

ALBANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION

Albany **IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from **Montgomery** County Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: ALBANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
112 State Street
Albany, New York 12207

This application by applicant respectfully states:

APPLICANT: 122 2nd Street Assoc., LLC

APPLICANT'S
ADDRESS: 172 River Street, Suite D

CITY: Troy STATE: NY PHONE NO.: 518-527-2794

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

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF
ATTORNEY: Paul V. Sciocchetti

ATTORNEY'S
ADDRESS: Sciocchetti & Abbott, PLLC
12 Century Hill Drive

CITY: Latham STATE: NY PHONE NO.: 518-867-3001

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless in the judgment of the Agency said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return four (4) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein.
9. The Agency has established an application fee of Two Hundred Fifty Dollars (\$250) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**

FOR AGENCY USE ONLY

1. Project Number _____
2. Date Received by Agency _____, 20
3. Date referred to Attorney for review _____, 20
4. Date notice of Agency meeting on application posted _____, 20
5. Date notice of Agency meeting on application mailed _____, 20
6. Date of Agency meeting on application _____, 20
7. Date Agency conditionally approved application _____, 20
8. Date Agency offer mailed to applicant _____, 20
9. Date applicant accepted Agency offer _____, 20
10. Date Environmental Assessments Form ("EAF") received _____, 20
11. Date Agency completed environmental review _____, 20
12. Date of final approval of application _____, 20

I. Proposed occupant of Project (hereinafter, the "Company").

A. Company Name: 122 2nd Street Assoc., LLC

Present Address: 172 River Street, Suite D
Troy, New York

Zip Code: 12180

Employer's ID No.:

B. If the Company differs from the Applicant, give details of relationship:

C. Indicate type of business organization of Company:

1. Corporation (If so, incorporated in what country?
What State?)

Date Incorporated? _____ Type of Corporation?
Authorized to do business in New York? yes no).

2. Partnership (If so, indicate type of partnership _____,
Number of general partners _____, Number of limited partners _____).

3. Limited liability company (If so, formed in what State? NY
, Date formed? 3/5/14 Authorized to do business in New York?).

4. Sole proprietorship

D. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

Redburn Development, LLC (same principals)

E. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

Redburn Development, LLC, is the sole member,
Below are the principals of Redburn Development, LLC

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Thomas Rossi	Manager/Member	N/A
John Blackburn	Manager/Member	N/A

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?

 yes X no.

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?

 yes X no.

4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?
 yes X no. If yes to any of the foregoing, furnish details in a separate attachment.

F. Principal owners of Company: Is Company publicly held?

 yes X no. If yes, list exchanges where stock traded: N/A

Relationship to N/A
Company:

Percentage of Project to be leased or
subleased: N/A

Use of Project intended by
Sublessee: N/A

Date of lease or sublease to
Sublessee: N/A

Term of lease or sublease to
Sublessee: N/A

2. Sublessee INTEND TO BE LEASED OR SUBLICENSED (Residential)
name: TBD

Present One Hundred Percent (100%) for mixed use residential
Address: apartments and commercial.

City: N/A State: N/A Zip: N/A

Employer's ID N/A
No.:

Sublessee is: N/A
 Corporation: Partnership: Sole Proprietorship
Relationship to
Company: N/A

Percentage of Project to be leased or
subleased: Eighty percent (80%) residential

Use of Project intended by
Sublessee: Residential apartments

Date of lease or sublease to

Sublessee: It is estimated that the project will be completed around January, 2016 and available at that time for leasing.

Term of lease or sublease to

Sublessee: TBD

3. Sublessee INTENDED TO BE LEASED OR SUBLICENSED (COMMERCIAL)
name: N/A

Present N/A

Address:

City: N/A State: N/A Zip: N/A

Employer's ID N/A

No.:

Sublessee is: N/A

Corporation: Partnership: Sole Proprietorship

Relationship to

Company: It is anticipated that none of the future subleasees will be related in any manner to tenant except for the use of the roof and facilities for solar electric services by company's related entity, Redburn Infrastructure, LLC.

Percentage of Project to be leased or
subleased: Commercial twenty percent (20%) Roof & Office

Use of Project intended by

Sublessee: Solar and office space

Date of lease or sublease to

Sublessee: TBD

Term of lease or sublease to

Sublessee: TBD

If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
N/A	N/A	N/A

G. Company's Principal Bank(s) of account:
First Niagara Bank

II. Information concerning lease or sublease of the project. (Please complete the following section if the Company intends to lease or sublease the Project).

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? yes no. If yes, please provide detail.

The project provides for mixed use residential (apartments) and commercial.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

Presently, zero percent (0%) is leased or subleased.

C. 1. Sublessee N/A (PRESENT USE)
name:

Present N/A
Address: N/A

City: N/A State: N/A Zip: N/A

Employer's ID N/A
No.:

Sublessee is: N/A
Corporation: _____ Partnership: _____ Sole Proprietorship

III. Data regarding Proposed Project

A. Summary: (Please provide a brief narrative description of the Project.)

Tilley Lofts Project in Watervliet, NY has a total of 80k square feet of space in historic Industrial Plan Mixed Use Development District that had been 70 percent vacant for 10 years. The upscale 62 unit project will be Redburn's next green energy project and uses the latest technology in CHP, WSHP, ORC Turbines, Geothermal; sub-metering and new regulations. Without the additional benefits of PV, this will cost almost 75 percent less to operate and release nearly half the MTCDE as the traditional, individualized Condensing Furnaces, Roof-top AC's and Electric Hot water tanks building. This system keeps construction costs in the same range as traditional alternatives and can truly deliver game-changing results for the building and substantially improve the surrounding community.

B. Location of Proposed Project:

1. Street 122 2nd Street
Address:

2. City of Watervliet

3. Town of N/A

4. Village of N/A

5. County of Albany

C. Project Site:

1. Approximate size (in acres or square feet) of Project site: 1.46 +/- Is a map, survey or sketch of the project site attached? X yes no. (See Attached)

2. Are there existing buildings on project site? X yes no. If yes, indicate number and approximate size (in square feet) of each existing building: Three (3) story masonry building consists of eighty thousand (80,000 +/-) more or lessable square feet.

3. Are existing buildings in operation? X yes no.

If yes, describe present use of present buildings:

Prior month to month tenant vacating on 12/31/14.

Are existing buildings abandoned? yes X no. About to be abandoned? yes X no. Attach photograph of present buildings. See Attached

4. Utilities serving project site:

Water-Municipal: Municipal

Other (describe)

Sewer-Municipal: Municipal

Other (describe)

Electric-Utility: Redburn Infrastructure, LLC / National Grid

Other (describe)

Heat-Utility: Redburn Infrastructure, LLC / National Grid

Other (describe) Building water loop system with water source heat pumps.

5. Present legal owner of project site: Brown Bag, LLC

(Expected Closing Date
If the Company owns project site, indicate date of purchase: N/A, 2014;
Purchase price: \$600,000.00.

If Company not owner, does Company have option signed with owner to purchase the project site? X yes no. If yes, indicate date option signed with owner:

, 2014. Agreement for Purchase and Sale of Real Estate dated February 27, 2014

Date option expires: N/A, 2014. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? yes X no. If yes, describe in detail on separate attachment. Applicant is a Contract-Vendee under the Agreement for Purchase and Sale of Real Estate dated February 27, 2014.

6. Zoning District in which the project site is

located: Planned Mixed - Use District Overlay

Are there any variances or special permits affecting the site? X yes no. If yes, list below and attach copies of all such variances or special permits:

(i) The zoning provided for a maximum of thirty (30) residential apartments thirty (30) units per acre. A dwelling density maximum variance was granted to allow for a total of sixty-two(62) residential apartment units.

(ii) a five (5) foot side yard minimum set back variance was granted.

(iii) a special use permit was granted for a Solar Energy Tenant. No written decisions or notices have been issued by the municipality, to date.

D. Buildings:

1. Does part of the project consist of a new building or buildings? yes no. If yes, indicate number and size of new buildings: N/A

2. Does part of the project consist of additions and/or renovations to the existing buildings? X yes no. If yes, indicate nature of expansion and/or renovation: The existing structure shall be completely renovated to complete sixty-two (62) residential apartments and twenty percent (20%) commerical use on the roof top and approximately 2,300 +/- sqaure feet of general commercial office space.

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

Sixty-two (62) apartment units

Twenty percent (20%) commercial use

E. Project Use:

1. What are the principal products to be produced at the Project?

Solar powered energy.

2. What are the principal activities to be conducted at the Project?

The project shall provide affordable housing for residents of the area, working in the area.

3. Will any portion of the Project be used for any of the following purposes:

retail food and beverage services:

 Yes X No

automobile sales or service:

 Yes X No

recreation or entertainment:

Yes No

golf course:

Yes No

country club:

Yes No

massage parlor:

Yes No

tennis club:

Yes No

skating facility (including roller skating, skateboard and ice skating):

Yes No

racquet sports facility (including handball and racquetball court):

Yes No

hot tub facility:

Yes No

suntan facility:

Yes No

racetrack:

Yes No

If the answer to any of the above questions is yes, please furnish details on a separate attachment. N/A

4. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? yes no. If yes, please provide detail: N/A

5. If the answer to question 4 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? 0 %

6. If the answer to question 4 is yes, and the answer to question D is more than 33.33%, indicate whether any of the following apply to the Project: N/A

a. Will the Project be operated by a not-for-profit corporation?
Yes ; No .

b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes ____; No ____ N/A

c. Would the project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes ____; No ____ N/A

d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes ____; No ____ If yes, please provide detail.

N/A

e. Will the Project be located in one of the following: (a) the City of New York; (b) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (c) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes ____; No ____ N/A

7. If the answers to any of subdivisions c. through e. of question 6 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes No ____ If yes, please provide detail.

N/A

8. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes ____; No X If yes, please explain: N/A

9. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes _____; No . If yes, please provide detail:

10. If the answer to either question 8 or question 9 is yes, indicate whether any of the following apply to the Project: N/A

a. Is the Project reasonably necessary to preserve the competitive position of the Company on such Project Occupant in its industry? Yes _____; No . If yes, please provide detail: N/A

b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes _____; No . If yes, please provide detail: N/A

11. Will the Project be owned by a not-for-profit corporation? Yes ____; No X
If yes, please provide detail: N/A

12. If the answer to question 11 is yes, indicate whether any of the following apply to the Project: N/A

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes ____; No _____. If yes, please explain: N/A
- b. Is the Project a dormitory for an educational institution? Yes ____; No _____. If yes, please explain: N/A
- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes ____; No _____. If yes, please explain: N/A

13. If the answer to any of the questions contained in question 12 is yes, indicate whether the cost of the Project will exceed \$15 million. Yes ____; No _____. If yes, please provide detail: N/A

14. Will the Project be sold or leased to a municipality? Yes ____; No X. If yes, please provide detail: N/A

F. Construction Status:

1. Has construction work on this project begun?

___ yes no. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.: N/A

2. Please indicate amount of funds expended on this project by the Company in the past three (3) years and the purposes of such expenditures:

Seventy Five Thousand and 00/100 Dollars (\$75,000.00) on legal, engineering, surveying and other costs for acquisition, due diligence and approvals.

G. Method of Construction After Agency Approval: If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the project? ___ yes no.

IV. Employment Impact

A. Indicate below the number of people presently employed at the project site and the number that will be employed at the project site at end of the first and second years after the project has been completed (Do not include construction workers). Also indicate below the number of workers employed at the project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

TYPE OF EMPLOYMENT					
	PROFESSIONAL MANAGERIAL	ED	SKILL - LED	SEMI SKIL LED	UN- SKIL LED
Present Full Time	0	0	0	0	0
Present Part Time	0	0	0	0	0
Present					

Seasonal	0	0	0	0	0
First Year Full Time	1		1		2
First Year Part Time			1		1
First Year Seasonal				1	1
Second Year Full Time	1		1		2
Second Year Part Time			1		1
Second Year Seasonal			1		1

V. Project Cost

A. State the costs reasonably necessary for the acquisition of the project site and the construction of the proposed project including the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ 600,000.00
Buildings (Retro-Fit)	\$ 3,750,000.00
Machinery and equipment costs	\$ 500,000.00
Utilities, roads and appurtenant costs	\$ -----
Architects and engineering fees	\$ 570,000.00
Costs of Bond issue (legal, financial and printing) See Above	\$ -----
Construction loan fees and interest (if applicable) See Above	\$
Other (specify)	\$
Misc.	\$ 80,000.00
	\$
	\$
TOTAL PROJECT COST	\$ 5,500,000.00

B. Have any of the above expenditures already been made by applicant?
X yes no. If yes, indicate particular.

Development, legal, engineering, etc. - \$75,000.00

C. 1. Amount of loan requested: 0 Dollars;
2. Maturity requested: 0 Years.

VI. Benefits expected from the Agency

A. Is the applicant requesting that the Agency issue bonds to assist in financing the project? yes X no.

B. Is the interest on such bonds intended to be exempt from federal income taxation?
yes no. N/A

C. Is the applicant requesting any real property tax exemption that would not be available to a project that did not involve the Agency? X yes no.

D. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? X yes no. If yes, what is the approximate amount of financing to be secured by mortgages? \$5,000,000.00

E. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? X yes no. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$250,000.00

F. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

1. N.Y.S. Sales and Compensating Use Taxes: \$250,000.00
2. Mortgage Recording Taxes: \$50,000.00
3. Real Property Tax Exemptions: TBD
4. Other (please specify): TBD

G. Please list the affected taxing jurisdictions for the Project.

1. Village (if any): N/A
2. Town: N/A
3. City (if any): Watervliet
4. School District: Watervliet CSD

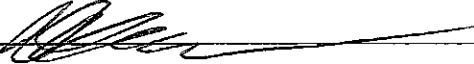
H. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's tax-exemption policy contained in its Rules and Regulations? yes X no. If yes, please explain. N/A

I. Project Benefit Information. Provide the Agency with information so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). The project provides a number of benefits to the community: (i) first and foremost, the project takes the lead in helping to spur economic development in the area of Watervliet by revitalizing and putting into use an obsolete building (ii) by providing future commercial development with a ancillary need of quality housing; and (iii) creating temporary and permanant jobs both during the construction and completion.

VII. Agreements by Applicant

- A. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B. Except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by JTPA Entities for new employment opportunities created as a result of the Project.
- C. The applicant agrees to file, or cause to be filed, in accordance with Section 874(8) of the General Municipal Law, with the New York State Department of Taxation and Finance the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. The applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E. The applicant has received from the Agency a list of the members, officers and employees of the Agency.
- F. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described: NONE

(Applicant) 122 2nd Street Assoc., LLC

BY: 


By: Manager for Applicant
Member of Redburn Development, LLC
the Sole Member of Applicant

NOTE: APPLICANT MUST COMPLETE THE APPROPRIATE VERIFICATION
APPEARING ON PAGES 21 THROUGH 23 HEREOF BEFORE A NOTARY PUBLIC AND
MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING
ON PAGE 24

VERIFICATION

(If Applicant is a Corporation)

John Blackburn deposes and says that he is the a Member of Redburn
(Name of chief executive of applicant) Development, LLC
Sole Member of Applicant, 122 2nd Street, Assoc., LLC
(Title) (Firm Name)

(Title) (Company Name)
the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof, and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said company is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

(officer of applicant)

By: Manager for Applicant
Member of Redburn Development, LLC
the Sole Member of Applicant

(Notary Public)
PAUL V. SCIOCCHETTI
Notary Public, State of New York
Qualified in Albany County
No. 02SC4891006
Commission Expires April 6, 2015

VERIFICATION

(If applicant is sole proprietor)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____, deposes and says

(Name of Individual)

that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

Sworn to before me this
____ day of _____, 20____.

(Notary Public)

VERIFICATION

(If applicant is partnership)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____, deposes and says
(Name of Individual)
that he is one of the members of the firm of _____

(Partnership Name)

the partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

Sworn to before me this
____ day of _____, 20____.

(Notary Public)

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NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE
HOLD HARMLESS AGREEMENT APPEARING ON PAGE 24 IS SIGNED BY THE
APPLICANT.

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HOLD HARMLESS AGREEMENT

Applicant hereby releases Albany County Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

~~Sworn to before me this
3rd day of March 2014~~

~~(Notary Public)~~

~~PAUL V. SCIOCCHETTI
Notary Public, State of New York
Qualified in Albany County
No. 02SC4891006
Commission Expires April 6, 2015~~

(Applicant)
122 2nd Street Assoc., LLC


By: Manager for Applicant
Member of Redburn Development, LLC
The Sole Member of Applicant

617.20
Appendix B
Short Environmental Assessment Form

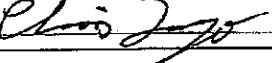
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information																	
<p>Name of Action or Project: 122 Second Street Mixed-Use Development</p> <p>Project Location (describe, and attach a location map): 122 Second Street Watervliet, NY</p> <p>Brief Description of Proposed Action: The proposed project is the interior renovation of a former industrial building into 62 residential living units and a commercial rooftop energy tenant. The existing parking lot will also be reconstructed to provide the required on-site parking spaces. The project is subject to Site Plan review with the City Planning Board as well as Area Variance & Special Use Permit with ZBA.</p>																	
<p>Name of Applicant or Sponsor: Redburn Development Companies, LLC c/o Tom Rossi</p>		<p>Telephone: 518-527-2794</p> <p>E-Mail: trossi@redburndev.com</p>															
<p>Address: 32 Patroon Point</p>																	
<p>City/PO: Rensselaer</p>	<p>State: NY</p>	<p>Zip Code: 12144</p>															
<p>1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.</p>																	
<p>2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: State Historic Preservation Office (SHPO) Albany County Department of Health (ACDOH)</p>																	
<p>3.a. Total acreage of the site of the proposed action? 1.46 acres b. Total acreage to be physically disturbed? 0.6 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.46 acres</p>																	
<p>4. Check all land uses that occur on, adjoining and near the proposed action.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center; padding: 2px;"><input checked="" type="checkbox"/> Urban</td> <td style="width: 33%; text-align: center; padding: 2px;"><input type="checkbox"/> Rural (non-agriculture)</td> <td style="width: 33%; text-align: center; padding: 2px;"><input type="checkbox"/> Industrial</td> <td style="width: 33%; text-align: center; padding: 2px;"><input type="checkbox"/> Commercial</td> <td style="width: 33%; text-align: center; padding: 2px;"><input type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input type="checkbox"/> Forest</td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/> Agriculture</td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/> Aquatic</td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/> Other (specify): _____</td> <td style="text-align: center; padding: 2px;"></td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input type="checkbox"/> Parkland</td> <td colspan="4"></td> </tr> </table>			<input checked="" type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input checked="" type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)													
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____														
<input type="checkbox"/> Parkland																	

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
City Storm sewer system _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <small>Off-site only. Includes various sites within 2000' radius (Hudson River PCB, South Troy Industrial Park, Schuyler Heights Fire District & Water Street in Troy)</small>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Christopher Longo (Consultant for Applicant)	Date: 6/5/14	
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

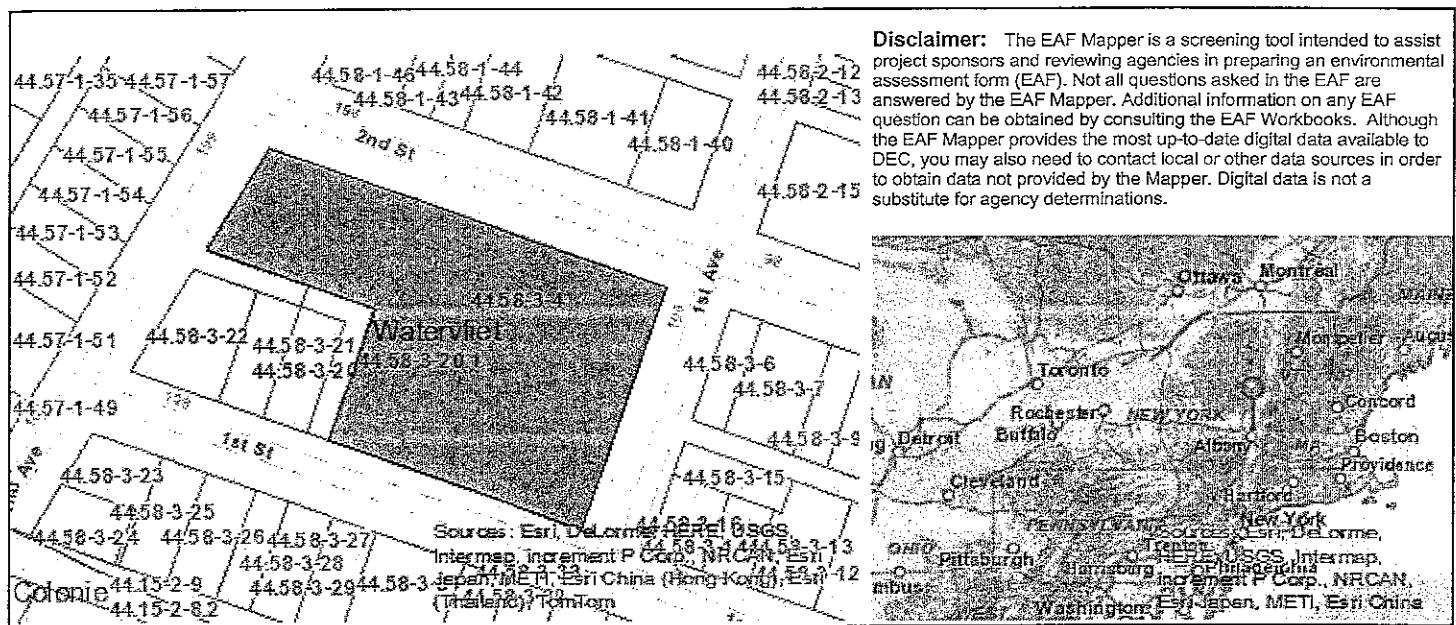
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency _____ Date _____	
Print or Type Name of Responsible Officer in Lead Agency _____	Title of Responsible Officer _____
Signature of Responsible Officer in Lead Agency _____	Signature of Preparer (if different from Responsible Officer) _____

PRINT

EAF Mapper Summary Report

Monday, April 28, 2014 9:26 AM



Part 1 / Question 7 [Critical Environmental Area] [No]

Part 1 / Question 12a [National Register of Historic Places]

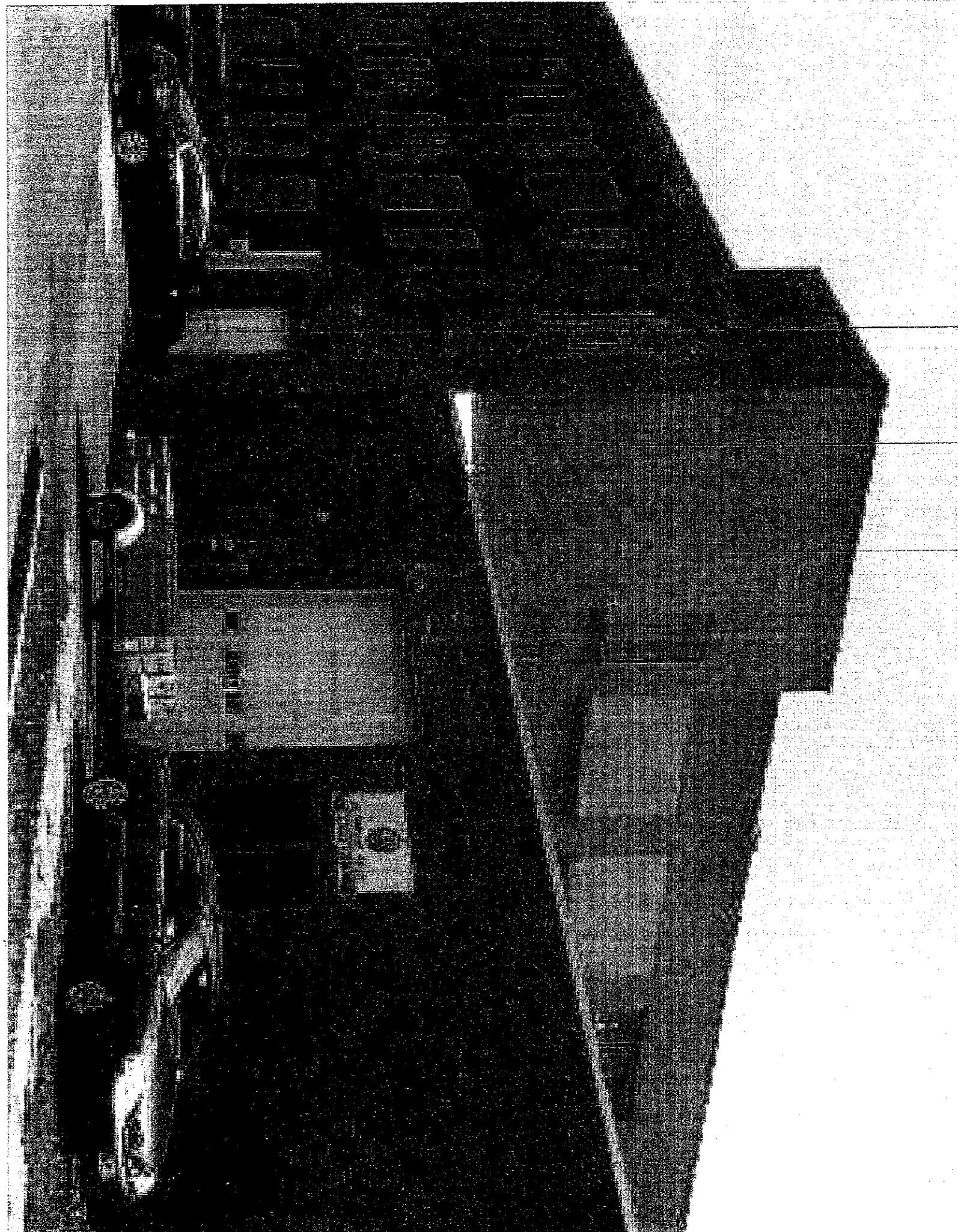
Part 1 / Question 12b [Archeological Sites] Yes

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes- Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

Part 1 / Question 15 [Threatened or
Endangered] Yes

Part 1 / Question 16 [100 Year Flood Plain] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

Part 1 / Question 20 [Remediation Site] Yes



THE TILLEY LOFTS
122 SECOND STREET
CITY OF WATERVLIET
ALBANY COUNTY, STATE OF NEW YORK

N

THE TILLEY LOFTS

LAST REVISED
SEPTEMBER 3, 2014

TAX MAP ID.
CITY OF WATERVLIET - 44-584-3-4

OWNER:

BROWNTAGS, LLC
77 BROADLINE AVE
ALBANY, NY 12203

ARCHITECT:

BROWN & ASSOCIATES, LLP
77 BROADLINE AVE
ALBANY, NY 12203

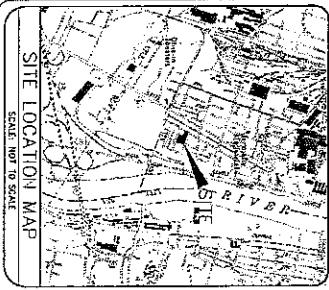
SURVEYOR:

BROWN & ASSOCIATES, LLP
77 BROADLINE AVE
ALBANY, NY 12203

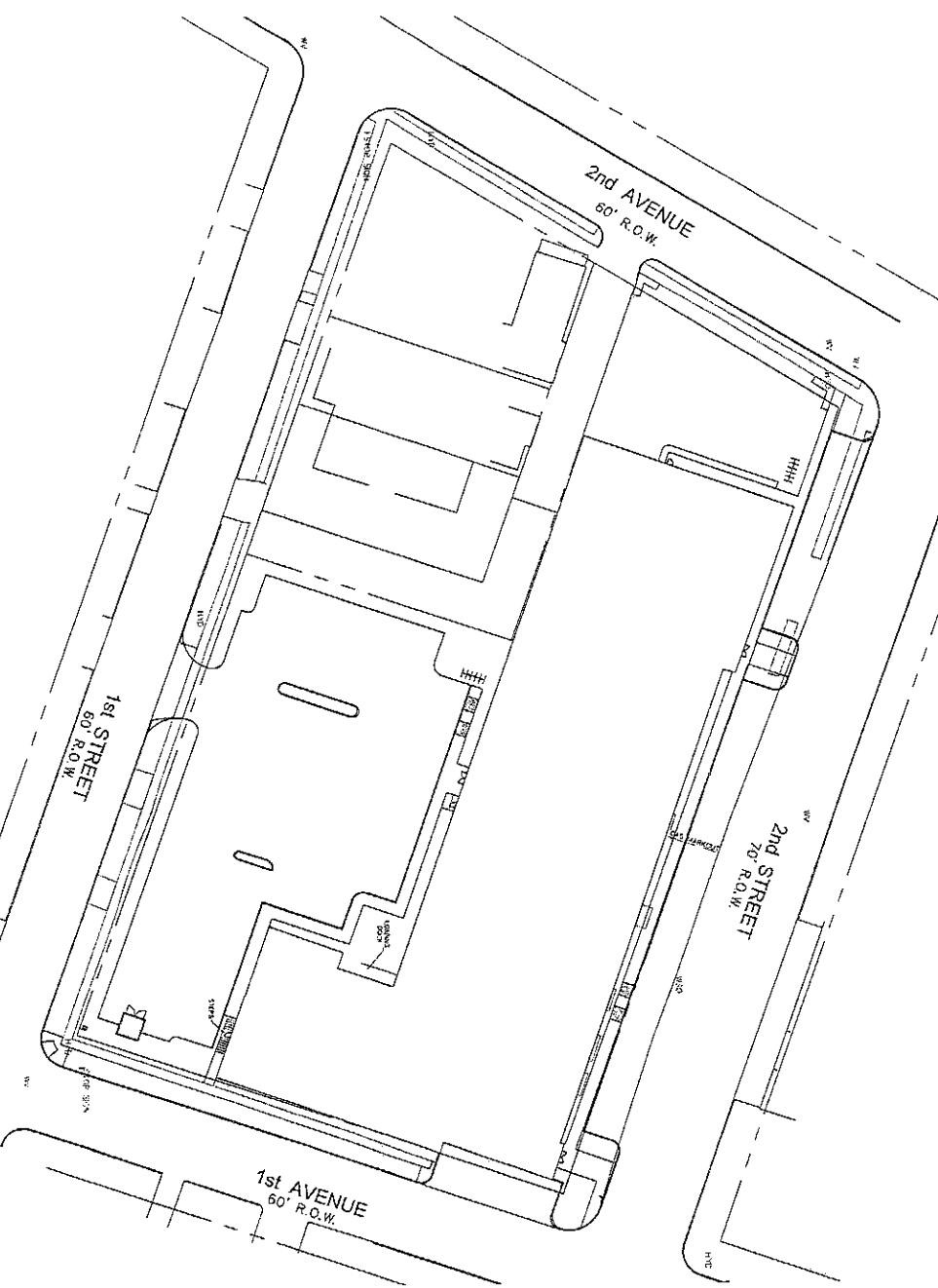
FAX: 518-465-1200

APPLICANT:
REDBURN DEVELOPMENT COMPANIES, LLC
32 PATROON POINT
RENNESSELAER, NY 12144

SCHEDULE OF DRAWINGS



SITE LOCATION MAP
SCALE NOT TO SCALE



ALBANY COUNTY DEPARTMENT OF PLANNING

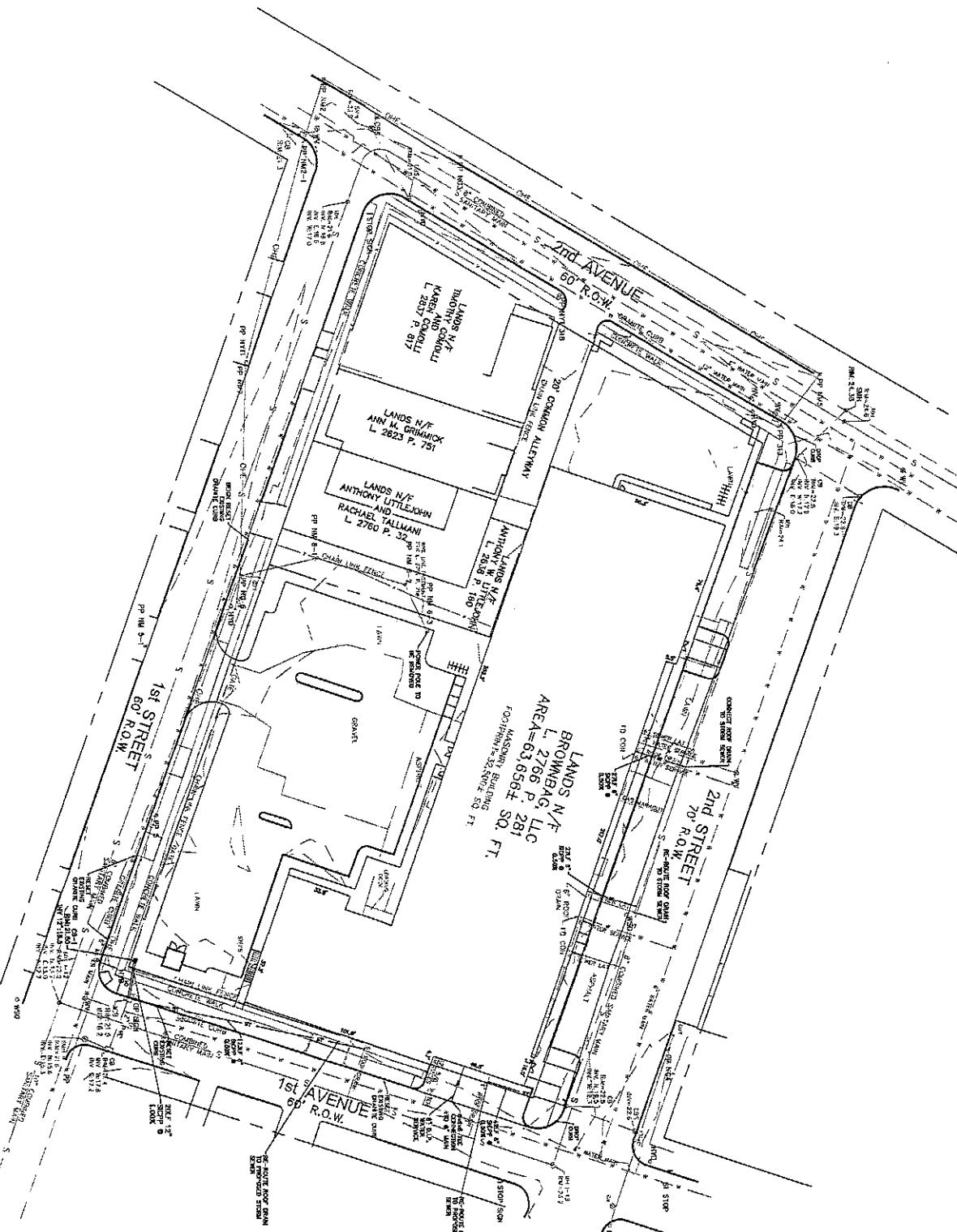
DIVISION OF MUNICIPAL BUILDING INSPECTION

UTILITY NOTES:

- 1) UNDERGROUND UTILITIES & SITES LOCATED ARE BASED ON VISUAL PHYSICAL EVIDENCE. CONTRACTOR SHALL HEED THESE ELEVATIONS OF ALL UTILITIES PRIOR TO INSTALLATION OF ANY GROUND WORK.
- 2) ALL WATER AND SEWER UTILITIES INSTALLED SHALL COMPLY WITH THE 10 STATE STANDARDS FOR WATER WORKS AND WASTEWATER FACILITIES. THE ENGINEER SHALL BE NOTIFIED IF CONDITIONS PROHIBIT CONSTRUCTION.
- 3) CONTRACTOR SHALL VERIFY CONDITIONS OF EXISTING UTILITY SERVICES AND NOTIFY THE ENGINEER OF ANY VARIATIONS FROM THE PLANS.
- 4) CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING UTILITY HAZARDS AS NECESSARY.
- 5) ALL ROOF DRAINS SHALL BE DISCONNECTED FROM THE EXISTING SEWER AND RE-Routed TO THE STORM SEWER OR DITCH BLOW AS SHOWN ON PLANS. THE CONTRACTOR SHALL BE NOTIFIED.
- 6) EXISTING WATER AND SANITARY SERVICE LATERALS SERVICES TO REMAIN UNLESS OTHERWISE NOTED.

LEGEND:

EXISTING PROPERTY LINE	— — — — —
EXISTING PROPERTY LINE	— — — — —
EXISTING CONTOUR	— — — — —
EXISTING TREASURE	— — — — —
EXISTING MIGRANT	— — — — —
EXISTING UTILITY POLE	○
EXISTING SIGN	— — — — —
EXISTING CATCH BASIN	■
EXISTING SANITARY MANHOLE	□
EXISTING STORM SEWER	— — — — —
EXISTING WATERMAIN	— — — — —
EXISTING OVERFIELD PIPE	— — — — —
PROPOSED ROOF DRAIN	— — — — —
PROPOSED STORM SEWER	— — — — —
PROPOSED CATCH BASIN	■



FOR INFORMATION ONLY

UTILITY PLAN

THE TILLEY LOFTS

122 SECOND STREET

CITY OF WATERBURY

STATE OF CONNECTICUT

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