Date: March 19, 2024

At a meeting of the Town of Hempstead Industrial Development Agency (the “**Agency**”), held at Town Hall Old Courtroom, 350 Front Street, Hempstead, New York 11550, on the 19th day of March, 2024, at 9:00 a.m., the following members of the Agency were present:

Present: Florestano Girardi, Chairman

Thomas J. Grech, Vice Chairman

Rev. Dr. Eric C. Mallette, Treasurer

Jack Majkut, Secretary

Robert Bedford, Member

Jerry Kornbluth, Member

Jill Ann Mollitor, Member

Excused:

Also Present: Frederick E. Parola, Chief Executive Officer

 Edie Longo, Chief Financial Officer

Michael Lodato, Deputy Executive Director

Lorraine Rhoads, Agency Administrator

Laura Tomeo, Deputy Agency Administrator

Arlyn Eames, Deputy Financial Officer

John Ryan, Esq., Agency Counsel

Paul V. O’Brien, 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 the acquisition of a leasehold interest in or title to a certain industrial development facility more particularly described herein (The Hillcrest of Floral Park LLC 2024 Facility), and the leasing of the Facility to The Hillcrest of Floral Park LLC.

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

Voting Aye Voting Nay Abstaining

RESOLUTION OF THE TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING THE HILLCREST OF FLORAL PARK LLC, A NEW YORK limited liability company, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF the hillcrest of floral park llc 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, INSTALLING AND EQUIPPING AN INDUSTRIAL DEVELOPMENT FACILITY AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY

WHEREAS, The Hillcrest of Floral Park LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of The Hillcrest of Floral Park LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), submitted its application for financial assistance (the “**Application**”) 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 interest in an approximately 0.4 acre parcel of land located at 41-61 Covert Avenue, Incorporated Village of Floral Park, Town of Hempstead, Nassau County, New York (the “**Land**”), the construction of one (1) two-story approximately 35,808 square foot building consisting of approximately 12 market-rate residential rental units (consisting of approximately 10 one-bedroom apartments and 2 two-bedroom apartments), approximately 6,679 rentable square feet of ground floor commercial space, covered parking on the Land and associated site improvements (collectively, the “**Improvements**”), and the acquisition of certain furniture, fixtures, equipment and personal property necessary for the completion thereof (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility would be subleased by the Agency to the Company and further sub-subleased by the Company to future tenants for use as a mixed-use multifamily housing and retail facility (the “**Project**”); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment and will sublease the Land and the Improvements and lease the Equipment to the Company all pursuant to 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**”); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company in connection with the Facility, in the form of exemptions from mortgage recording taxes, exemptions from sales and use taxes and abatement of real property taxes, all to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to any closing of the transaction described herein; and

WHEREAS, as of the date of this resolution, no determination for financial assistance has been made; 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, prior to any closing of the transaction described herein, a public hearing (the “**Hearing**”) will be held so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility can be heard; and

WHEREAS, notice of the Hearing will be given prior to any closing of the transaction described herein, and such notice (together with proof of publication) will be substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing will be annexed hereto as Exhibit B; and

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

WHEREAS, the Agency has required the Company to provide to the Agency a feasibility report (the “**Feasibility Study**” and, together with the other below listed items, 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 and attached as Exhibit C hereof:

1. Feasibility Study (Cost Benefit Analysis) dated February 29, 2024 prepared by Grow America;
2. Economic and Fiscal Impact Report dated March 11, 2024 prepared by Camoin Associates;
3. New York Law Journal Article, dated March 22, 2017 on Eligibility of Residential Developments for IDA Benefits by Anthony Guardino, Esq.; and
4. Ryan et al. v. Town of Hempstead Industrial Development Agency et al.; and

WHEREAS, the Agency’s Uniform Tax Exemption Policy and Guidelines, as amended to date (the “**UTEP**”), which UTEP is annexed hereto as Exhibit D, provides for the granting of financial assistance by the Agency for certain projects pursuant to Section I.A.(III) (vacant structures), and the Agency contemplates that the proposed financial assistance with respect the granting of an abatement of real property taxes, if approved, would constitute a deviation from the UTEP; and

WHEREAS, the Agency contemplates that, if it approves the Project pursuant to a Final Authorizing Resolution, it would provide financial assistance to the Company in the form of (i) exemptions from sales and use taxes in an amount not to exceed $448,500, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, (ii) exemptions from mortgage recording tax (excluding the portion of the mortgage recording tax allocated to transportation districts referred to in Section 253(2)(a) of the Tax Law of the State of New York), for one or more mortgages securing the principal amount not to exceed $6,000,000 in connection with the financing of the acquisition, construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping of the Facility, and (iii) abatement of real property taxes (as set forth in the Proposed PILOT Schedule annexed as Exhibit E hereto); provided, however, that all such financial assistance remains subject to further adjustment until the adoption of a Final Authorizing Resolution; and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “**SEQR Act**”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (“**NYSDEC**”), being 6 N.Y.C.R.R. Part 617, et. seq., as amended (the “**Regulations**” and collectively with the SEQR Act, “**SEQRA**”), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Agency has completed, received and/or reviewed: (1) Part 1 of a Short Environmental Assessment Form (“**EAF**”), dated November 17, 2023; (2) the New York State Cultural Resource Information System (“**CRIS**”); (3) NYSDEC’s Environmental Resource Mapper (“**ERM**”); (4) Hillcrest Elevations prepared by Emilio Susa Architect, P.C., dated May 21, 2020, and (5) the Application (collectively, (1)-(5) shall be referred to as the “**Environmental Information**”); and

WHEREAS, prior to making a recommendation about the potential environmental significance of the Project, the Agency has reviewed the Environmental Information, consulted various information sources, and considered the list of activities that are Type I Actions outlined in Section 617.4 of the Regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the Regulations and the criteria for determining significance outlined in Section 617.7 of the Regulations; and

WHEREAS, a hard look by the Agency as the potential environmental impacts and a thorough analysis by the Agency of the Environmental Information and potential environmental impacts associated with the Project reveals that the Project will not have any potentially significant adverse environmental impacts; and

WHEREAS, it is appropriate that the Agency issue a negative declaration pursuant to SEQRA for the Project; 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 transfer of leasehold title to the Facility.

NOW, THEREFORE, BE IT RESOLVED by the Town of Hempstead Industrial Development Agency (a majority of the members thereof affirmatively concurring) that:

Section 1. Based upon the Agency’s review of the Environmental Information and investigations of the potential environmental impacts associated with the Project, considering both the magnitude and importance of each potential environmental impact indicated, and upon the Agency’s knowledge of the Land and surrounding area and such further investigations of the Project and its environmental effects as the Agency has deemed appropriate, the Agency has made the following findings:

(a) the Project is an Unlisted Action pursuant to SEQRA as the Project involves the construction of a two-story, approximately 35,808 square foot 12-unit building with approximately 6,679 square feet of ground floor retail within an area of Floral Park, New York covered by the Zoning Law of the Incorporated Village of Floral Park, which will connect to the existing public water and sewer systems. As proposed, the Project does not meet or exceed any threshold for a Type I Action.

(b) no potentially significant adverse impacts on the environment are noted in the Environmental Information and none are known to the Agency and, therefore, the Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are attached as Exhibit F.

(c) Since the Project will not have a significant adverse impact on the environment, a negative declaration (the “**Negative Declaration**”) pursuant to SEQRA is hereby issued. This Negative Declaration has been prepared pursuant to and in accordance with the requirements of SEQRA. This Resolution shall serve as the Negative Declaration (as defined in 6 N.Y.C.R.R. 617.2(y)) for the Project, and is issued by the Agency, pursuant to and in accordance with SEQRA in an uncoordinated environmental impact review, and shall take effect immediately.

Section 2. In connection with the acquisition, construction, installation 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 Application, the Requisite Materials and other public information:

1. There is a lack of affordable, safe, clean and modern rental housing in the Village of Floral Park and the Town of Hempstead, Nassau County;

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

(c) The Facility, by providing such rental housing will enable persons to remain in the Village of Floral Park and 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 Village of Floral Park and the Town of Hempstead which will increase the economic health and well-being of the residents of the Village of Floral Park and 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; and

(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 Village of Floral Park and the Town of Hempstead.

Section 3. The acquisition, construction, installation and equipping of the Facility by the Agency, the subleasing of the Land and the Improvements to the Company, the leasing of the Equipment to the Company and the provision of financial assistance pursuant to the Act will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the Town of Hempstead and the people of the State of New York and improve their standard of living, and thereby serve the public purposes of the Act, and subject to the provisions of this resolution, the same is, therefore, approved.

Section 4. Subject to the provisions of this resolution, the Agency shall (i) acquire, construct, install and equip the Facility; and (ii) lease and sublease the Facility to the Company.

Section 5. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company shall be required to agree to the terms of Section 875 pursuant to the Lease and Project Agreement, dated a date to be determined (the “**Lease Agreement**”), by and between the Company and the Agency. The Company is further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this resolution are 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 6. Counsel to the Agency is authorized and directed to work with Transaction Counsel (Phillips Lytle LLP) to prepare, for submission to the Agency, all documents necessary to affect the transfer of the real estate and personal property described in the foregoing resolution.

Section 7. Notwithstanding the foregoing provisions hereof, this resolution is subject to the Company obtaining any necessary building permits for the acquiring, constructing, installing, equipping and operation of the Facility.

Section 8. The Chairman, the Chief Executive Officer, the Deputy Executive Director and all members of the Agency are hereby authorized and directed (i) to distribute copies of this resolution to the Company and to such other parties as may be required by applicable laws and regulations, and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 9. Any expenses incurred by the Agency and Transaction Counsel with respect to the Facility shall be paid by the Company. The Company agrees to pay such expenses and further agree 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 10. The Agency may publish and issue notices of a public hearing and conduct such public hearing with respect to the location and nature of the Project and the financial assistance, if any, to be granted by the Agency to the Company, in accordance with the provisions of Sections 857 and 859-a of the Act.

Section 11. This resolution shall take effect immediately.

ADOPTED: March \_\_, 2024

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

We, the undersigned Chief Executive Officer and Chairman of the Town of Hempstead Industrial Development Agency (the “**Agency**”) , DO HEREBY CERTIFY:

That we have compared the annexed extract of the minutes of the meeting of the Agency, including the resolutions contained therein, held on March 19, 2024, 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.

WE FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), (ii) public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held and was open to the general public, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, we have hereunto set our hands as of the \_\_\_ day of March, 2024.

By:

 Frederick E. Parola

Chief Executive Officer

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Florestano Girardi

Chairman

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 (the “**Hearing**”) will be held by the Town of Hempstead Industrial Development Agency (the “**Agency**”) on the \_\_\_ day of \_\_\_\_\_\_\_, 2024, at \_\_\_ a.m., local time, at [\_\_\_\_\_\_\_\_], Village of Floral Park, Town of Hempstead, New York, in connection with the following matters:

The Hillcrest of Floral Park LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of The Hillcrest of Floral Park LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), submitted its application for financial assistance (the “**Application**”) 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 interest in an approximately 0.4 acre parcel of land located at 41-61 Covert Avenue, Incorporated Village of Floral Park, Town of Hempstead, Nassau County, New York (the “**Land**”), the construction of one (1) two-story approximately 35,808 square foot building consisting of approximately 12 market-rate residential rental units (consisting of approximately 10 one-bedroom apartments and 2 two-bedroom apartments), approximately 6,679 rentable square feet of ground floor commercial space, covered parking on the Land and associated site improvements (collectively, the “**Improvements**”), and the acquisition of certain furniture, fixtures, equipment and personal property necessary for the completion thereof (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility would be subleased by the Agency to the Company and further sub-subleased by the Company to future tenants for use as a mixed-use multifamily housing and retail facility (the “**Project**”). The Facility would be initially owned, operated and/or managed by the Company.

The Agency contemplates that it would provide financial assistance to the Company in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes and abatement of real property taxes.

The Company has requested that the Agency provide financial assistance to the Company in the form of abatements of real property taxes for a term of up to twenty (20) years (the “**PILOT Benefit**”). The proposed PILOT Benefit deviates from the Agency’s Uniform Tax Exemption Policy and Guidelines, as amended to date (the “**Policy**”), because the proposed PILOT Benefit would be for a term of up to twenty (20) years instead of ten (10) years. Copies of the proposed PILOT payment schedule are available on the Agency’s website at www.tohida.org. The Agency is considering the proposed deviation from the Policy due to the current nature of the property and because the Company would not undertake the Project and the Project would not be economically viable without a PILOT Benefit for a term of up to twenty (20) years.

A representative of the Agency will, at the above-stated time and place, hear and accept oral comments from all persons with views in favor of or opposed to either the Project or the financial assistance requested by the Company. Comments may also be submitted to the Agency in writing or electronically prior to or during the Hearing by e-mailing them to idamail@tohmail.org. Minutes of the Hearing will be transcribed and posted on the Agency’s website.

Members of the public 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 Project, which can be found on the Agency’s website at www.tohida.org.

To the extent practicable, the Hearing will be streamed on the Agency’s website in real-time in accordance with Section 857 of the New York State General Municipal Law. A video recording of the Hearing will be posted on the Agency’s website, all in accordance with Section 857 of the New York State General Municipal Law.

The Agency anticipates that the members of the Agency will consider a resolution to approve the Project and the financial assistance requested by the Company, including the proposed twenty (20) year PILOT Benefit, at the Agency’s Board Meeting (the “**Board Meeting**”) to be held on [\_\_\_\_\_\_ \_\_], 2024, at 9:00 a.m. local time, at Town of Hempstead Town Hall, Town Hall Courtroom, 350 Front Street, Hempstead, New York 11550.

Dated: \_\_\_\_\_\_ \_\_, 2024

TOWN OF HEMPSTEAD INDUSTRIAL

DEVELOPMENT AGENCY

By: Frederick E. Parola

Title: Chief Executive Officer

EXHIBIT B

MINUTES OF PUBLIC HEARING

On file with the agency

EXHIBIT C

REQUISITE MATERIALS

1. Feasibility Study (Cost Benefit Analysis) dated February 29, 2024 prepared by Grow America (Exhibit C-1);
2. Economic and Fiscal Impact Report dated March 11, 2024 prepared by Camoin Associates (Exhibit C-2);
3. New York Law Journal Article, dated March 22, 2017 on Eligibility of Residential Developments for IDA Benefits by Anthony Guardino, Esq. (Exhibit C-3); and
4. Ryan et al. v. Town of Hempstead Industrial Development Agency et al. (Exhibit C-4).

EXHIBIT C-1

Feasibility Study (Cost Benefit Analysis) dated February 29, 2024 prepared by Grow America

EXHIBIT C-2

Economic and Fiscal Impact Report dated March 11, 2024 prepared by Camoin Associates

EXHIBIT C-3

New York Law Journal Article, dated March 22, 2017 on Eligibility of Residential Developments for IDA Benefits by Anthony Guardino, Esq.

EXHIBIT C-4

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

EXHIBIT D

TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY UNIFORM TAX EXEMPTION POLICY

EXHIBIT E

PROPOSED PILOT SCHEDULE

41-61 Covert Avenue
Floral Park, NY 11001
Current Tax Information

Section; 32, Block: 270, Lots: 160,161,162,163,164,165,166, 167 (D&E), 168 (A&B) and 170

Parcels: 10

SD- Floral Park/Bellerose

Total Current Taxes $46,884.29

Land Only Tax Estimate from SVS: $45,756.27

Estimated Taxes Once Built: $143,255

Year Total

1. $45,756.27
2. $45,756.27
3. $45,756.27
4. $50,000.00
5. $52,000.00
6. $56,000.00
7. $60,000.00
8. $65,000.00
9. $68,000.00
10. $73,000.00
11. $75,000.00
12. $85,000.00
13. $95,000.00
14. $105,000.00
15. $115,000.00
16. $125,000.00
17. $135,000.00
18. $145,000.00
19. $160,000.00
20. $175,000.00

EXHIBIT F

REASONS SUPPORTING THE DETERMINATION OF SIGNIFICANCE FOR A CERTAIN PROJECT FOR THE HILLCREST OF FLORAL PARK LLC

 **Name of Project:** The Hillcrest of Floral Park LLC

**Location:** 41-61 Covert Avenue, Village of Floral Park, Town of Hempstead, Nassau County, New York

**SEQR Status:** Unlisted

**Determination**

**of Significance:** Negative Declaration

1. Impact on Land. The Project involves the construction of a two-story, approximately 35,808 square foot 12-unit residential building with 6,679 square feet of ground floor commercial space as well as covered parking spaces (collectively, the “Improvements”) on an approximately 0.4-acre site located at 41-61 Convert Avenue in the Village of Floral Park within the Town of Hempstead, Nassau County (hereinafter, the “Land”). The Land fronts Covert, Beverly and Marshall Avenues and was developed with a row of 10-12 neighborhood-serving retail, restaurant, and service establishments that were demolished after a 2020 fire damaged all the buildings beyond repair. The Land currently sits vacant and fenced-off.

The area surrounding the Land is well-developed with one- and two-story buildings, containing neighborhood-serving commercial uses along Covert Avenue and single-family homes with a mix of some low-density multi-family residential development along the area’s side avenues and streets, including Beverly and Marshall Avenues. The zoning classification will not change as a result of the Project. As proposed, the Improvements will include 12 rental units, ten of which will be one-bedroom units with the remaining being two-bedroom units. The Land sits ½ mile from the Stewart Manor LIRR station, about a 10-minute walk, making it easily accessible by public transit. The proposed covered, on-site parking spaces will be dedicated to the residential users and accessible from Beverly and Marshall Avenues.

Overall, the Project is consistent with existing land uses in the vicinity and will reinvigorate this block, which has sat vacant for more than three years. The proposed design of the two-story building will include design elements, such as repeating window patterns, a gabled roof, and a visual separation between the stories, which will enhance the visual appeal of the streetfronts along Covert, Beverly and Marshall Avenues. Both the proposed commercial and residential uses will reinvigorate the block. Accordingly, the Project will not create any potentially significant adverse impacts to land resources or land uses.

2. Impact on Geological Features. The Land does not contain and is not adjacent to any unique geologic features or National Natural Landmarks. The Land is located along a small-scale neighborhood commercial corridor surrounded by single-family and small-scale residential development. As noted above, the Land was previously developed until a devastating 2020 fire necessitated the demolition of the former buildings. Accordingly, the Project will not create any potentially significant adverse impacts to geological features.

3. Impact on Surface Water and Flooding. The EAF indicates that there are no wetlands or other surface bodies present near or on the Land, and the Project will not create any new waterbody or affect the surface area of any existing waterbody. The Land is not located in a designated 100-year floodplain. Up until several years ago, the Land contained neighborhood-serving commercial buildings. The Improvements will not increase the Land’s impervious surfaces. The surrounding area is well-developed with neighborhood-serving retail along Covert Avenue and is surrounded by residential development along the area’s side streets. The EAF notes that the Improvements will not create additional storm water discharge. Accordingly, the Project will not create any potentially significant adverse impacts on surface water.

4. Impact on Groundwater. The Project will connect to the existing water and sewer districts, which served the previous buildings’ uses. No expansion of the water or sewer districts will be required in connection with the Project. The Land is located over the Nassau-Suffolk sole source aquifer. Additionally, the potential retail and service uses permitted on the site will not involve bulk storage of chemicals, production of hazardous waste, commercial application of pesticides near water sources or any other activities that would pose a threat to groundwater. Accordingly, the Project is not anticipated to create any significant adverse impacts to groundwater.

5. Impact on Air. The Project will not be a significant source of air emissions. It does not entail the types of activities or operations that require the Company to acquire air registration permits or that are associated with a significant potential for air emissions. The Project will not substantially increase traffic to the Land nor will it substantially increase demand for transportation facilities or services. As a result, it will not create any potentially significant adverse impacts to air resources.

6. Impact on Plants and Animals. The Improvements will not result in any changes to cover type that would result in the loss of habitat for plant or animal species. The Land was previously developed, and, as noted in the EAF, there are no predominant wildlife species that occupy or use the site. As such, the Project will not substantially interfere with any species of animal or associated habitats listed as either threatened or endangered on federal or state lists. Accordingly, the Project is not anticipated to create any significant adverse impacts on plants and animals.

7. Impact on Agricultural Land Resources. The Land is not located within an Agricultural District and is neither currently used nor zoned to be used for agricultural purposes. The area is suburban, characterized by neighborhood-serving, low-density, one- to two-story commercial buildings surrounded by single-family homes and small-scale residential development. As such, the Project will not result in any potentially significant adverse impacts to agricultural land resources.

8. Impact on Aesthetic Resources. The Project will not be visible from any officially designated federal, state, or local scenic or aesthetic resources. As described above, the Land was previously developed with a row of commercial frontages containing 10- 12 neighborhood-serving restaurants and retail establishments, which were demolished after a 2020 fire. The proposed Improvements will restore commercial uses at the site while also providing needed infill rental housing within the building’s second story in close proximity to the LIRR. The Improvements’ design details, which include a gabled roof and visual separation between the stories, will improve the visual appeal of the Covert Avenue streetfront and create continuity along the block. Off-street parking for the residential units will be shielded from view from neighboring properties by fencing and landscaping. The proposed design elements and screening elements will improve the visual appeal of the building when viewed from adjacent residential uses. Based on the foregoing, the Project is not anticipated to create any significant adverse impacts to aesthetic resources.

9. Impact on Critical Environmental Areas. The Project is not located in or substantially contiguous to any Critical Environmental Areas. As such, the Project will not create any potentially significant adverse impacts to Critical Environmental Areas.

10. Impact on Historic and Archaeological Resources. The Land does not contain nor is it substantially contiguous to a historic site, building, or historic preservation district. The proposed design for the Improvements will improve the visual appeal of the streetfronts along Covert, Beverly, and Marshall Avenues and will not create any significant impacts to historic or archeological resources.

11. Impact on Open Space and Recreation. The Project does not include the reduction of any open or recreational spaces, but will redevelop a site that had been developed for many decades. Accordingly, the Project will not create any potentially significant impacts to open space or recreational resources.

12. Impact on Transportation. The Improvements’ small number of rental units will not result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. The Land is approximately ½ mile from the Stewart Manor LIRR station, about a ten-minute walk from the Project, making the residential units attractive to potential residents that choose to take public transit. The proposed dedicated residential parking spaces will not significantly add to the current levels of vehicles using the surrounding streets. As such, the Project is not anticipated to create any significant adverse impacts on transportation.

13. Impact on Energy. Per the EAF, the Project will meet or exceed the New York State energy code requirements, and no significant energy infrastructure improvements are necessary to accommodate the Project. As such, the Project will not create any potentially significant adverse impacts to energy resources.

14. Impact on Noise, Odor and Light. The Project is not expected to appreciably create odors or result in excessive lighting or noise. Any impacts from the Improvements’ construction, which is estimated to take between 12 to 18 months, will be temporary in nature. With regard to noise impacts, all construction activity will be limited to Monday through Saturday from 8:00 A.M. to 7:00 P.M in accordance with the Village of Floral Park Noise Ordinance. Based on the foregoing, the Project will not create any significant adverse impacts on noise, odor or light.

15. Impact on Public Health. As described above, the Land was previously developed and the Improvements will not substantially increase the intensity of the previous uses contained on the Land. There is a lack of affordable, safe, clean and modern rental housing in the Town of Hempstead, Nassau County. The Project will provide needed, modern rental housing, which will aid in maintaining existing residents in the Floral Park community and supporting the area’s businesses, vibrancy, and economy. Accordingly, the Project will not create any potentially significant adverse impact to public health.

16. Impact on Character of the Community, and Community Plans. The proposed Improvements are permitted by zoning and are consistent with the character and uses of the area. The proposed Project will reinvigorate the streetscape along Covert Avenue and portions of Beverly and Marshall Avenues, which have been empty since the 2020 fire. As noted, Covert Avenue is lined with one- and two-story buildings containing neighborhood-serving commercial uses, and both Beverly and Marshall Avenues are characterized by single-family and low-density multi-family residential. By providing both neighborhood-serving commercial uses along the first story of the Project and 12 units of infill rental housing within the building’s second story, the Project’s mix of uses will provide affordable, modern rental housing in Floral Park within a new building designed to match the character, uses, and density of the neighboring streets. The Land had been occupied by community-serving commercial uses, including a barber shop, restaurant, pizza shop, nail salon, and a martial arts studio and, its redevelopment will strengthen this commercial corridor. Visually, as shown by proposed elevations submitted by the Company, the Improvements’ proposed design will create a uniform two story-building design along the Covert Avenue streetfront, which will incorporate design elements from neighboring residential uses. The Project will not alter the land uses in the area and involves no significant change in use or increase of intensity over what existed on the Land in the past.

Overall, the Project will maintain the character of the existing neighborhood while providing much-needed infill rental housing within walking distance from multiple neighborhood-serving businesses as well as the LIRR. Accordingly, the Project will not create any potentially significant adverse impacts to the character of the community or community plans.