe camera.

Project Experience

- Division Manager for Phase I and Phase II Environmental Site Assessments, Site Remediation Coordination and Supervision, Lead Based Paint sampling and Asbestos Surveys for lending institutions
- Author of numerous Phase I & II ESA reports, remediation & brownfield projects work plans, and closure reports in both draft and final formats for major large scale, high-profile projects.
- Other responsibilities include the preparation of various environmental, planning and zoning studies and the preparation of various state and federal applications such as: land use and zoning studies, noise and air quality assessments, feasibility studies, economic analyses, freshwater and tidal wetland permits, etc.
- Interaction with various Town, County, State and Federal officials, attorneys, developers, engineers. Town Boards, Planning Boards, and Zoning Boards of Appeals.

Carrie L. O'Farrell, AICP

NELSON, POPE & VOORHIS, LLC
ENVIRONMENTAL • PLANNING • CONSULTING

Title

Senior Partner/Division Manager
Environmental Wetlands & Resource Assessment Division

Education & Training

- University of Rochester; Bachelors of Science, 5/99
- NYSDEC Certificate of Erosion & Sediment Control Training
- Center for Watershed Protection 8-hour Erosion Control Training & Stormwater Retrofit Training
- SUNY College of Environmental Science and Forestry, various stormwater training classes

Professional Affiliations & Certifications

- NYSDEC Certified Inspector of Erosion & Sediment Controls since 2010
- American Institute of Certified Planners since 2006
- American Planning Association Member since 2004

Professional Experience

Carrie O'Farrell is a Partner and Division Manager of the Environmental Resource and Wetlands Assessment Division at Nelson, Pope & Voorhis and has been with the company since 2002.

Ms. O'Farrell is a trained environmental scientist with applied planning experience, and is expert in NEPA/SEQRA and land use regulations, drainage and stormwater issues, wetland and stormwater permitting and is diverse in ability to conduct environmental planning analysis. Ms. O'Farrell has overseen the preparation of numerous environmental impact statements, assessments, SEQRA/NEPA administration actions, harbor management plans, planning and zoning law review and preparation, stormwater permitting and erosion control compliance documents and wetlands and coastal permits. Ms. O'Farrell is also responsible for environmental permitting, including necessary environmental assessments pursuant to SEQRA and NEPA requirements.

Ms. O'Farrell has been at the forefront of the NYSDEC SPDES Phase II stormwater permitting & compliance program since 2002, both in assisting MS4 designated municipalities in Long Island with the creation and implementation of Stormwater Management Plans and with the preparation of Stormwater Pollution Prevention Plans (SWPPP) for various construction projects. Ms. O'Farrell is intimately familiar with EPA's recommended BMPs, good housekeeping practices and example local laws/methods for municipal implementation and enforcement of the Stormwater Phase II program. Ms. O'Farrell regularly works with staff engineers in development of stormwater management solutions in sensitive environmental areas and manages the completion of all SWPPP prepared for construction projects (over 150 SWPPPs completed to date).

Relevant Experience

- Environmental Impact Statements (EIS): Project manager for Riverside Brownfield Opportunity Area (BOA), Overlay Zoning and Zoning Map Amendments GEIS, New Rochelle Downtown Overlay Zone GEIS, Village of Hempstead Downtown Rezoning SGEIS; Huntington Station Gateway Development Voluntary DEIS, The Uplands at St. Johnland, Kings Park DEIS (Town of Smithtown); Gabreski Airport Planned Development District GEIS and Expanded EAF, Lighthouse @ Long Island mixed use redevelopment EIS, Kensington Estates EIS, Woodbury; Roslyn Landing mixed use development EIS, Roslyn
- Municipal Retainers: Ms. O'Farrell is the planning consultant serving a number of municipal boards, including the Village of Lake Success Planning Board, Zoning Board and Village Trustee (attending meetings for site plan, subdivision plan, and SEQRA reviews of projects proposed in the Village). Ms. O'Farrell also represents the City of Long Beach Zoning Board of Appeals, Town of Southold Zoning Board of Appeals and the Village of Plandome Planning Board.
- Municipal Stormwater Consulting: Stormwater MS4 Compliance and SWPPP review for the Villages of Southampton and Bellport.
- Watershed Management Plans (WMP): Great Cove WMP; Town of Islip; Shelter Island WMP, Town of Shelter Island; Lake Montauk WMP, Town of East Hampton; Tuthills Creek WMP, Town of Brookhaven.
- Stormwater Management/SWPPP: Gabreski Airport – Hampton Business Center SWPPP, Westhampton, NY; Colony Preserve residential subdivision (100+acres) SWPPP, Mastic Beach, Sandy Hills, Mixed Use Development SWPPP, Middle Island, Longwood Library SWPPP; US Coast Guard Facility SWPPPs in Easton's Neck, Jones Beach & Shinnecock.

Nicole Dellavecchia

NELSON, POPE & VOORHIS, LLC
ENVIRONMENTAL • PLANNING • CONSULTING

Title
Economic Analyst/Planner

Education & Training
- Formal training course in the IMPLAN Economic Modeling System, Minnesota Implan Group, 2009
- Master of Urban Planning Specialization in International and Economic Development, SUNY University at Buffalo, 2006
- Bachelor of Arts- Economics, SUNY College at Geneseo, 2004
- Bachelor of Arts- International Relations, Specialization in Economic Development, SUNY College at Geneseo, 2004

Professional Affiliations, Certifications & Training
- American Planning Association
- State University of New York, College at Geneseo, Long Island Regional Alumni Committee, Member
- Ronald McDonald House of Long Island, Volunteer
- Special Olympics of New York, New York City Region and Long Island Region, Volunteer
- Alphi Phi Omega, Alumni

Professional Experience

Ms. Dellavecchia is an economic analyst and a planner with vast experience overseeing the preparation of market analyses and feasibility studies, niche market studies and branding plans, school district analyses, economic development strategies, as well as fiscal (projecting taxes and the impact to local jurisdictions) and economic (projecting job creation and associated revenues circulating throughout the economy) impact analyses for residential, commercial, office, industrial, recreational, hospitality, tourism and mixed-use developments. She has significant expertise in analyzing demographic data and preparing grant applications. Ms. Dellavecchia has been involved with corridor management plans, local waterfront revitalization plans, brownfield development, zoning plans, mall redevelopment, tourism plans and public participation and community visioning processes. Prior to joining NP&V in 2009, Ms. Dellavecchia was involved in numerous planning initiatives - including public-sector and private development projects throughout New York's Capital District, Southern Tier and Hudson Valley region, as well as within various municipalities/regions in Pennsylvania and Massachusetts.

Project Experience
- Fiscal and Economic Impact Analysis: Hampton Classic Horse Show (2018), The Hills at Southampton (2017), Dune Deck (2016), Renaissance Downtowns (New Rochelle, 2015; Huntington Station, 2015; Hempstead 2012), Canoe Place Inn (2014), The Meadows at Yaphank PDD (2011), New Frontier (2011)
- Commercial Market Analysis: Medford (2014), The Meadows at Yaphank PDD (2011), Mt. Sinai Village Centre (2011)
- Residential/Housing Market Analysis: Bellport and East Patchogue (2017), Brentwood Garden Apartments (2012), The Canal Property (2012), The Uplands at St. Johnland CCRC (2011)
- Waterfront Market Analysis: Town of Oyster Bay Eastern Waterfront Area (2011)
- School District Analysis: Mt. Sinai Meadows (2018), Jefferson Meadows (2011), North Manor Estates (2011)
- Niche Market and Branding Plan: North Bellport (2011)
- Economic Development Studies: Lawrence Aviation Redevelopment Feasibility Study (2017); Peconic River/Route 25 Corridor BOA (2015)
- Comprehensive/Master Planning: Village of Poquott (2011), Town of Southold- Economic Development Chapter and Demographics Chapter (2011)
- American Planning Association Massachusetts Chapter Award for Outstanding Planning, City of Pittsfield Master Plan, 2009

Adriana Beltrani

NELSON, POPE & VOORHIS, LLC
ENVIRONMENTAL • PLANNING • CONSULTING

Title
Environmental Planner
Hudson Valley, New York

Education & Training
- Pratt Institute, Master of Science in City & Regional Planning, 05/2017
- SUNY College of Environmental Science and Forestry, BS Environmental Policy, Planning & Law, Minor: Urban Environmental Science, May 2011

Professional Affiliations, Certifications
- American Planning Association, New York Metro Chapter: Member

Professional Experience
Adriana Beltrani, Environmental Planner has an undergraduate degree in Environmental Policy, Planning and Law from SUNY College of Environmental Science and Forestry and a Master's Degree in City and Regional Planning from Pratt Institute where she completed her thesis on Community Engagement in Brownfields Planning.

Adriana performs on-call planning work for the Village of Airmont and the Town of Mamakating Planning Boards. She recently worked with the Village of Airmont in adopting a Comprehensive Plan Update and is now working on Zoning Updates, including a Village Center development district. She regularly performs site plan reviews on behalf of the Village and Town Planning Boards. Adriana has reviewed a controversial solar project for the Town of Mamakating in an environmentally sensitive area, and subsequently helped to develop a unique solar zoning code that addresses the issues experienced throughout the review process. She has since collaborated on the creation and SEQRA documentation for a solar zoning code in the Town of Blooming Grove as well.

Adriana is passionate about planning around sound environmental science. She assists the Partners in the Hudson Valley office with performing solar suitability, land use, zoning and ridgeline analyses using GIS. She is also assisting with completing the Village of Hillburn Comprehensive Plan and the associated Zoning Update. She regularly prepares documentation relating to the SEQRA process for her on-call planning work as well as project specific tasks and performs in-depth analyses on land use and zoning changes.

Project Experience

- **Village of Airmont, Planning Retainer**
  Comprehensive Plan Update: Guide Village Committee through the comprehensive plan and zoning update process, including writing the draft, conducting workshops, writing zoning text, facilitating stakeholder meetings, SEQR review and the adoption process.
  Village Planning Board Consultant: Projects include site-plan review for places of worship, commercial offices, neighborhood shopping centers and healthcare facilities.

- **Town of Mamakating, Planning Retainer**
  Cypress Creek Solar Development: Review 2MW solar farm proposal undergoing Planning Board Review, guide Planning Board through the SEQRA process.
  Solar Zoning: Assist managing partner in amending current solar zoning text to take mature forest into greater consideration for site selection.

- **Town of Blooming Grove Comprehensive Plan and Zoning Update**
  Assist managing partner with research, meetings, writing plan sections and mapping, focusing on open space and agricultural preservation.

- **Village of Hillburn Comprehensive Plan and Zoning Update**
  Assist managing partner in facilitating meetings, writing draft plan sections and preparing maps, including ridgeline analyses.

- **Letchworth Village, Stony Point NY Zoning Analysis**
  Perform an analysis of previous planning and zoning studies in the Town of Stony Point to inform a potential zoning amendment which would affect the historic Letchworth Village within Stony Point, NY.

- **Economic Analyses**
  Use of labor statistics, census data, and tax data, and programs such as ESRI business analyst and IMPLAN for market analysis and fiscal and economic impact analyses. Projects range from planning activity such as Brownfield Opportunity Area studies and the impacts of private development to school districts or the labor force.

- **Town of Fishkill Zoning Update**
  Assist in the reorganization and functionality of the zoning code for the Town of Fishkill and provide consulting services for specific development projects as-needed.

- **Solar Zoning Projects**
  Mapping land suitability analyses, amending solar code text and corresponding SEQRA documentation for the Village of South Blooming Grove, Town of Blooming Grove, Town of Shawangunk and the Town of Mamakating.

- **Spatial Analysis and Visualization Initiative**
  Graduate assistant: Produced analytical maps for non- profit and community-based clients.

- **Dutchess County Department of Planning and Development**
  County Planning Intern: Mapped trails for county-wide inventory, Evaluated and updated town zoning plans using ArcMap Inventoried local town law and comprehensive plan changes

- **United States Peace Corps**
  Agriculture/ Community Development Specialist: Conducted community analysis and SWOT analysis, monitored and assessed projects through quarterly progress reports, wrote grant proposals for community agriculture and development, produced environmental programming in elementary schools, camps, workshop development and facilitation.

PROJECT ABSTRACT
TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY

Avalon Bay – Island Park
Project: 2802-18-05A

Application Date: 8/8/18 Contact: Chris Capece

Applicant Name and Address: AvalonBay Communities, INC
58 South Service Rd., Suite 303
Melville, NY 11747

Project Address: Sheridan Place and Island Parkway South
Island Park, NY 11558

Project: The applicant seeks to acquire a brownfield site located at Sheridan Place and Island Parkway South to remedy and construct a 172 until rental community on an 11.6 acre waterfront property. The development will consist of one, two and three bedroom units. This land is currently a vacant property.

Project Costs: Approximate Amount: $ 71,200,000.00

Land/Building acquisition:	$16,000,000.00
Building Demo/Construction	$31,000,000.00
Site Work:	$7,300,000.00
Machinery & Equipment:	$1,200,000.00
Legal Fees:	$800,000.00
Architectural/Engineering Fees:	$2,500,000.00
Financial Charges:	$3,200,000.00
Other (Environmental):	$9,200,000.00

Employment: Full and Part Time

Present	0	0
1st Year	0	0
2nd Year	6	0

Employment Creation of new 6 FTE positions by year 2
Average Salary of FTE Created: $61,000

Benefits Sought Seeking 15 Year PILOT, Sales Tax Exemption

Benefit Analysis:

Sales Tax Exemption Renovation, Furnishing and Fixture:
$26,500,000.00 x 8.625%= $2,285,625.00

Current Tax Information:
Section; 43, Block: 381, Lots: (35-26,102,314) 328
Parcels: 2
SD- 31

2017/2018
Total Assessed Value: $8,635.00
Land Assessment: $8,633.00
Full Value: $3,454,000.00

Total Current Taxes:
General 2018: $ 38,352.65
School 2017/2018: $59,461.05
Village: N/A

Total Tax: $97,813.70
Estimated Taxes Within Independent Impact Study Once Built: $1,091,713.00

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ZONING AND LAND USE PLANNING

Eligibility of Residential Developments for IDA Benefits

By
Anthony S. Guardino

It has been nearly 50 years since the New York State Legislature enacted legislation authorizing industrial development agencies (IDAs) for the purpose of promoting economic development. Now, towns, cities, and counties throughout the state have created their own IDAs under General Municipal Law (GML) Article 18-A (the IDA Act) and use them to encourage—and to financially assist—a wide variety of real estate developments, often to great success.

In many instances, however, an IDA's efforts are met with objections, both in and out of court. Recently, for example, tax benefits afforded by a town's IDA to the Green Acres Mall on Long Island aroused community criticism, and led New York State Comptroller Thomas DiNapoli to announce that he would audit the IDA to determine its compliance with policies and procedures related to its approval of the project.

ANTHONY S. GUARDINO *is a partner with Farrell Fritz in the firm's Hauppauge office.*

There also continues to be disputes over the scope of projects that may receive IDA benefits. Last August, the Supreme Court, Seneca County, rejected a challenge to a decision by the Seneca County IDA to provide tax benefits for a casino being built in the county. *Nearpass v. Seneca County Industrial Development Agency*, 53 Misc. 3d 737 (Sup.Ct. Seneca Co. 2016). The petitioners argued that the casino was not a project defined in the IDA Act and, therefore, that it was ineligible for IDA benefits. They pointed out, among other things, that when the IDA Act first was enacted, casinos were prohibited in New York, and after casinos were allowed by amendment to the New York Constitution, the IDA Act was not amended to include casinos as a project entitled to IDA benefits.

The court was not persuaded and decided, instead, that the casino facility was a commercial project under the IDA Act and, in particular, that it also was a recreation facility within the purview of GML Section 854(9).

Perhaps more surprising than a dispute over the eligibility of a casino to receive IDA benefits was a recent court case that asked whether a residential development could qualify for IDA benefits—an issue of statewide significance. In *Matter of Ryan v. Town of Hempstead Industrial Development Agency*, Index No. 5324/16 (Sup.Ct. Nassau Co. Jan. 27, 2017), the Supreme Court, Nassau County, held that a residential apartment building project fell within the definition of a project for which IDA benefits may be granted.

After first providing background on the IDA Act, this column will discuss the court's decision in *Matter of Ryan* and its implications.

The IDA Act

When the legislation governing the creation, organization, and powers of IDAs in New York State was enacted in 1969, it provided that its general purpose was "to promote the economic welfare of [the state's] inhabitants and to actively promote, attract,

encourage and develop economically sound commerce and industry through governmental action for the purpose of preventing unemployment and economic deterioration." This intent was further evidenced by the original provision of GML Section 858, which provided that:

> The purposes of the agency shall be to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial and research facilities and thereby advance the job opportunities, general prosperity and economic welfare of the people of the state of New York and to improve their standard of living.

The decision by the Nassau County Supreme Court in 'Matter of Ryan' provides confirmation that residential developments are eligible to receive industrial development agency benefits.

In approving the bill, then-Governor Nelson Rockefeller noted that "industrial development agencies provide one means for communities to attract new industry, encourage plant modernization and create new job opportunities." McKinney's 1969 Session Laws, Vol. 2, p. 2572.

The original legislation has been amended a number of times since 1969 to broaden the scope of permissible IDA activities. For example, the definition of project was expanded to specifically include construction of industrial pollution control facilities (L 1971, ch 978), winter recreation facilities and then recreation facilities generally (L 1974, ch 954; L 1977, ch 630), horse racing facilities (L 1977, ch 267), railroad facilities (L 1980, ch 803) and educational or cultural facilities (L 1982, ch 541).

As noted above, however, it has not been amended to specifically include casinos. And it also does not specifically include residential developments.

In 1985, however, the New York state comptroller's office was asked by the village attorney for the village of Port Chester whether construction of an apartment complex was a commercial purpose within the meaning of GML Section 854(4) and, thereby, whether it was a proper project for industrial development bond financing. In response, the Comptroller issued Opinion No. 85-51, 1985 N.Y. St. Comp. 70 (Aug. 16, 1985) (the "comptroller's opinion").

In the comptroller's opinion, the comptroller's office explained that, at its inception, the IDA Act's primary thrust was to promote the development of commerce and industry as a means of increasing employment opportunities.

The comptroller's opinion then reasoned that for an apartment complex to qualify as an eligible project under Article 18-A, it had to promote employment opportunities and prevent economic deterioration in the area served by the IDA.

The comptroller's opinion added that the comptroller's office was "not in a position to render an opinion" as to whether a project that consisted of the construction of an apartment complex was a commercial activity within the meaning of Article 18-A. Rather, it continued, such a determination "must be made by local officials based upon all the facts relevant to the proposed project."

Any such determination, the comptroller's opinion concluded, had to take into account the stated purposes of the IDA Act: "the promotion of employment opportunities and the prevention of economic deterioration."

When this issue reached the court in *Triple S. Realty v. Village of Port Chester*, Index No. 22355/86 (Sup. Ct. Westchester Co. Aug. 19, 1987), the Westchester County Supreme Court held that residential construction may be eligible for industrial development agency benefits if such construction "would increase employment opportunities and prevent economic determination in the area served by the IDA."

The decision by the Nassau County Supreme Court in *Matter of Ryan* provides further confirmation that

residential developments certainly are eligible to receive IDA benefits.

'Matter of Ryan'

The case arose after the Town of Hempstead Industrial Development Agency (TOHIDA) granted financial and tax benefits and assistance to Renaissance Downtowns UrbanAmerica, with respect to the construction of a new 336-unit residential apartment complex in the village of Hempstead on Long Island. That was Phase 1 of a multi-phase revitalization project that was planned to include additional mixed-use buildings and parking facilities.

The financial benefits and assistance granted by the TOHIDA included:

- exemptions from mortgage recording taxes for one or more mortgages;
- securing the principal amount not to exceed $70 million;
- a sales and use tax exemption up to $3.45 million in connection with the purchase/lease of building materials, services, or other personal property for the project; and
- abatement of real property taxes for an initial term of 10 years pursuant to a payment in lieu of taxes (PILOT) agreement.

Six petitioners, including a trustee for the village of Hempstead, challenged the TOHIDA's resolution in an Article 78 proceeding, arguing that an IDA could not grant benefits for a project that was residential, either in whole or in part, in nature.

For their part, the respondents contended that the development of a residential rental building fell within the ambit of the statutory definition of a project entitled to receive an IDA's financial assistance and benefits in that it promoted "employment opportunities" and prevented "economic deterioration" in the area served by the IDA.

The court agreed with the respondents and dismissed the petition.

In its decision, the court noted that the comptroller's opinion had observed that the determination of whether construction of an apartment complex was a commercial activity within the meaning of the IDA Act had to be made by local officials based on facts relevant to the proposed project.

The court then pointed out that the TOHIDA had approved Renaissance's application for assistance with respect to the first phase of the revitalization project based on the TOHIDA's findings, that, among other things:

- the town of Hempstead was in need of attractive multi-family housing to retain workers in the town and attract new business;
- a healthy residential environment located in the town was needed to further economic growth;
- there was a lack of affordable, safe, clean multi-family housing within the town; and
- the facility would provide the nucleus of a healthy residential environment, and would be instrumental and vital in the further growth of the town.

Moreover, the court continued, the TOHIDA also found that the development of the first phase of the facility would "promote and maintain the job opportunities, health, general prosperity and economic welfare" of the town's citizens and "improve their standard of living."

Given that the project promoted employment opportunities and served to combat economic deterioration in the area served by the TOHIDA, the court upheld the TOHIDA's decision as rationally based and not arbitrary or capricious, an abuse of discretion, or an error of law.

Conclusion

IDA benefits can play an important role in real estate development. For nearly five decades, they have benefited New Yorkers in numerous situations. As the comptroller's office and the courts have recognized, a project—including a residential project—that demonstrates that it promotes employment opportunities and prevents economic deterioration is eligible to receive IDA benefits.

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SHORT FORM ORDER

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

P R E S E N T : HON. JEFFREY S. BROWN
JUSTICE

----------X

TRIAL/IAS PART 13

In the Matter of DONALD L. RYAN, FLAVIA IANNACCONE, JAMES DENON, JOHN M. WILLAMS, REGINAL LUCAS and ROBERT DeBREW, JR.,

Petitioners,

For A Judgment Pursuant to Article 78 of the New York Civil Practice and Rules,

-against-

TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY, RENAISSANCE DOWNTOWNS URBANAMERICA, LLC, and RDUA PARCEL 1 LLC,

Respondents.

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INDEX # 5324/16

Mot. Seq. 1
Mot. Date 9.13.16
Submit Date 11.17.16

XXX

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The following papers were read on this motion:	Papers Numbered
Notice of Petition, Affidavits, Exhibits, Memorandum Annexed	1,2
Verified Answers	3,4,5
Opposing Affidavits	6,7,8,9,10,11,12
Reply Affidavits	13, 14
Sur-Reply Affidavit	15
Hearing Record (3 Vols.)	16

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Application by petitioners pursuant to Article 78 to invalidate as *ultra vires* and to void the May 18, 2016 resolution passed by the Town of Hempstead Industrial Development Agency (TOHIDA) is decided as hereinafter provided.

In this Article 78 proceeding, petitioners seek to invalidate the resolution passed by respondent TOHIDA on May 18, 2016, which granted financial and tax benefits and assistance to respondent Renaissance Downtowns UrbanAmerica, LLC (Renaissance) *vis-a-vis* construction of a new 336 unit residential apartment complex on the northwest corner of the intersection of Washington and Front Streets (Phase 1 of the multi-phase Village of Hempstead downtown revitalization project[1] which was planned to include additional mixed use buildings/parking facilities). The Phase I property was a tax exempt Village property for at least 50 years until December 15, 2015 when it was acquired by respondent Renaissance.

The financial benefits and assistance granted include:

> exemptions from mortgage recording taxes for one or more mortgages securing the principal amount not to exceed $70,000,000;
>
> sales and use tax exemption up to $3,450,000 in connection with the purchase/lease of building materials, services or other personal property for the project;
>
> abatement of real property taxes for an initial term of ten years pursuant to Payment in Lieu of Taxes Agreement (PILOT).

Based on the theory that the resolution was affected by an error of law, i.e., that residential apartment buildings are not included in the type of project or facility that is eligible for financial assistance under the General Municipal Law Article 18-A (Industrial Development Act [the IDA or the Act]), petitioners seek to invalidate the subject resolution as *ultra vires*/void.

In opposition, respondents first seek dismissal of the petition based on its alleged multiple fatal flaws including petitioners' lack of standing; failure to raise the *ultra vires* issue in the administrative proceeding before respondent TOHIDA; and failure to serve the attorney general in accordance with CPLR 7804(e).

The alleged flaws are not fatal and do not provide a basis for dismissal. Petitioners have standing to maintain an action for equitable or declaratory relief under State Finance Law § 123-b *vis-a-vis* the issue of whether the project herein falls within the definition of a "project" for which IDA benefits may be granted (*see Nearpass v Seneca County Idus. Dev. Agency*, 52 Misc 3d 533 [Sup Ct, Seneca County 2016 Falvey, J.]; *Dudley v. Kerwick*, 52 NY2d 542 [1981]; *cf.*

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[1]The development as outlined in the Appraisal Report (Exhibit "2" to the Petition) was approved in a unanimous 5-0, bi-partisan vote by the Village of Hempstead Board. It includes the construction of, among other things: residential units, structured parking, retail space, medical office building, mixed used artist loft with grade and basement level supermarket, surface parking office space, senior independent living apartment building, hotel and restaurant space.

Kadish v. Roosevelt Raceway Assoc., 183 AD2d 874, 875 [2d Dept 1992] [no standing under State Finance Law § 123-b (1) to challenge financing and acquisition of property by TOHIDA through bond issuance because statute specifically excludes bond issuance by a public benefit corporation). Further, the *ultra vires* issue was, in fact, raised in the administrative proceeding before respondent TOHIDA (Record: Vol, 3 Tab 25, pp 113-114), and the Nassau County Regional Office of the New York State Attorney General rejected service of the petition on the ground that the office did not represent respondent TOHIDA.

In further support of its dismissal, movants argue that the petition fails to state a viable cause of action as it is based on the false premise that an Industrial Development Agency may not grant benefits for a commercial project that is residential, either in whole or in part, in nature.

For the reasons which follow, the petition must be dismissed.

Pursuant to General Municipal Law § 858, an Industrial Development Agency

> "shall be to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities . . . and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and to improve their recreation opportunities, prosperity and standard of living."

An Industrial Development Agency is thus a "governmental agenc[y] or instrumentalit[y] created for the purpose of preventing unemployment and economic deterioration (General Municipal Law § 852) and to "provide one means for communities to attract new industry, encourage plant modernization and create new job opportunities" (Governor's Mem., 1969 McKinney's Session Laws of N.Y. at 2572).

According to respondents, the development of a residential rental building falls within the ambit of the statutory definition of a project,[2] entitled to financial assistance and benefits, as set forth in § 854(4) of the General Municipal Law in that it "promotes employment opportunities and prevents economic deterioration in the area served by the industrial development agency" (Opns. St. Comp. No. 85-51 [N.Y.S. Cptr., 1985 WL 25843]).

In the opinion of the State Comptroller, the determination of whether construction of an apartment complex is a commercial activity within the meaning of the statute must be made by

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[2]As set forth in § 854(4) the term "project" is broadly defined to include, in relevant part, "any land, any building or other improvement, and all real and personal properties located within the state of New York and within or outside or partially within and partially outside the municipality for whose benefit the agency was created. . . ."

local officials based upon facts relevant to the proposed project (*Id.* ["Local officials must determine, based upon all the relevant facts, whether construction of an apartment complex will promote employment opportunities and prevent economic deterioration. . . ."]). Respondents argue that TOHIDA acted within the scope of its authority in resolving to provide IDA assistance to the project since it would promote job creation and growth in a distressed area of the Village of Hempstead and serve as the first physical manifestation of the Village's Downtown Revitalization plan and a catalyst for future phases.

Here, the record establishes that a duly noticed public hearing was held regarding respondent Renaissance's application for TOHIDA assistance with respect to the first phase of the $2.5 billion Hempstead Revitalization project for which site plan approval was already in place and a building permit issued. The resolution was granted based on respondent TOHIDA's findings, that, among other things:

> (a) The Town of Hempstead is in need of attractive multi-family housing to retain workers in the Town and attract new business;
>
> (b) a healthy residential environment located in the Town of Hempstead is needed in order to further economic growth;
>
> (c) there is a lack of affordable, safe, clean multi-family housing within the Town of Hempstead;
>
> (d) the facility will provide the nucleus of a healthy residential environment, and will be instrumental and vital in the further growth of the Town of Hempstead.

Respondent TOHIDA also found that:

> the acquisition, construction and equipping of the Phase I Facility will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Hempstead and the State of New York and improve their standard of living and thereby serve the public purposes of the Act;
>
> the project conformed with local zoning laws and planning regulations of the Town of Hempstead; and
>
> the project will not have a significant effect on the environment as determined in accordance with Article 8 of the Environmental Conservation Law and regulations promulgated thereunder.

The allegations proffered in opposition to the resolution, regarding traffic congestion; additional garbage/sewage; additional burden of increased student population in an already overcrowded/underfunded school district; burden of increased financial costs of municipal services to support increased population, are speculative and lack merit in the face of reasoned evaluation of the project by respondent TOHIDA as set forth in the record. As stated in the affidavit of Wayne J. Hall, Sr., Mayor of the Incorporated Village of Hempstead and Chairman of the Village Community Development Agency:

> "the IDA benefits awarded to Renaissance for this particular Phase I of the development are critically important to the revitalization of the Village of Hempstead's downtown area, and are essential to the twin goals of preventing any further physical and economic deterioration of the area, as well as promoting employment opportunities to the Village."

As stated in the Socio-Economic Impact of the Village of Hempstead's Revitalization Plan report, dated March 31, 2016, (Exhibit "A" to the Affidavit of Donald Monti in Opposition to Petition):

> "Upon completion, the overall revitalization of the Village of Hempstead will have generated an estimated $4 billion in economic activity, comprised of economic activity during and after the construction period.
>
> Nearly $3 billion of primary and secondary economic activity will be generated from construction of the development encompassing 5 million square feet, comprising 2.8 million square feet of 3,500 residential units and 2.2 million square feet of mixed use, retail, hospitality, office and other commercial uses.
>
> This will result in new socio-economic improvements to the Village of Hempstead that will provide much needed housing for Long Island's young professionals and active adults, and create during the construction period as many as 22,000 temporary construction and secondary jobs generating nearly $1.4 billion in wages.
>
> When completed, the revitalization will create approximately 6,000 permanent and 4,500 secondary jobs generating $498 million in wages of which 1,500 of the permanent jobs generating $125 million in wages projected to be held by Village of Hempstead residents. Thus, in total, the construction activity and resulting permanent jobs and their related secondary economic impacts are expected to generate nearly $4 billion in primary and secondary economic impact, and over the 20 year PILOT period $142 million in new county, town, school and village property taxes, and $43.5 million in new county sales taxes."

In reviewing the actions of an administrative agency, courts must assess whether the determination was the result of an error of law or was arbitrary, capricious, or an abuse of discretion such that the actions at issue were taken without sound basis in reason and without regard to the facts (*Matter of County of Monroe v Kaladjian*, 83 NY2d 185, 189 [1994], citing *Matter of Pell v Bd. of Educ.*, 34 NY2d 222, 231 [1974]; *Akpan v Koch*, 75 NY2d 561, 570-71 [1990]; *Matter of Calvi v Zoning Bd. of Appeals of the City of Yonkers*, 238 AD2d 417, 418 [2d Dept 1997]). The agency's determination need only be supported by a rational basis (*Matter of County of Monroe v Kaladjian, supra; Matter of Jennings v Comm. N.Y.. Dept. of Social Svcs.*, 71 AD3d 98, 108 [2d Dept 2010]). If the determination is rationally based, a reviewing court may not substitute its judgment for that of the agency even if the court might have decided the matter differently (*Matter of Savetsky v Zoning Bd. of Appeals of Southampton*, 5 AD3d 779, 780 [2d Dept 2004]; *Matter of Calvi v Zoning Bd. of Appeals of the City of Yonkers, supra*). It is not for the reviewing court to weigh the evidence or reject the choice made by the agency where the evidence conflicts and room for choice exists (*Matter of Calvi v Zoning Bd. of Appeals of the City of Yonkers, supra*, citing *Toys "R" Us v Silva*, 89 NY2d 411, 424 [1996]; *Akpan v Koch, supra*).

The record at bar establishes that in adopting the challenged resolution following a public hearing, review of Renaissance's application, and the environmental effects, respondent TOHIDA did not act in excess of its jurisdiction or beyond the scope of its authority; i.e., *ultra vires*. Nor was TOHIDA's decision after review of all of the circumstances to adopt the resolution finding that the Phase I facility constituted a "project" under the IDA affected by an error of law as would warrant relief under Article 78.

Where, as here, the project at issue promotes employment opportunities and serves to combat economic deterioration in an area served by an industrial development agency, a finding that the project falls within the ambit of the IDA is rationally based; neither arbitrary or capricious or an abuse of discretion, nor an error of law.

Accordingly, the petition is **denied** and the proceeding is hereby **dismissed**.

This constitutes the decision and order of this court. All applications not specifically addressed herein are denied.

Dated: Mineola, New York
January 25, 2017

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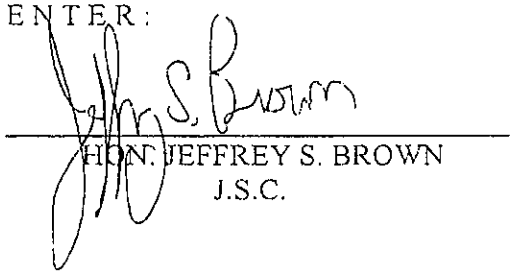

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EXHIBIT F

Town of Hempstead Industrial Development Agency Uniform Tax Exemption Policy

TOWN OF HEMPSTEAD
INDUSTRIAL DEVELOPMENT AGENCY

UNIFORM TAX EXEMPTION POLICY AND GUIDELINES

Pursuant to the authority vested in it by Article 18-A of the General Municipal Law of the State of New York, the Town of Hempstead Industrial Development Agency (HIDA) may provide financial assistance to qualified applicants for qualified projects in the form of issuance of its tax-exempt or taxable bonds or by participating in straight lease transactions.

HIDA has adopted this Uniform Tax Exemption Policy to provide guidelines for the claiming of real property, sales and use tax and mortgage recording tax abatements.

I. **A. Real Property Taxes:**

HIDA general policy is to grant applicants real property tax abatements for projects involving the purchase and renovation of existing buildings and the construction of new facilities. This program provides for a ten-year period phase-in on the real property taxes. The purchase price in an arms-length transaction can be used to determine the fair market value and assessed value of the property. The phase in will apply to the increased assessment/taxes resulting from the renovation of existing buildings or new construction. HIDA's general policy is to consider freezing the first three years of the taxes at an amount usually based on the current taxes as it, in its sole discretion determines considering the factors listed in Paragraph B, hereof, not one of which is determinative, provided, however that a determination to freeze or fix the assessed value/taxes shall not be considered a deviation from HIDA's uniform tax exemption policy. In addition; it is the general policy of HIDA, that it may grant full or partial tax exemptions for a period up to ten years, on a case- by-case basis for (I) manufacturing facilities; (II) senior housing, affordable housing, health care/assisted living facilities; (III) vacant facilities or facilities which HIDA, in its discretion, determines to be in an area of economic distress or having higher than average unemployment or similar circumstances; or (IV) facilities that will create or retain a significant number of full time jobs; or (v) qualifying retail facilities*_A determination by HIDA to grant such exemptions shall not be considered a deviation from policy. In determining payments under a payment in lieu of tax ("PILOT") agreement, HIDA will, in consultation with the Nassau County Assessor's Office, the Town of Hempstead Receiver of Taxes, the Town of Hempstead Comptroller's office and any Village within which the project is located, determine appropriate fixed dollar amounts for PILOT payments under

the PILOT Agreement for each tax year that the PILOT Agreement is in effect, as well as the proportionate allocation of such payments amount the taxing jurisdiction. In addition, for senior housing, assisted living, affordable housing or other housing which is part of an Urban Renewal Plan, the PILOT Agreement may set flat PILOT payments per unit, per year for a period up to fifteen (15) years, or in the case of such facilities financed with tax-exempt bonds, for the term of the tax-exempt bonds.

B. **Deviations:**

In addition to, or in lieu of, the aforesaid abatement policy HIDA can determine, on a case-by-case basis, to deviate from the guidelines described above or provide enhanced benefits for a project whose scope, size or potential is expected to have a major impact for the Town of Hempstead. Enhanced benefits may exceed ten years, as HIDA deems appropriate. The decision of HIDA to grant or deny any such deviation shall be within the sole discretion of HIDA. HIDA may consider any or all of the following factors in making such determination, no single one of which is determinative.

- The nature of the proposed project (i.e. manufacturing, commercial, civic, retail).
- The nature of the property before the project begins (i.e. vacant land, vacant buildings, brownfield sites, etc.).
- The economic condition of the area at the time of the application and positive economic effect that the project will have on the area.
- The extent to which a project will create or retain permanent, private sector jobs and the number of jobs to be created or retained and the salary ranges of such jobs.
- The estimated value of tax exemptions to be provided.
- The economic impact of the project and the proposed tax exemptions on affected tax jurisdictions.
- The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity.
- The amount of private sector investment generated or likely to be generated by the proposed project.
- The likelihood of accomplishing the proposed project in a timely fashion.
- The effect of the proposed project upon the environment and the surrounding area.

- The extent to which the proposed project will require the provision of additional services, including, but not limited to, educational, transportation, police, emergency medical or fire services.
- The extent to which the proposed project will provide additional sources of revenue or taxes for the State, County, Town, municipalities and school districts in which the project is located.
- The extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.
- The number of construction jobs to be created during the construction or renovation of the project and whether the project applicant will pay prevailing wages on such construction jobs.

II. Sales Taxes:

Purchase of construction related equipment (by applicant) or rental or lease of construction related equipment (by applicants or contractors and subcontractors), purchases of construction and building material and purchase, rental or lease of project related equipment, furnishings and other items of personal property are made as agent for HIDA, and are, therefore, afforded full exemption from New York State sales and use tax. Operating expenses of the projects are not to be incurred as agent of HIDA and no sales tax exemption is provided therefore. Sales and use tax exemption will not be granted for the purchase, rental or lease of motor vehicles and trailers registered for over the road use.

All project applicants must agree in writing to timely filing with the New York State Department of Taxation, and HIDA of an annual statement, (and all other forms and reports as maybe required by NYS Department of_Taxation including ST-60's and ST-340),_of the value of all sales and use tax exemptions claimed in connection with facility in full compliance with the New York State General Municipal Law, in the form and at the time required thereby. The agreement will also include a total exemption amount.

Sales and use tax exemption agreements will have an expiration date based upon the estimated project completion date plus a window (i.e. six months, one year, etc.) to allow for possible delays. The duration will also be determined by the maximum total exemption dollar amount. The window period will be set on the basis of the project and any extensions of the expiration dates or increases in the dollar amount of the exemption must be approved by the HIDA board prior to the expiration date of the exemptions or the date on which the dollar amount of exemptions has been expended.

III. Mortgage Recording Tax:

Mortgages executed by HIDA in connection with project related financing are provided an exemption from New York State mortgage recording taxes. Mortgages executed by HIDA in connection with non-project related financing may be exempt from New York State mortgage recording taxes, at the discretion of HIDA. In determining whether to permit such exemptions on non-project related financing, HIDA shall consider such factors, as it deems appropriate including, but not limited to, the use of the property, the degree of investment, the degree and nature of employment and the economic condition of the area in which the facility is located.

*Retail facilities may be permitted if less than one-third of the total project cost is used for retail sales or services, or meets one of the exceptions, ie; a tourism destination, located in a highly distressed area or provide goods or services not otherwise readily available to the residents of the Town.

IV. A. Recapture of Benefits:

HIDA, with respect to a particular project that receives real property tax abatements, sales and use tax exemptions or mortgage recording tax exemptions shall require the project applicant to agree to the recapture of such benefits by HIDA pursuant to the following schedule:

Within first 4 years	100%
Within first 6 years	75%
Within first 8 years	50%
Within first 9 years	25%
After first 9 years	0%

Events that HIDA may determine will trigger recapture may include, but shall not be limited to, the following:

- Sale or closure of facility;
- Significant employment reduction or failure to meet employment goals;
- Significant change in use of facility;
- Significant change in business activities of project applicant or operator;
- Material noncompliance with or breach of terms of Agency transaction documents; or

- Failure to create or retain the number of private sector full time (or full time equivalent) or part time jobs that the company represented it would in the Company's application to HIDA.
- Failure to pay PILOT payment.
- Event of Default under the Bond or Lease Documents.

If HIDA determine to provide for recapture with respect to a particular project, HIDA also may, in its sole discretion and on a case-by-case basis, determine the timing and percentage of recapture, either prospectively or retroactively.

B. Additional Recapture Provisions

In addition to the provision for recapture set forth in Paragraph IV.A, HIDA may, in its sole discretion, and on a case-by-case basis, require recapture of benefits (either retroactively or prospectively as it determines to be appropriate in its best judgment) with respect to any project or project applicant for:

- failure to respond to HIDA inquiries concerning payments of principal and interest;
- failure to respond to HIDA inquiries concerning insurance coverage or failure to provide insurance certificates when and as required by HIDA transaction documents;
- failure to respond to HIDA inquiries regarding payment in lieu of taxes or sales and use tax exemptions;
- failure to respond to HIDA inquiries or to provide facts requested by HIDA in connection with any proceedings or determinations pursuant to Paragraph C or Paragraph D of this policy;
- failure to respond to inquiries of HIDA or failure to provide HIDA with any information or documents requested by HIDA in order to provide any federal, state or local agency with information or reports required under any applicable law, rule or regulation including without limitation information required under PAAA and PARA, number of jobs, total payroll etc.; or
- failure to provide any other information concerning the project or the project applicant or any project operator requested by HIDA.

Upon the occurrence of any of the events listed in this Paragraph IV.B, HIDA will, upon at least ten calendar days written notice to the project applicant, hold a hearing at which the project applicant will have the opportunity to provide, or explain its failure to provide, the information requested by HIDA. Within 30 calendar days after the hearing, HIDA will determine whether and to what extent

it will require recapture of the value of tax exemptions granted with respect to the project by virtue of HIDA involvement.

V. EFFECTIVE DATE

This Uniform Tax Exemption Policy shall apply to all projects for which HIDA has adopted or adopts an Inducement Resolution including refinancings after January 1, 2015, and all refinancing of any project induced or closed before January 1, 2015.

HIDA, by resolution of its Members, and upon notice to all affected tax jurisdictions as may be required by law, may amend or modify the foregoing policy as it may, from time to time, in its sole discretion determine.

10/2015

Resolution: 059-2018
Adopted October 25, 2018
Ayes:
Nays:

_____
Chairman Flo Girardi