

FRANKLIN COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FRANKLIN COUNTY CIVIC DEVELOPMENT CORPORATION

355 West Main Street, Suite 428

Malone, New York 12953

(518) 483-9472

www.adirondackfrontier.com

info@adirondackfrontier.com

JOINT APPLICATION FOR FINANCIAL ASSISTANCE

A. APPLICANT INFORMATION

Company Name	Oval Wood Dish Tupper Lake, LLC
Address	1201 East Fayette St, Syracuse, NY 13210
Phone Number	(315) 472-3820
FEIN	93-1382526
Contact Person Name and Title	Christopher Trevisani, VP of Business Development
Email	ctrevisani@housingvisions.com
Date of Submission	

Company Details	Registered State	Number of Partners/Members
Business Corporation		
Not-for-Profit Corporation		
Limited Liability Company	New York	3
Limited Partnership		
General Partnership		
Sole Proprietor/Single Member LLC		

If a foreign organization, is the Applicant authorized to do business in the State of New York? _____

Please also indicate whether the Company will utilize any affiliates and/or real estate holding companies to undertake the proposed project. If so, please provide names and details listed above for all such entities.

OWD Development, LLC
 148 Berwyn Ave
 Syracuse, NY 13210

Principal Owners/Officers/Directors: (List all owners with 5% or more in equity holdings with percentage of ownership)

Name	Address	Title/Percentage of Ownership
Housing Visions Consultants, Inc.	1201 E Fayette St, Suite 26 Syracuse, NY 13210	Member/40%
Braxton Capital, LLC.	148 Berwyn Ave, Syracuse, NY 13210	Member/30%
Lahinch Group	102 W Division St, Syracuse, NY 13204	Member/30%

(MANDATORY - Attach organizational chart showing complete ownership structure that lists all equity owners over 5% up to ultimate taxpayers)

Please note that this Application and any financial assistance to be considered or approved by the Agency are specific to the entity and ownership makeup detailed within this Application. This Application and any related benefits under consideration and/or approved by the Agency may not be assigned in whole or in part except to a Related Person of the Company (as that term is defined in subparagraph (C) of paragraph three of subsection (b) of section four hundred sixty-five of the Internal Revenue Code of 1986, as amended, hereinafter "Related Person"). A transfer in excess of fifty percent (50%) of the equity voting interests of the Company (including all parent companies of the Company though and including the ultimate taxpayer(s) owning or controlling the Company), other than to a Related Person of the Company, shall be deemed an assignment and require the prior written consent of the Agency. Any assignment of this Application shall require the prior written consent of the Agency upon application Sixty (60) days prior to a regularly scheduled meeting of the Agency and in accordance with the Agency's Project Recapture, Termination and Assignment Policy.

Attach certified financial statements for the company's last three complete fiscal years. If the company is publicly held, attach the latest Form 10K as well. If the applicant is a wholly-owned subsidiary of one or more parent companies and/or partners, attach certified financial statements for the at three complete fiscal years for each beneficial owner holding more than 20% equity in the applicant.

Applicant's Counsel	
Firm Name	Cannon Heyman & Weiss, LLP
Principal Attorney	Stephen L. Yonaty
Address	726 Exchange St #500, Buffalo, NY 14210
Phone	716-800-8735
Email	SYonaty@chwattys.com

Applicant's CPA	
Firm Name	Grossman St. Amour CPAs, PLLC
Principal Accountant	Linda Gabor
Address	110 W Fayette St, #900

Phone	315-701-6346
Email	lgabor@gsacpas.com

B. APPLICATION INSTRUCTIONS AND FEE SCHEDULE INFORMATION

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary 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. All project costs and benefit projections must be fully completed and certified as of the date of this application. Cost estimates will not be accepted unless approved in writing by the Agency.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) original fully executed and notarized copy of this application to the Agency at the address indicated on the first page of this application, and one (1) electronic copy to info@adirondackfrontier.com.
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, or in the alternative, receives evidence satisfactory to the Agency and its counsel that the requirements of Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York relating to the Project have been complied with (collectively, “SEQRA”).
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 all actual costs incurred in connection with this application and the Project contemplated herein to the Agency (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the project). The Applicant will also be expected to pay all costs incurred by local counsel and/or bond/special counsel to the Agency. The costs incurred

by the Agency, including the Agency's local counsel and/or bond/special counsel, may be considered as a part of the project and included as a part of the resultant bond issue.

9. The Agency has established a non-refundable application fee of \$3,000.00, of which up to \$2,500.00 may be credited toward Agency closing costs at the time of closing. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE \$3,000.00 FEE.
10. The Agency has established a project fee for each project in which the Agency participates. UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.

AGENCY FEE SCHEDULE INFORMATION

Application Fee:

The Agency has established a non-refundable application fee of \$3,000.00, of which up to \$2,500.00 may be credited toward Agency closing costs at the time of closing. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE \$3,000.00 FEE.

Agency Administrative Fees Paid at Closing and thereafter:

- 1) Bond Transactions: 1% of bond amount, plus \$1,500 per year during the bond term
- 2) Sale-Leaseback Transactions: 1% of Total Project Cost, plus \$1,000 per year during the term
- 3) Refinance of existing Agency or FCCDC bonds: .50% of the amount refinanced or reissued
- 4) Sales Tax and/or Mortgage Tax Exemption Only: 10% of Total Benefits

Agency Local Counsel, and/or Bond/Special Counsel Fees:

Applicants are responsible to pay all fees of the Agency's counsel, including Agency General Counsel, Transaction Counsel and Bond Counsel. The amount of legal fees can vary depending on the complexity of the proposed project and transaction. An estimate of legal fees can be provided during the course of the Agency's review and consideration of this application. Please note that all Agency legal fees will be due and payable even if the Project does not close with the Agency for the requested financial assistance.

PLEASE NOTE: APPLICANTS SEEKING FINANCIAL ASSISTANCE IN THE FORM OF SALES AND USE TAX EXEMPTIONS AFTER MARCH 28, 2013 SHALL BE SUBJECT TO THE ENHANCED REPORTING, COMPLIANCE AND RECAPTURE REQUIREMENTS SET FORTH WITHIN SECTION 875 OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK ("GML"). IN ADDITION, APPLICANTS SEEKING ANY FINANCIAL ASSISTANCE ON OR AFTER JUNE 1, 2016 SHALL BE SUBJECT TO THE PROVISIONS CONTAINED WITHIN GML Section 859-a (4)-(6). APPLICANTS SHOULD CONSULT WITH COUNSEL AND ACCOUNTANT PROFESSIONALS TO UNDERSTAND THESE NEW REQUIREMENTS.

C. PROPOSED PROJECT INFORMATION:

1. Please provide a brief narrative description of the Project (attach additional narrative pages or documentation as necessary).

The development team plans to bring back the Oval Wood Dish Factory by rehabilitating an abandoned building to create 152,107 SF of a modern co-working space, commercial space, and 80 workforce housing units as well as indoor climate controlled storage units. Creating a true live, work, play project. This roughly \$46 million certified historic redevelopment project includes new HVAC, plumbing, mechanicals, site work, fire suppression, utilities, and masonry work. The project also includes the installation of new high-speed internet at the site, which will allow OWD residents and co-working tenants to leverage high speed internet or remote working.

2. Location of Project (all information mandatory – attach current tax bills with proof of current payment)

Project Address	100 Demars Blvd
Municipality	Village of Tupper Lake
School District	Tupper Lake
Tax Map Number(s)	490.26-2-2

3. Total Project Cost:

\$46,090,525

4. Type of Assistance Requested (select all that apply):

PILOT/Straight Lease	✓
Sales & Use Tax Exemption	✓
Mortgage Tax Exemption	✓
Bond Financing	-----

5. Describe Existing Improvements, if any:

The Oval Wood Dish Factory is a one-to-two-story industrial building located in the Village of Tupper Lake, Franklin County, New York, with a footprint of approximately 124,647 square feet on a site historically used for light manufacturing. Originally constructed in 1918, with an effective year built of 1920, the masonry building is in fair condition and is served by public water and sewer and electric utilities.

6. Present Legal Owner:

OWD Development, LLC

7. If not owned by Applicant, provide details on interests to be acquired (Details must include purchase agreement, option, lease and details regarding date of agreement(s), terms of purchase/lease, timing for closing/commencement, and details on contingencies, including whether any such agreements contain contingencies regarding the Agency's provision of financial assistance):

The site is currently owned by an affiliated entity.

8. Provide Details on Project Site Zoning and any proposed variances or changes required for the Project

The Project site is appropriately zoned for the proposed use. All required local land use approvals have been obtained, and a building permit has been issued. No zoning changes or variances are required for the Project.

9. Provide Details on Project Site Infrastructure

Water	Served by municipal water.
Sewer	Served by municipal sewer.
Electric	Village of Tupper Lake Municipal Electric
Gas	Village of Tupper Lake Municipal Electric
Telecom/Fiber	Spectrum
Roadway/Multimodal	NYS DOT State Route 3

10. Provide Details on Project Site Infrastructure Improvements Required and/or included in Project

On-site improvements include new water, sewer connections, on-site stormwater management, and new surface parking.

11. Local Permitting and Approvals - Does the project require local planning or permitting approvals? If so, please explain. _

All required local land use approvals have been obtained, and a building permit has been issued. No further zoning changes or variances are required for the Project.

12. Will a site plan application need to be filed? If so, please include a copy if prepared.

Yes. A site plan application was required and has been approved.

13. Has another entity been designated lead agent under the State Environmental Quality Review Act ("SEQRA")? If yes, please explain:

Yes. The Joint Planning Board of the Town of Tupper Lake was Lead Agent for site plan. And NYS HCR was the Lead Agent for Funding.

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

No.

15. Will the Project result in the abandonment of one or more plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? If yes, explain:

No.

If the answer to either question 12 or 13 is yes, **you are required to** indicate whether any of the following apply to the Project:

16. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes____; No . If yes, please provide detail:

N/A

17. 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

NOTES: If the answer "yes" to questions 14 or 15 above and fail to provide a detailed response to questions 16 or 17 then the Agency will be barred from providing any financial assistance.

The Agency is required to notify the chief executive officer of the municipality from which the facility is being relocated or abandoned. This notification will be sent prior to the Agency's conduct of required public hearings(s).

CERTIFICATION: Based upon the answers provided within 14-17 above, the Company hereby certifies to the Agency that the undertaking of the proposed project and provision of financial assistance to the Company by the Agency will not violate GML Section 862(1).

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

Yes. The primary proposed use of the property will be 80 units of workforce housing. However there will be 8484 SF of self-storage space and 5225 SF of co-work space.

See attached Narrative.

19. If the answer to 13 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** any services to customers who personally visit the Project? 11.5 %

20. If more than 33.33%, indicate whether any of the following apply to the Project:

Will the Project be operated by a not-for-profit corporation? Yes ____; No____. If yes, please explain:

N/A

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 . If yes, please explain:

N/A

Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the Project and related jobs outside of New York State? Yes ___; No . If yes, please explain:

N/A

Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the City, Town or Village within which the Project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes_____; No . If yes, please explain:

N/A

Will the Project be located in one of the following: (i) an area designed as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) 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 (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes ; No_____. If yes, please explain:

It is in a Franklin County Empire Zone, Subzone 2.

21. 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 complete the following for EACH existing or proposed tenant or subtenant:

Sub lessee name: N/A. See attached Narrative.

Present Address: _____

City: _____ State: _____ Zip: _____

Employer's ID No.: _____

Sub lessee is a: _____ (Corporation, LLC, Partnership, Sole Proprietorship)

Relationship to Company: _____

Percentage of Project to be leased or subleased: _____

Use of Project intended by Sub lessee: _____

Date and Term of lease or sublease to Sub lessee: _____

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to question 14. with respect to such sub lessee.

22. Project Costs: NOTE: If Project is a renewable energy project, please complete the project summary below:

Category	Amount
Land-acquisition	\$830,000
Buildings-Construction/Renovation (No FF&E)	\$31,177,776
Utilities, roads and appurtenant costs	N/A
Machinery and Equipment (All FF&E)	\$300,000
Soft Costs (Architect, Legal and Engineering)	\$1,500,000
Costs of Bond issue	N/A

Construction Loan Fees and interest	\$2,930,348
Other (specify) See Table	\$9,352,401
Total Project Costs	\$46,090,525

Please include supplemental sheets as necessary with all project cost details, including the following:

Mandatory: In addition to the above estimated of capital costs of the project, which must include all costs of real property and equipment acquisition and building construction or reconstruction, you must include details on the amounts to be financed from private sector sources, an estimate of the percentage of project costs financed from public sector sources (all public grants, loans and tax credits to be applied for), and an estimate of both the amount to be invested by the applicant and the amount to be borrowed to finance the project.

N/A

PREVAILING WAGE AND MWBE DISCLOSURE PURSUANT TO (NY Labor Law § 224-a:

On January 1, 2022, certain projects receiving financial assistance from a public entity (including the Agency) will be subject to prevailing wage requirements. While prevailing wage was previously limited to government contracting, this legislation will subject certain projects approved by an IDA to prevailing wage under the New York Labor Law, along with certain MWBE requirements. Generally, and unless an exception is allowed, certain projects with costs that exceed \$5 million and for which at least 30% of these costs are met through use of public funds (including IDA benefits), then the project labor will require payment of applicable prevailing wages.

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that Agency Financial Assistance, including the estimated New York States sales and use tax exemption benefit amount, the estimated mortgage recording tax exemption benefit amount, and the estimated real property tax abatement benefit amount, as so indicated within this Application, are “public funds” and not otherwise excluded under Section 224-a(3) of the New York Labor Law, and by executing this Certification, (i) confirms that it has received notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law and (ii) acknowledges its obligations pursuant to Section 224-a(8)(a) of the New York Labor Law. The Agency makes no representations or covenants with respect to the total sources of “public funds” received by the Company in connection with the Project.

MANDATORY: ALL APPLICANTS MUST COMPLETE THE PREVAILING WAGE CHECKLIST ATTACHED HERETO AS EXHIBIT A.

**County of Franklin Industrial Development Agency
Renewable Energy Project Application Supplement**

D. RENEWABLE ENERGY PROJECT: PROJECT COSTS

1. Project size N/A _____
2. Solar equipment costs \$ N/A _____
(panels, racking, all solar equipment to inverters)
3. Site equipment and FF&E costs \$ N/A _____
(on-production equipment from inverter to interconnection, including site fencing, security and other equipment)
4. Site work and land preparation costs \$ N/A _____
(earthwork, roadways, landscaping, and site plan improvements, highway cuts, wetland mitigation and other onsite infrastructure costs)
5. All interconnection costs whether direct or indirect expense through utility \$ N/A _____
6. All pre-development costs, including planning, engineering, site plan and permitting, \$ N/A _____
7. Battery storage costs \$ N/A _____
8. Battery storage capacity N/A _____
9. All other soft costs including legal, planning and permitting \$ N/A _____
10. Community benefit payments or impact fees \$ N/A _____
11. Community adder \$ N/A _____
12. Community or market transition credit \$ N/A _____
13. Total annual lease amount for project \$ N/A _____
14. Other (please identify): \$ N/A _____
15. Site Acquisition Costs \$ N/A _____
16. SPE Sale/Acquisition Price \$ N/A _____

17. Agency fees and costs

\$ N/A-----

Total:

\$ N/A-----

Have any of the above costs been paid or incurred as of the date of this Application? Yes or No

If Yes, describe particulars:

Yes, see attached narrative.

Has the Company executed or plan to execute any Membership Interest Purchase Agreement ("MIPA") at any time for this project?

If Yes, describe particulars:

N/A

Please attach MIPA and provide details on purchaser and timing for sale, including terms of sale and an ownership chart detailing same. All entity sales must be disclosed per above and approved by the Agency before any Agency approvals or financial assistance may be assigned/assumed by a purchasing parent. Any request for Agency approval for assignment of Agency approvals or financial assistance requires re-execution of this Supplement, including MIPA consideration as a component of total project cost.

Does the Company or any known purchasers of the Company anticipate the utilization of any tax credit equity transactions involving the transfer of over 50% of the equity interests in the Company or any parent of the Company?

If Yes, describe particulars:

Yes. See attached narrative.

Please attach details and information on any known or intended tax credit equity investors, along with details on timing, structure and terms.

Application Checklist

<u>Mandatory attachments/enclosures</u>	<u>Included?</u>
Organizational Chart(s)	Yes _____
Site Plan and SEQRA Materials	Yes _____
Ground Lease and Amendments	N/A _____
Surveys and Renderings	Yes _____
Parcel Tax Bills and Receipts	Yes _____
Power Purchase Agreement	N/A _____
Interconnect Agreement	N/A _____
Host Community Agreement	N/A _____

E. JOB CREATION & REPORTING REQUIREMENTS:

The New York State Authorities Budget Office (ABO) requires all IDA’s, and resultantly all applications for IDA assistance, to accurately report Project Employment Information, the number of Permanent Jobs retained and created due to the IDA’s assistance, and the Estimated Average Salaries of both existing and new permanent jobs.

Project Employment Information: For project employment information, the applicant is to provide the number of full time equivalent jobs (FTE’s) and the salary data for those jobs. Applicants are expected to collect and report this information accurately to the IDA on an annual basis.

The ABO’s Public Authorities Reporting Information system (PARIS reporting) requires the following data points (fill in the blanks):

1. Existing Full Time Equivalent employees retained :	0
2. New Full Time Equivalent employees with IDA assistance:	3
3. Time frame for the creation of New Full Time Equivalent employees with IDA assistance:	October 2027
4. Existing Part Time Employees:	0
5. New Part Time Employees with IDA assistance:	0
6. Construction Jobs created by the project:	150 jobs in Yr 1 120 jobs in Yr 2
7. Anticipated dates of construction:	April 2026 - September 2027

Permanent Jobs: These Jobs include **Existing** Full Time Equivalent (FTE’s) jobs, and **New** Full Time Equivalent (FTE’s) jobs. The additional data points are required by the ABO for the recording of permanent jobs created by an IDA assisted Project.

Permanent jobs created by the Project

Column A: Insert the job titles that exist within the company at the time of application, as well as any new job titles that will be established as a result of the Project.

Column B: Indicate the entry level wage for each listed job title either in terms of hourly pay or annual salary.

Column C: For each listed job title insert the number of positions that exist at the time of application.

Column D: Insert the number of jobs to be created during year one of the Project for each listed job title.

Column E: Insert the number of jobs to be created during year two of the Project for each listed job title.

Column F: Insert the number of jobs to be created during year three of the Project for each listed job title.

Column G: Indicate the total number of jobs to be created for each listed title as a result of the Project. (Column D + Column E + Column F = Column G)

(A) Job Title: (Indicate Existing or New FTE's)	(B) Annual or Hourly Wages	(C) Current Number of Positions	(D) Jobs Created: Year One	(E) Jobs Created: Year Two	(F) Jobs Created: Year Three	(G) Total Jobs Created
Property Manager	\$60,000	0	1	0	0	1
Maintenance Superintendent	\$51,900	0	1	0	0	1
Maintenance Technician	\$43,100	0	1	0	0	1
See narrative for additional info.						
TOTALS:	\$155,000	0	3	0	0	3

Estimated Average Salary (at current market rates): Permanent Jobs to be created by a project are likely to occur at intervals over the life of the project. Salaries for these positions at the time they are created and filled may be subject to future collective bargaining agreements, competitive market and economic forces, or other factors that cannot be known at the time the project is first established. Accordingly, the project applicant is not expected to provide projected future salary information. Rather, the applicant should enter the current salary and salary ranges, reflecting existing salary schedules, as if those future positions had been filled (or retained) during the reporting period.

The estimated annualized salary and fringe benefit averages or ranges for categories of the jobs that would be retained or created if the request for financial assistance is granted.

\$60,000, \$51,900, and \$43,100 annual salaries. We project a 3% annual growth of that figure.

In addition to the job figures provided above, please indicate the following:

An estimate of the number of residents of the economic development region as established pursuant to section two hundred thirty of the economic development law, in which the project is located that would fill such jobs. The labor market area defined by the agency (Mid-Hudson Economic Development Region)

3

FCIDA Financial Assistance Requested and Company Estimates

A.	Estimated Project Costs eligible for Industrial Development Agency Financial Assistance	
1.	Sales and Use Tax (<input checked="" type="checkbox"/>) Check if Requested	
	A.	Amount of Project Cost Subject to Sales and Use Tax: \$22,810,143.40
		Sales and Use Tax Rate: 8.00 %
	B.	Estimated Sales Tax (A X .08): \$ 1,824,811.48
2.	Mortgage Recording Tax Exemption (<input checked="" type="checkbox"/>) Check if Requested	
	A.	Projected Amount of Mortgage: \$25,034,821
		Mortgage Recording Tax Rate: 1%
	B.	Estimated Mortgage Recording Tax (A X .0130): \$325,452.68
3.	Real Property Tax Exemption (<input checked="" type="checkbox"/>) Check if Requested	
	A.	Projected Increase in Assessed Value on Project: \$
	B.	Total Applicable Tax Rates Per \$1000: \$ See attached.
	C.	Estimated Annual Taxes without PILOT (A X B)/1,000: \$
4.	Interest Exemption (Bond transactions only) (<input type="checkbox"/>) Check if Requested	
	a.	Total Estimated Interest Expense Assuming Taxable Interest: \$ N/A
	b.	Total Estimated Interest Expense Assuming Tax-exempt Interest Rate: \$ N/A
B.	Estimated Benefits of Industrial Development Agency Financial Assistance	
1.	Current Company employment in the County of Franklin 0	
2.	Current Company payroll in County of Franklin \$ 0	
3.	Project Jobs to be Created over 3 years 3	

Is the company delinquent in the payment of any state or municipal property taxes? Yes

No

Is the company delinquent in the payment of any income tax obligation?

Yes No

Is the company delinquent in the payment of any loans?

Yes No

Is the company currently in default on any of its loans?

Yes No

Are there currently any unsatisfied judgments against the company? Yes

No

Are there currently any unsatisfied judgments against any of the company's principals?

Yes No

Has the company ever filed for bankruptcy?

Yes No

Have any of the company's principals ever personally filed for bankruptcy, or in any way sought protection from creditors?

Yes No

Are there any current or pending real estate tax assessment challenges associated with the proposed project realty and/or improvements?

Yes No

Is the proposed project realty currently subject to any exemption from real estate taxes?

Yes No

Are there any current or pending criminal investigations or indictments of the Company or any of its principals or equity holders (including any and all holders of equity or ownership of Company parent organizations)?

Yes No

If the answer to any of the questions above is "Yes," please provide additional comments in the space below and on additional pages if necessary.

N/A

For Industrial Revenue Bonds ONLY, including this project, list capital expenditures of the company at Project location:

Category	Last Three Years	Next Three Years
Land	N/A	N/A
Building	N/A	N/A
Equipment	N/A	N/A
Soft Costs	N/A	N/A
Other	N/A	N/A
Total	N/A	N/A

State whether there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency, or, if the project could be undertaken without financial assistance provided by the agency, a statement indicating why the project should be undertaken by the agency

N/A

List any other positive impacts that the Project may have on the County of Franklin:

N/A

REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. **Job Listings:** In accordance with Section 858-b (2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, 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 "DOL") and with the administrative entity (collectively with the DOL, 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. **First Consideration for Employment:** In accordance with Section 858-b (2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874 (8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874 (8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Agency a list of the members, officers, employees and Counsel of the Agency. No member, officer, employee, or Counsel of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

N/A

HOLD HARMLESS AGREEMENT AND APPLICATION DISCLAIMER

(* - Please indicate specific sections within Application that the Company seeks to qualify as "trade secrets". Additional correspondence or supporting information may be attached hereto. Please also note that notwithstanding the Company's request, the Agency shall make an independent determination of the extent to which any information contained herein may be considered as such)

In the event that the Agency is served with or receives any subpoena, request for production, discovery request, or information request in any forum that calls for the disclosure of the Application, in entirety, specifically including but not limited to any demand or request for production or review of Company-designated trade secrets, the Agency agrees to notify the Company as promptly as is reasonably possible, and to utilize its best efforts to: oppose or decline any such request; preserve the confidentiality and non-disclosure of such requested confidential material; and maintain such information and prevent inadvertent disclosure in responding to any such discovery or information request. The Company understands and agrees that all reasonable costs, including attorney's fees, associated with any such formal undertaking by the Agency to protect the trade secrets from disclosure shall be reimbursed by the Company to the Agency.

The undersigned officer of the applicant deponent acknowledges and agrees that the applicant shall be and is responsible for all costs incurred by the Agency and legal counsel for the Agency, whether or not the Application, the proposed project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the proposed project described herein and (C) any further action taken by the Agency with respect to the proposed project; including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. By executing and submitting this Application, the applicant covenants and agrees to pay the following fees to the Agency, the same to be paid at the times indicated:

- (a) The sum of \$2,500, plus the sum of \$500 as a non-refundable processing fee, to be paid upon submission of the Application;
- (b) An Administrative Fee amounts to be determined using the schedule on Page 2 hereof for all other projects for which the Agency provides financial assistance, to be paid at transaction closing;
- (c) An amount to be determined by Agency Staff payable to the Agency's bond/transaction counsel for the preparation and review of the inducement resolution, the environmental compliance resolution, TEFRA hearing proceedings and the tax questionnaire assuming no further activity occurs after the completion of the inducement proceedings, to be paid within ten (10) business days of the receipt of bond/transaction counsel's invoice;
- (d) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel or bond/transaction counsel, and (2) other consultants retained by the Agency in connection with the proposed project;

with all such charges to be paid by the applicant at the closing or, if the closing does not occur, within ten (10) business days of receipt of the Agency's invoices therefore please note that the applicant is entitled to receive a written estimate of fees and costs of the Agency's bond/transaction counsel;

- (e) The cost incurred by the Agency and paid by the applicant, including bond/transaction counsel and the Agency's general counsel's fees and the processing fees, may be considered as a costs of the project and included in the financing of costs of the proposed project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

The applicant further covenants and agrees that the applicant is liable for payment to the Agency of all charges referred to above, as well as all other actual costs and expenses incurred by the Agency in handling the application and pursuing the proposed project notwithstanding the occurrence of any of the following:

- (a) The applicant's withdrawal, abandonment, cancellation or failure to pursue the Application;
- (b) The inability of the Agency or the applicant to procure the services of one or more financial institutions to provide financing for the proposed project;
- (c) The applicant's failure, for whatever reason, to undertake and/or successfully complete the proposed project; or
- (d) The Agency's failure, for whatever reason, to issue tax-exempt revenue bonds in lieu of conventional financing.

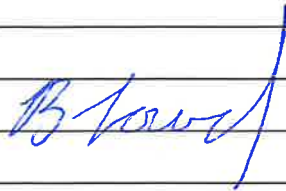
The applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material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

Company Acknowledgment and Certification:

The undersigned, being a duly authorized representative of the Company, hereby and on behalf of the Company, certifies to the best of his or her knowledge and under the penalty of perjury that all of the information provided by the Company within this Application for Financial Assistance is true, accurate and complete.

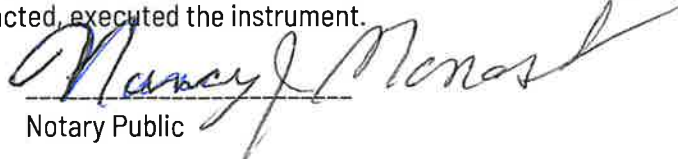
The Company, on behalf of itself and all owners, occupants and/or operators receiving or that will receive financial assistance from the Agency (collectively, the "Recipients") hereby certifies that the Recipients are in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

The Company, on behalf of itself and all Recipients, hereby further acknowledges that the submission of any knowingly false or knowingly misleading information herein or within any agreement with the Agency may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of the Agency's involvement in the project, including all costs of the agency relating to same. The Company has reviewed and accepts the terms of the Agency's Project Recapture and Termination Policy.

By:	Oval Wood Dish Tupper Lake, LLC
Name:	Benjamin Lockwood 
Title:	Authorized Signatory

State of New York)
County of Oneida ss.:

On the 28th day of January in the year 2020 before me, the undersigned, personally appeared Benjamin Lockwood, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signatures on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

NANCY J. MONAST
Notary Public, State of New York
Qualified in Oneida County
No. 01MG629776B
Commission expires March 3, 2026

Project Summary and Financial Assistance Cost Benefit Analysis

(This page to be completed by FCIDA Staff)

Company Name: _____

Project Description: _____

Project Location: _____

Town/Village: _____

School District: _____

Estimated Cost of Industrial Development Agency Financial Assistance		
1.	Sales and Use Tax Exemption	
	A.	Amount of Project Cost Subject to Sales and Use Tax: \$
		Sales and Use Tax Rate: _____%
	B.	Estimated Exemption (A X .08): \$
2.	Mortgage Recording Tax Exemption	
	A.	Projected Amount of Mortgage: \$
		Mortgage Recording Tax Rate: _____%
	B.	Estimated Exemption (A X .01): \$
3.	Real Property Tax Exemption	
	A.	Projected Increase in Assessed Value on Project: \$
	B.	Total Applicable Tax Rates Per \$1000: \$
	C.	Total Annual Taxes without PILOT (A X B)/1,000: \$
	D.	PILOT Exemption Rate (see PCIDA Uniform Tax Exemption Policy): %
	E.	Average Annual PILOT Payment (C X D): \$
	F.	Net Exemption over PILOT term ((C-E) x 7, 10 or 15): \$
4.	Interest Exemption (Bond transactions only)	
	a.	Estimated Interest Expense Assuming Taxable Interest: \$
	b.	Estimated Interest Expense with tax-exempt Interest Rate: \$
	c.	Interest Exemption (a - b): \$

Estimated Benefits of Industrial Development Agency Financial Assistance		
1.	Jobs to be retained in Franklin County	
2.	Current Company payroll in Franklin County	\$
3.	Project Jobs to be Created over 3 years	
4.	Total Project Investment	\$
5.	Non IDA financing leveraged	\$
6.	Other project benefits:	

Agency Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

EXHIBIT A
PREVAILING WAGE CHECKLIST & MWBE GUIDANCE
(NY Labor Law § 224-a)

On January 1, 2022, certain projects receiving financial assistance from the Agency will be subject to prevailing wage requirements. While prevailing wage was previously limited to government contracting, this legislation will subject certain projects approved by the Agency to prevailing wage under the New York Labor Law and certain MWBE requirements. Please use the following table as a checklist to confirm if a project will be subject to prevailing wage if approved:

1. Exempt Project:	<ul style="list-style-type: none"> a. Residential real estate (less than 4 units), b. Certain not-for-profit corporations with revenue under \$5 million, c. Certain Affordable Housing projects, d. Certain manufactured home park projects, e. Certain projects performed under a pre-hire collective bargaining agreement (e.g., labor peace agreement or project labor agreement), f. Projects funded by § 16-n of the Urban Development Corporation Act or the Downtown Revitalization Initiative, g. The installation of renewable energy systems, renewable heating or cooling systems, or energy storage systems with a capacity of five (5) megawatts (AC) or less, h. NYC IDA Food Retail Expansion to Support Health projects, i. NYC EDC Small Business Incubator programs under 10,000 sq. ft., j. NYC Dept. of Education school construction under 60,000 sq. ft., and k. Projects that receive certain tax benefits related to historic rehabilitation. 	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. Covered Project:	Construction projects throughout the state whose total costs exceed \$5 million and for which at least 30% of these costs are met through use of public subsidies. ¹	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Public Fund Exemptions:	<ul style="list-style-type: none"> a. Affordable New York Housing Program benefits, b. Funds that are not provided primarily to promote, incentivize, or ensure that construction work is performed, which would otherwise be considered public funds (as defined below), 	Exclude from above total.

¹ "Notice of Expanded Legal Obligations under NYS Prevailing Wage" published on or about September 21, 2021 by the NYS Department of Labor.

	<ul style="list-style-type: none"> c. Funds received for sewer projects or connections to existing sewer lines, d. Tax benefits where the value is unknown at time of construction, e. Tax benefits for Brownfield Cleanup Program, f. Funds for charter school facilities, and g. Any public monies, credits, savings or loans deemed exempt by the Public Subsidy Board. 	
4. Public Funds (Public Subsidies):	<ul style="list-style-type: none"> 1. Public entity grants, 2. Savings from fees, rents, interest rates, or loan costs, or insurance costs that are lower than market rate costs, 3. Savings from reduced taxes as a result of tax credits, tax abatements, tax exemptions (i.e., sales tax and mortgage recording tax), or tax increment financing, PILOTs, and 4. Savings from reduced, waived, or forgiven costs (e.g., contingent loan repayments). 	Total: \$_____
5. Effective Date	The prevailing wage and MWBE requirements take effect on January 1, 2022, and shall apply to contracts for construction executed, incentive agreements executed, procurements or solicitations issued, or applications for building permits on or after such date.	
6. Reporting Requirement	A project beneficiary must certify if a project is a Covered Project within five (5) days of commencement of construction. A Covered Project is subject to stop work orders by the NY Commissioner of Labor.	

MWBE & SDVOB

This new Labor Law section has two specific sections set forth in paragraphs 9 and 10 respectively, related to compliance by developers and owners with the objectives and goals under Article 15-A of New York Executive Law related to Minority and Women-Owned Business Enterprises ("MWBE") and Article 17-B of New York Executive Law related to Service Disabled Veteran Owned Businesses ("SDVOB").

To assist with compliance, training and resources shall be available for such firms to comply with prevailing wage requirements. Further, the fiscal officer for the project is required to report on the diversity practices of contractors and subcontractors, utilization of MWBE firms, employment of minorities and women in construction related jobs and practice and policies to provide diversity in the workforce.

The newest participation goal is 30% for MWBE and 6% for SDVOB. Contractors must demonstrate a "good faith" effort to comply with the MWBE and SDVOB requirements. Good faith

efforts can include the identification of participation areas for MWBEs and SDVOBs and full utilization of lists of certified MWBEs and SDVOBs.

If, despite good faith efforts, a contractor is not able to retain an MWBE or SDVOB for a project, the company must submit a Request for Waiver along with documentation of good faith efforts and the reason they were unable to obtain an MWBE or SDVOB.

GOOD FAITH EFFORTS CAN BE EVIDENCED BY:

- Copies of solicitations (advertisements in MWBE or SDVOB-centered publications, those made to vendors in MWBE or SDVOB directories, those made to MWBE or SDVOB-oriented trade and labor organizations, etc.)
- If these solicitations are answered, the contractor must also record specific reasons why the MWBE or SDVOB enterprise was not selected.
 - Dates of any pre-bid, pre-award or other meetings attended by the contractor, if any, scheduled by the Department of Labor with certified MWBE or SDVOB enterprises.
 - Information describing the steps taken to ensure MWBE and SDVOB participation in a project.
 - Descriptions of any other actions undertaken by the bidder to document good faith efforts to hire and contract with MWBE and SDVOB enterprises.

COMPLIANCE:

Project beneficiaries of Covered Projects may want to engage a diversity compliance consultant or monitor to ensure good faith efforts, proper waiver application, if necessary or warranted and proper documentation of compliance efforts to avoid penalties and sanctions. Under Article 15-A, §316 and §316-A provide penalties such as fines and ineligibility to bid on projects for one year, as well as liquidated damages for willful or intentional non-compliance.

RESOURCES:

Helpful resources and administration forms for the MWBE and SDVOB programs can be found on the NYS Department of Labor website in the middle of the page at the following address: <https://dol.ny.gov/contract-bid-grant-opportunities>.

To further clarify answers within the application, please see the following:

Question 18 and 22:

The entire commercial portion of the property will take up \$5,281,830 of the total \$46,090,525 development budget. This is less than 12% of the budget and therefore less than 1/3 of the project costs.

FUNDING SOURCE	TOTAL FUNDS	RESIDENTIAL	COMMERCIAL
North Country REDC CFA Award	\$2,500,000	\$1,986,504	\$513,496
NYS Housing Trust Fund (HTF)	\$5,241,865	\$5,241,865	
Federal Historic Tax Credit Equity	\$6,515,748	\$4,995,255	\$1,520,493
State Historic Tax Credit Equity	\$3,786,750	\$2,850,287	\$936,463
Community Investment Fund (CIF)	\$500,000	\$500,000	
New Construction Program (NCP)	\$1,481,948	\$1,481,948	
Downtown Revitalization Initiative (DRI)	\$1,950,000	\$1,950,000	
ESD Pro Housing	\$3,000,000	\$688,622	\$2,311,378
HOME	\$2,133,135	\$2,133,135	
Restore NY	\$1,609,000	\$1,609,000	
SLIHC Equity	\$16,682,309	\$16,682,309	
Developer Equity	\$689,770	\$689,770	
TOTAL	\$46,090,525	\$40,808,695 (88.5%)	\$5,281,830 (11.5%)

Question 21:

Of the total 152,107 SF, 13,709 SF will be retail storage space and cowork space which equates to about 9%.

Question 22:

ACQUISITION

Land	130,000
Structures	700,000
TOTAL - Land/Structures	830,000

SOFT COSTS

Appraisal	10,000
Market Study	9,400
Survey	31,585
Soil Borings	16,100
Environmental Testing	316,050
Architecture/Engineering Fees	1,248,000
Construction Manager	
Legal Fees	252,000
Non-Profit Developers Allowance	
Cost Certification Audit	150,000

Insurance	240,000
Taxes	184,000
Interim Interest	2,680,000
Closing Costs	66,500
Title and Recording Fees	298,347
LIHC Application Fees	3,000
LIHC Credit Allocation Fees	190,655
LIHC/SLICH Binding Agreement	1,000
<u>Other</u>	
<u>i</u>	<u>1,002,821</u>
TOTAL - Soft Costs	6,699,648

Site Work	1,360,644
Demolition	819,281
Environmental Remediation	546,187
Subtotal Site Preparation	2,726,112
Residential	22,484,619
Brewery Shell	106,277
Commercial	2,217,892
General Contractors Insurance	391,481
<u>Performance Bond Premium</u>	<u>391,481</u>
Subtotal Contractors Cost	28,317,862

General Conditions	1,699,071
Builder's Overhead	566,357
<u>Builder's Profit</u>	<u>894,485</u>
TOTAL - Construction	31,477,775

Project Contingency	3,147,778
Developer's Fee	<u>3,458,444</u>
TOTAL - Development Cost	45,613,454

WORKING CAPITAL

Purchase of Maintenance & Other Equipment	130,000
<u>Other Working Capital</u>	<u>0</u>
Total Working Capital:	130,000

PROJECT RESERVES

<u>Capitalization of Operating Reserve</u>	<u>186,877</u>
Total Project Reserves	186,877

TOTAL - PROJECT COST **45,930,331**

Partnership Expense:

Equity Documents (Attorney)	160,194
Total Partnership Expenses	160,194

**Total Project Cost w/
Partnership Fees**

46,090,525

Section D:

Costs Incurred to date include:

Acquisition: \$830,000
All other soft costs including legal, planning and permitting: \$1,955,973

Tax Credit Financing:

The proposed development will include the sale of NYS Low Income Housing Tax Credits (SLIHC), NYS Historic Tax Credits and Federal Historic Tax Credits (HTC's). Globe Life Insurance will be acquiring the SLIHC Credits on a certificated basis, Foss and Company will be acquiring the HTC's. The relationships and terms of their investment are outlined in the attached Organizational Chart.

Section E:

Given that the commercial space has not been assigned tenants, it is too speculative at this moment to assume jobs a hypothetical tenant would provide. Hence, the jobs provided in the application are Housing Visions Property Management staffing jobs we know would be created.

Amount of Project Cost subject to Sales and Use tax in the FCIDA Financial Assistance Requested and Company Estimates table was calculated by adding the construction cost and project contingency. That sum was then multiplied by 60%, resulting in \$20,775,333.

Estimated cost for tenant improvements of the commercial shell space is \$150/SF. That times 22,609 SF of Commercial shell space equals \$3,391,350. That multiplied by 60% leads to \$2,034,810.

That leads us to the total on the table below, \$22,810,143.

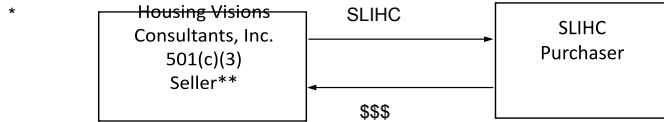
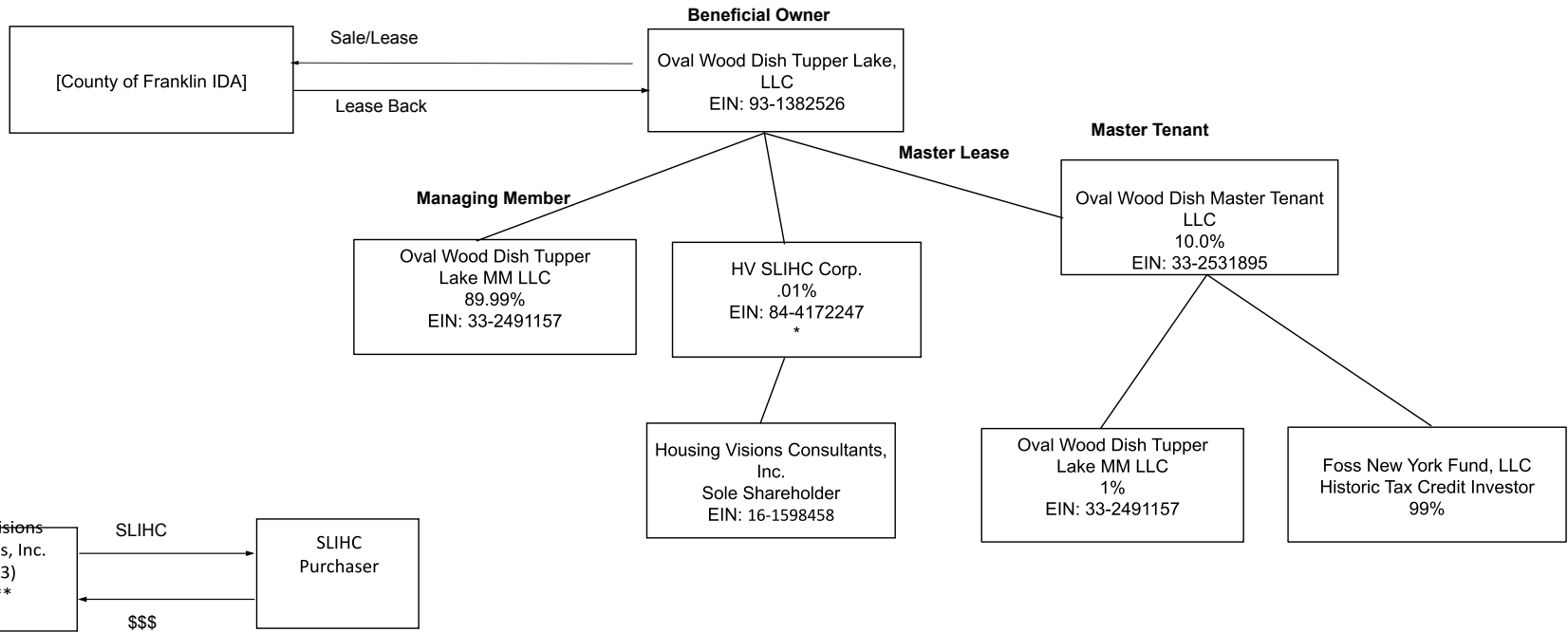
To Summarize:

Amount of project subject to sales tax is:

Total Construction (w/ FF&E) \$31,477,776	Estimated Tenant Improvements
\$150/SF	
+ Project Contingency \$3,147,778	* Area of Commercial Shell 22,609 SF
\$34,625,554	\$3,391,350
* 60%	* 60%
\$20,775,332.40	\$2,034,810
	Sum = \$22,810,143

The assessment analysis attached uses the methodology used by the Village of Tupper Lake Assessor at the time we were requested a 485-b and a 581-a exemption for the project. We applied the mill rate rates from the 2025/6 year and extrapolated to year 40.

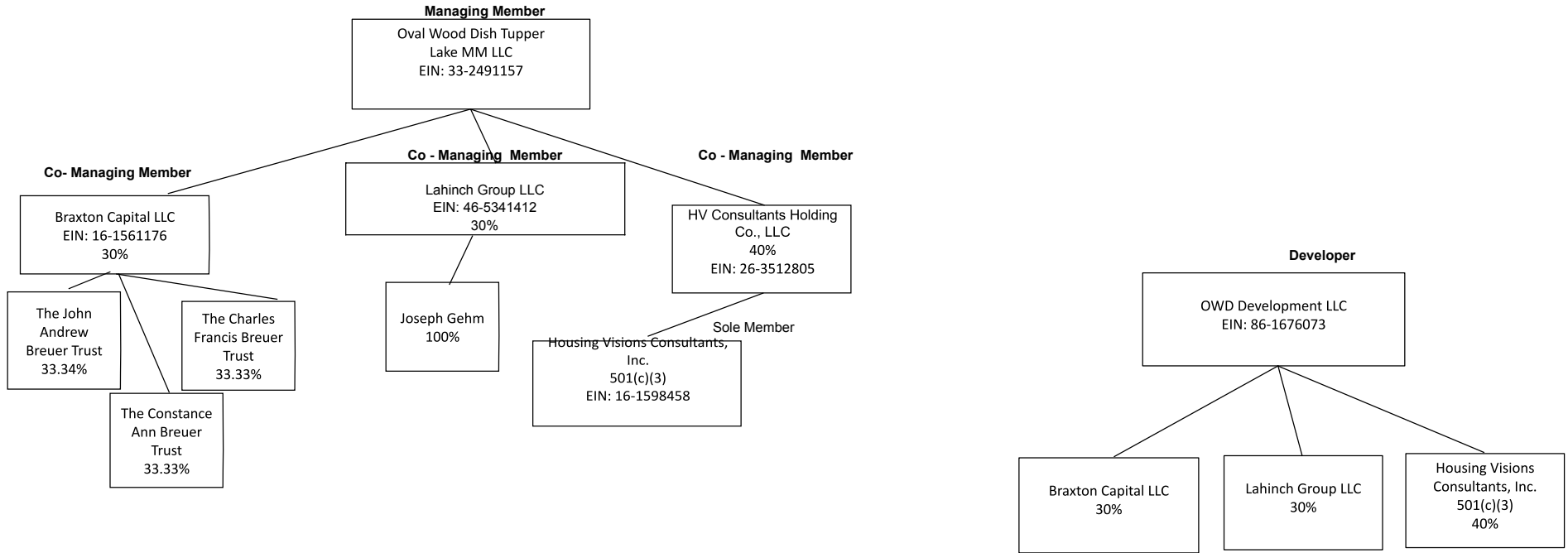
Oval Wood Dish Certificated SLIHC Ownership Structure



* HV SLIHC Corp. to assign SLIHC to Housing Visions Consultants, Inc. ("SLIHC Seller")

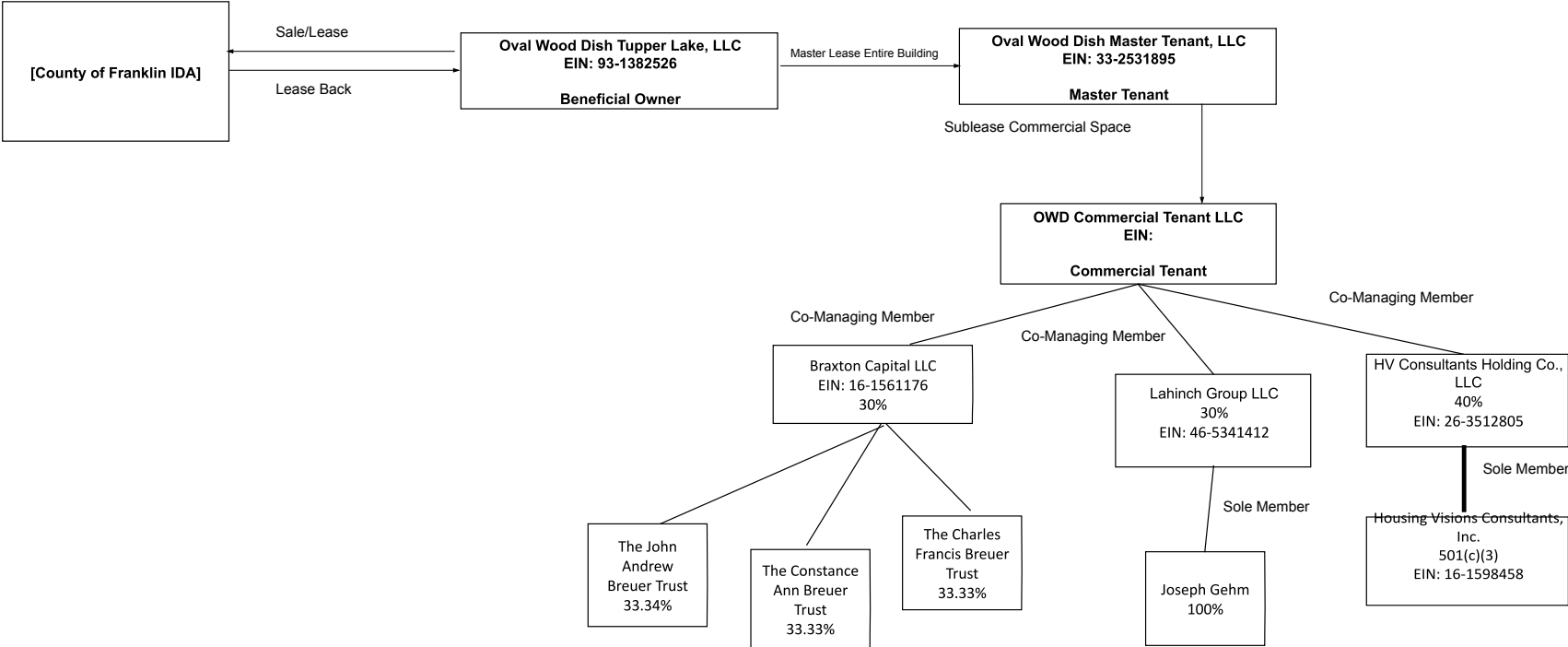
** SLIHC Seller to loan sale proceeds to Beneficial Owner

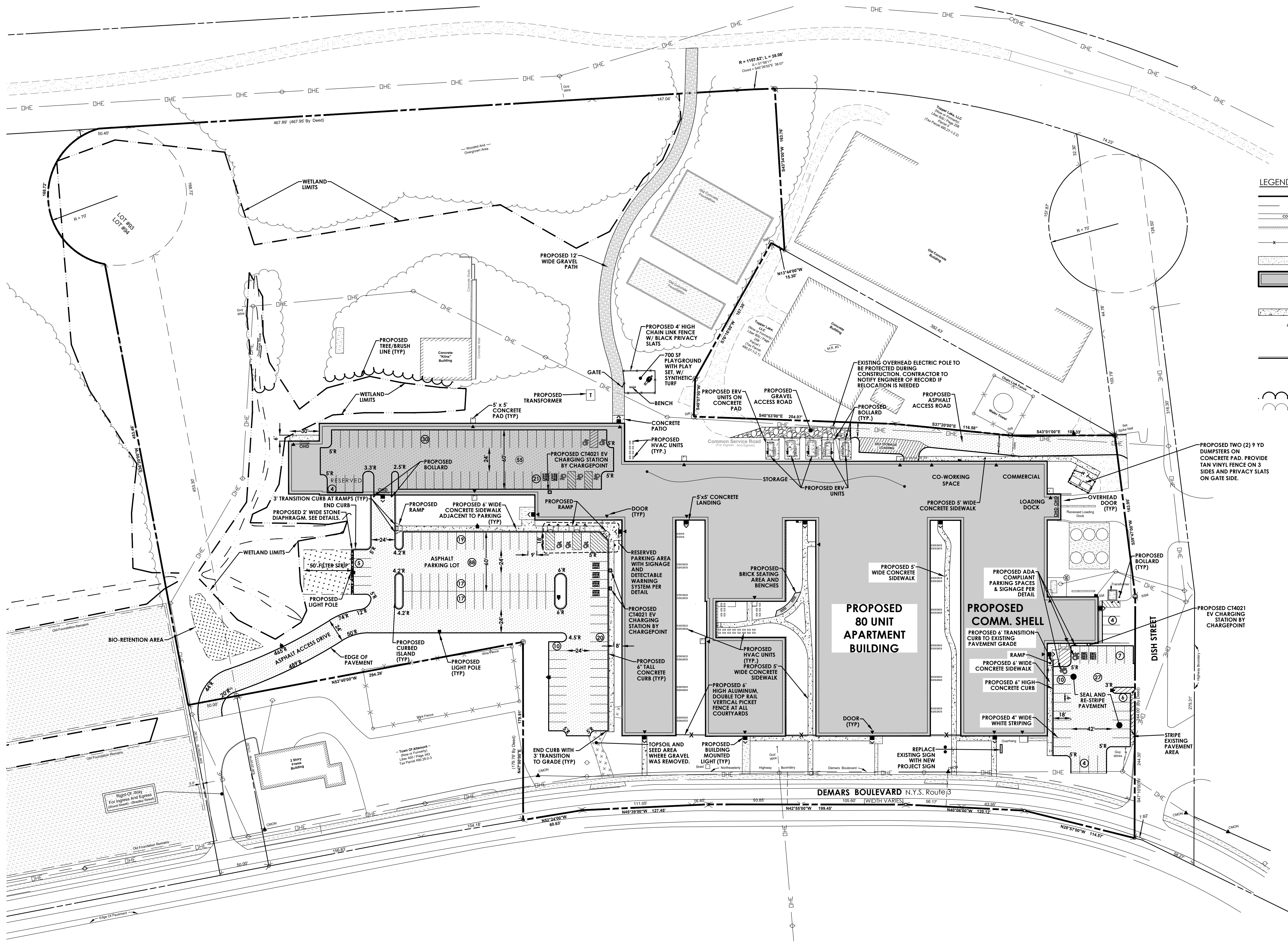
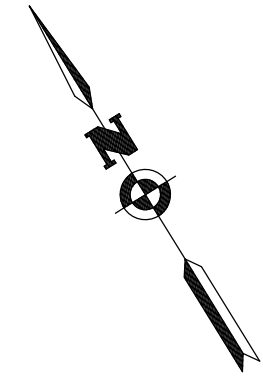
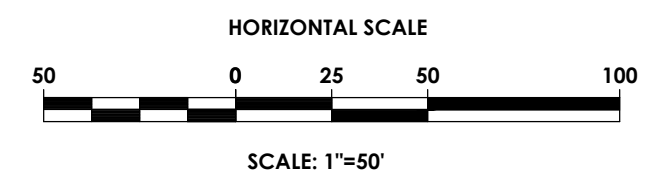
Oval Wood Dish - Managing Member & Developer Ownership Structures



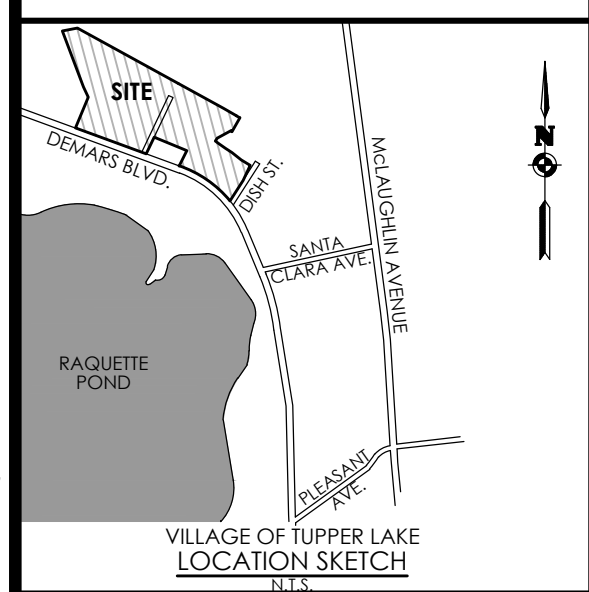
REAL ESTATE STRUCTURE

Condominium Structure





- LEGEND:**
- PROPERTY BOUNDARY R.O.W.
 - EXISTING SIDEWALK
 - EXISTING BUILDING
 - EXISTING FENCE AND GATE
 - EXISTING SIGN
 - EXISTING GRAVEL
 - PROPOSED BUILDING
 - PROPOSED PARKING COUNT
 - PROPOSED CONCRETE W/ DETECTABLE WARNING
 - PROPOSED PAVEMENT STRIPING
 - PROPOSED CURB
 - PROPOSED SIGN
 - PROPOSED LIGHT POLE AND BUILDING MOUNTED LIGHT
 - PROPOSED TREE LINE
 - EXISTING TREE LINE



Client:
Housing Visions Consultants, Inc.
1201 E. Fayette Street
Syracuse, NY 13210

PASSERO ASSOCIATES
242 West Main Street Suite 100
Rochester, New York 14614
Principal-in-Charge: Jess Sudol, PE
Project Manager: David Cox, PE
Designed by: Carole Harvey



Revisions				
No.	Date	By	Description	
1	5/20/24	JOS	HVAC SITE REVISION	

SITE PLAN
OVAL WOOD DISH FACTORY

Village: TUPPER LAKE
County: FRANKLIN State: NEW YORK

Project No.
20203016.0001

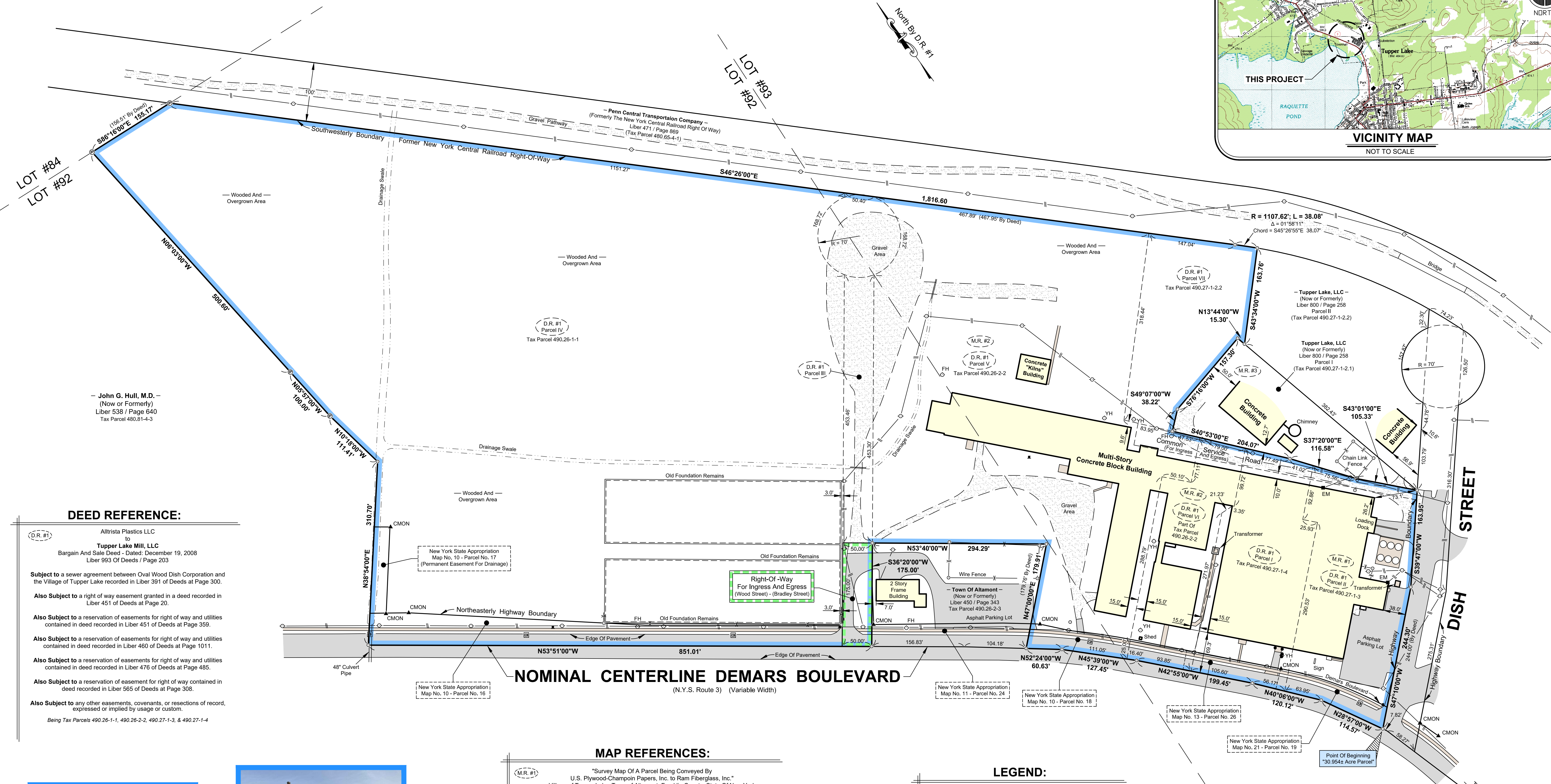
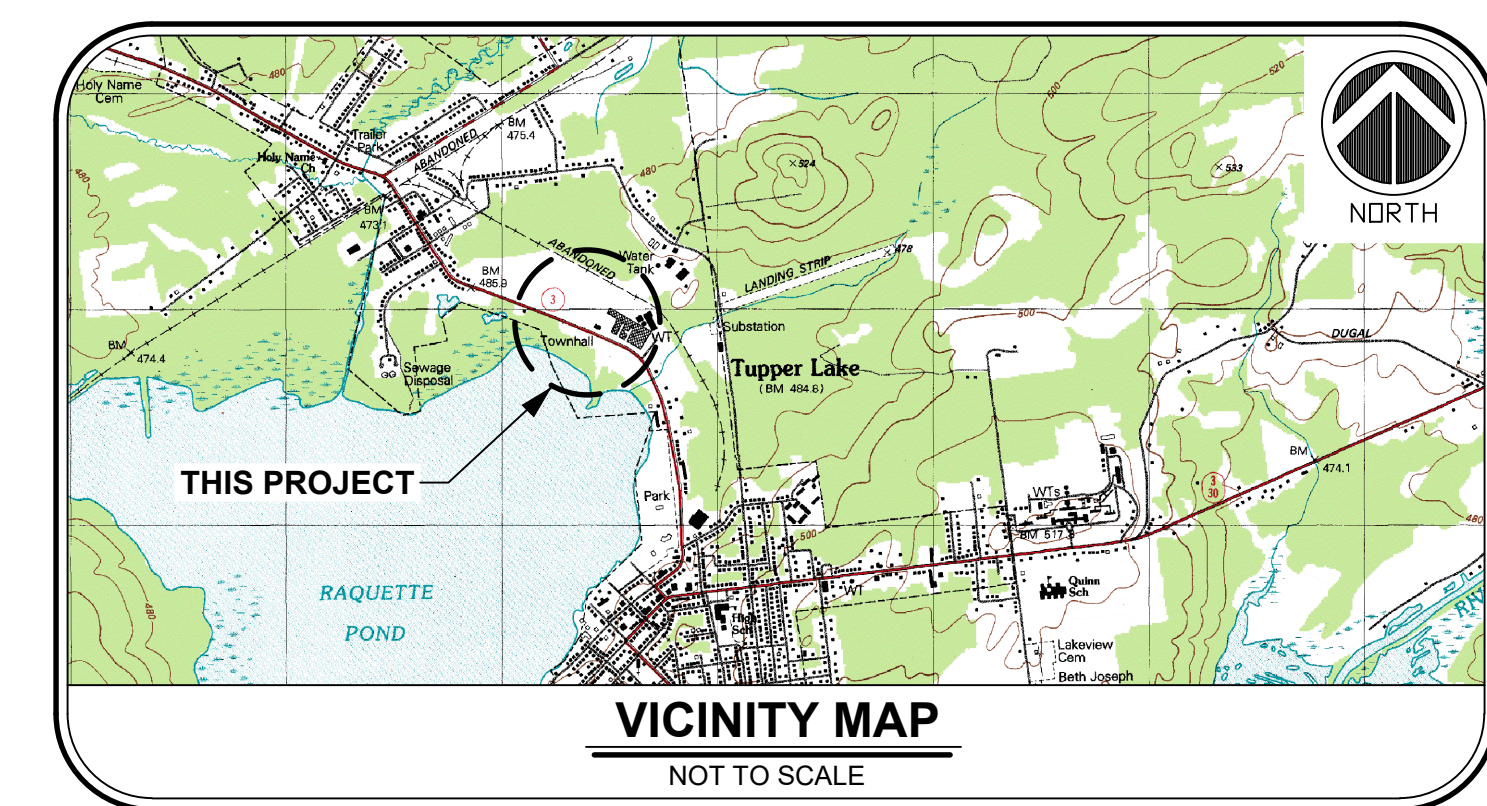
Drawing No. **C 102** Sheet No. **2**

Scale:
1" = 50'

Date
NOVEMBER 2022

NOT FOR CONSTRUCTION

Y:\PROJECTS-NEW\2020\20203016\20203016.0001 SITE.DWG 9/5/2024 5:34 PM Joshua Szanton



DEED REFERENCE:

Alltrista Plastics LLC to Tupper Lake Mill, LLC Bargain And Sale Deed - Dated: December 19, 2008 Liber 893 Of Deeds / Page 203

Subject to a sewer agreement between Oval Wood Dish Corporation and the Village of Tupper Lake recorded in Liber 391 of Deeds at Page 359.

Also Subject to a right of way easement granted in a deed recorded in Liber 451 of Deeds at Page 20.

Also Subject to a reservation of easements for right of way and utilities contained in deed recorded in Liber 451 of Deeds at Page 359.

Also Subject to a reservation of easements for right of way and utilities contained in deed recorded in Liber 460 of Deeds at Page 1011.

Also Subject to a reservation of easements for right of way and utilities contained in deed recorded in Liber 476 of Deeds at Page 485.

Also Subject to a reservation of easement for right of way contained in deed recorded in Liber 565 of Deeds at Page 308.

Also Subject to any other easements, covenants, or resections of record, expressed or implied by usage or custom.

Being Tax Parcels 490.26-1-1, 490.26-2-2, 490.27-1-3, & 490.27-1-4

NOMINAL CENTERLINE DEMARS BOULEVARD
(N.Y.S. Route 3) (Variable Width)

TOTAL ACREAGE THIS SURVEY IS "30.954± ACRES"
(1,348,353.9± Sq. Ft.)

MAP REFERENCES:

- (M.R. #1) "Survey Map Of A Parcel Being Conveyed By U.S. Plywood-Champoin Papers, Inc. to Ram Fiberglass, Inc." Village of Tupper Lake, Town of Altamont, Franklin County, State Of New York By G.C. Sylvester, P.E. & L.S., Dated July 20, 1970, and filed in the Franklin County Clerk's Office in January, 1971 as Map Identification No. 2-230-M, Map No. 890.
- (M.R. #2) "Survey Map Of A Parcel Being Conveyed By U.S. Plywood-Champoin Papers, Inc. to Tupper Lake Veneer Co." Village of Tupper Lake, Town of Altamont, Franklin County, State Of New York By G.C. Sylvester, P.E. & L.S., Dated April 15, 1970, and filed in the Franklin County Clerk's Office on May 5, 1970 as Map Identification No. 230-B, Map No. 882.
- (M.R. #3) "Survey Map Of A Parcel Being Conveyed By U.S. Plywood-Champoin Papers, Inc. to Earl & Mary Catherine Fletcher" Village of Tupper Lake, Town of Altamont, Franklin County, State Of New York By G.C. Sylvester, P.E. & L.S., Dated November 9, 1970, and filed in the Franklin County Clerk's Office in December 31, 1970 as Map Identification No. 2-230-Q, Map No. 889.

LEGEND:

- ⊙ Denotes Existing Iron Pin
- CMON ▲ Denotes Existing Concrete Highway Monument
- FH ⊕ Denotes Existing Fire Hydrant
- YH ⊕ Denotes Existing Yard Hydrant
- ⊕ Denotes Existing Utility Pole
- ⊕ Denotes Existing Electric Meter
- ⊕ Denotes Existing Storm Water Catch Basin
- Denotes Existing BOLLARD
- x— Denotes Existing Fence Line
- ||— Denotes Overhead Power Pole Line
- Denotes Concrete Area



Photo



Photo

SURVEYOR'S CERTIFICATION:

The undersigned hereby certifies that this is an accurate map of actual field survey dated: December 27, 2019 and that both map and survey are correct.

Christopher E. Jacobs L.S. #050952

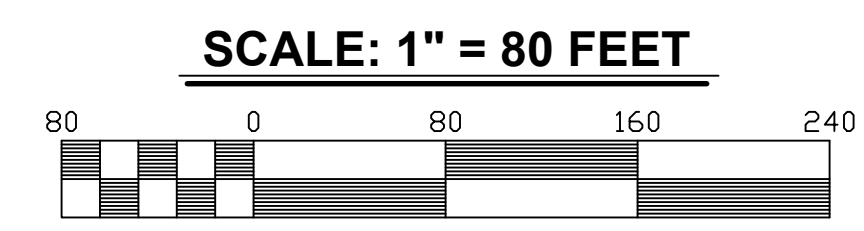
Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

The alteration of boundary survey maps by anyone other than the original preparer is misleading, confusing and not in the general welfare and benefit of the public.

Only boundary survey maps with the surveyor's embossed seal are genuine true and correct copies of the surveyor's original work and opinion.

No Title Report was furnished to nor done by this company. Said property subject to all notes, restrictions, covenants, and easements of record. Any restrictions and easements not shown on record plats may not be shown hereon.

NO.	DATE	REVISION	BY



JACOBS
LAND SURVEYING

5553 West Road (Rt) 315.495.7114
Munsville, NY 13409 (e) cjacobs@jacobslandsurveying.com

MAP OF SURVEY PREPARED FOR

Lands Of
Tupper Lake Mill, LLC

100 Demars Boulevard, Being In Great Lots Nos. 92 & 93, In Township No. 22 of Great Tract One In Macomb's Purchase
County of Franklin
State of New York

Date: December 27, 2019
Project Number: 2019.065.001
Being Tax Parcels: 490.26-1-1, 490.26-2-2, 490.27-1-3, & 490.27-1-4
CAD Drafter: C. Jacobs - Reviewer: C. Jacobs



TOWN OF TUPPER LAKE PLANNING BOARD

GRANTING SITE PLAN APPROVAL

APPLICATION 011-2021

WHEREAS, OWD Development, LLC has submitted an application to the Planning Board for Site Plan approval at 100, 104, 106 & 124 Demars Boulevard; and

WHEREAS, the Planning Board opened a Public Hearing on the Site Plan application for the Project on October 27, 2021 at 6:00pm and

WHEREAS, the Planning Board has reviewed the application materials submitted by the Applicant and found to be in accordance with the Tupper Lake Land-Use and Subdivision Regulations, and all comments, if any, made or submitted in writing at or before the public hearing were considered

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS

1. The Planning Board determines that the application is complete and complies with the review considerations.
2. The Planning Board therefore grants Site Plan Approval for the proposed project, as detailed in the civil plans signed by Joint Planning Board Chairman and dated

Date: February 28, 2022

Motion:

Seconded:

No Vote:

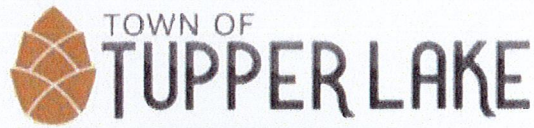
Absent:

Action:

By: _____


Shawn Stuart, Joint Planning Board Chairman

Paul O'Leary
Planner



TUPPER LAKE JOINT PLANNING BOARD
120 DEMARS BOULEVARD
TUPPER LAKE, NY 12986
518-359-3580

Planning Board Members
Shawn Stuart – Chariman
Doug Bencze
Andrew Chary
Tom Maroun
James Merrihew
Dave St. Onge
Jan Yaworski

Angela Snye
Clerk

RESOLUTION #011-2022

JOINT TOWN AND VILLAGE PLANNING BOARD TOWN OF TUPPER LAKE, N.Y.

APPLICATION OF:
OWD Development, LLC

September 28, 2022

WHEREAS, OWD Development, LLC has submitted an application to the Planning Board for Site Plan approval at 100, 104, 106 & 124 Demars Boulevard (JPB# 011-2021); and

WHEREAS, the Planning Board opened a Public Hearing on the Site Plan application for the Project on October 27, 2021 at 6:00pm; and

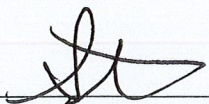
WHEREAS, the Planning Board has reviewed the application materials submitted by the Applicant and found to be in accordance with the Tupper Lake Land-Use and Subdivision Regulations, and all comments, if any, made or submitted in writing at or before the public hearing were considered; and

WHEREAS, the discovery of wetlands based on an APA survey forced the relocation of 20 parking spaces (JPB# 11-2022)

NOW THEREFORE be it resolved that: The Joint Planning Board approves an amendment to previous site plan.

Town of Tupper Lake Planning Board

Applicant: OWD Development, LLC


By: Shawn Stuart, Chairman

9/29/22
Date


By: OWD Development

9/29/22
Date

ANDS ON THE PROJECT SITE IN ACCORDANCE WITH THE NYSDEC WETLAND

WETLANDS IN THE PROJECT AREA IN ACCORDANCE WITH THE U.S. FISH
WETLANDS INVENTORY.

PROJECT SITE IN ACCORDANCE WITH FEMA FIRM PANEL 36027B, DATED

Village of Tupper Lake Water/Wastewater Dept.

NATIONAL GRID

NONE

Village of Tupper Lake Water/Wastewater Dept.

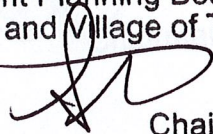
WILL BE PRIVATE AND MAINTAINED BY THE OWNER.

IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND
Y.

SITE PLAN
This Subdivision is approved by the
Joint Planning Board of the
Town and Village of Tupper Lake on
OCTOBER, 17, 2022

Joint Planning Board of the Town
and Village of Tupper Lake

BY:



Chairman

ITIONS & DEMOLITION PLAN

ROSION CONTROL PLAN

& LIGHTING PLAN

LS

Rochester, New York 14614

fax: (585) 525-1071

Principal-in-Charge

Jess Sudol, PE

Project Manager

David Cox, PE

Designed by

Carole Harvey



Revisions

No.	Date	By	Description
1			

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 145 SECTION 7209 AND ARTICLE 147 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©

COVER

OWD MIXED-USE REDEVELOPMENT

Village: TUPPER LAKE

County: FRANKLIN

State: NEW YORK

Project No.

20203016.0001

Drawing No.

C 101

Sheet No.

1

Scale:

1" = 60'

Date

OCTOBER 2021

NOT FOR CONSTRUCTION

Village of Tupper Lake
Zoning Board of Appeals
53 Park Street, P.O. Box 1290
Tupper Lake, New York 12986

July 28, 2021

Town of Tupper Lake
Joint Planning Board
120 Demars Blvd
Tupper Lake, NY 12986

RE: 100 Demars Blvd Use Variance

On Thursday, July 22, 2021 the Zoning Board of Appeals met to hold a Public Hearing to review the use variance request for the redevelopment of the OWD property . After reviewing the application and hearing comments from the public, the Zoning Board of Appeals approved their request under the condition that the Joint Planning Board approve their proposal and issue a recommendation.

Please do not hesitate to contact me at 518-359-3341 with any additional questions or concerns.

Sincerely,



Kyle Fuller
Deputy Clerk

**Village of Tupper Lake
Zoning Board of Appeals
Minutes**

Date: Thursday, July 22, 2021
Start: 4:15 PM
Location: Board Room
Meeting: Public Hearing 4:15 – 4:20 PM

At the Public Hearing of the Village of Tupper Lake Zoning Board of Appeals held this date, the following were present: Matthew Kendall, Floyd Reandeau, Rene Breton, and Deputy Clerk Kyle Fuller.

Also present via conference call was applicants from Passero: Zina Lagonegro, Tim Geier, David Cox and Code Enforcement Officer Peter Edwards.

**Call Special Meeting
To Order**

Zoning Board of Appeals Member Matthew Kendall opened the hearing at 4:15 pm to hear comments from the public concerning a use variance for the Oval Wood Dish's proposed redevelopment of the property at 100 Demars Blvd for multifamily residential units in a commercial/industrial district.

Public Comment

Bill Breton Mr. Breton originally had concerns about parking because of Fletcher's junkyard in the back and lots of truck traffic on Dish St. The developer noted that parking would be on the opposite side and they have a purchase agreement with Fletcher to obtain that property.

Peter Edwards Mr. Edwards said that he had reviewed the project and is on board with what the developers want to do.

Matthew Kendall Mr. Kendall asked the board if they had any other issues with the proposal. They all agreed they are in favor of the redevelopment of the OWD and look forward to seeing it completed. The board approved the variance 3-0 with the condition that they receive planning board approval and their letter of recommendation.

Adjournment Mr. Kendall thanked the members for coming and closed the public hearing at 4:20 PM



Kyle Fuller, Deputy Village Clerk

**THE TOWN OF TUPPER LAKE / VILLAGE OF TUPPER LAKE
PLANNING BOARD**

120 Demars Boulevard, Tupper Lake, New York 12986

SPECIAL USE PERMIT

JPB#

011-2021

Applicant:

OWD Development, LLC

Owner:

OWD Development, LLC

Location of Property:

100, 104, 106 & 124 Demars Blvd

Tax Parcel Number(s):

490.27-1-3, 490.27-1-4, 490.26-2-2, 490.26-1-1

Special Use Permit For:

Apartments/Retail Space

Mixed uses

Conditions:

No Conditions

Approved by order of the Tupper Lake Joint Planning Board on:

February 28, 2022

By: _____


Shawn Stuart, Chairman

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The Part 2 Full Environmental Assessment Form (FEAF) identified Historic Resources and Noise, Odor and Light Impacts as a No to Small Impact, however, the following information is being provided to support this determination:

Question 10, Impact on Historic and Archaeological Resources

The Oval Wood Dish (OWD) factory complex was built in a single phase between 1916 and 1918. The OWD Redevelopment Project is an adaptive reuse project that will renovate and repurpose an historic building that has been vacant for decades. OWD is the heart of the historic factory complex, and the largest surviving component of the Oval Wood Dish Factory Historic District, listed on the National Register in March of 2021. This mixed-use project consists of 80 +/- apartments, commercial tenant space and self-storage. This project will preserve and protect this historic building in accordance with state and national historic preservation standards.

Question 15, Noise, Odor and Light

There may be some temporary noise concerns during construction, which will cease upon project completion. The residential and commercial tenant uses are not expected to generate noise or odors that are objectionable. Refuse areas are in a central location and will be picked up on regular basis by a commercial refuse hauler. On-site maintenance is response for the cleanliness of the refuse areas. The Lighting for the project, both building and parking lot lighting, is dark-sky compliant, and can be dimmed as necessary via a control room on the premises.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Civil site drawings, elevations, renderings, 3-D models, architectural drawings, floor plans, and a landscaping and lighting plan

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Joint Planning Board of the Town of Tupper Lake as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Oval Wood Dish Redevelopment

Name of Lead Agency: Joint Planning Board of the Town of Tupper Lake

Name of Responsible Officer in Lead Agency: Shawn Stuart

Title of Responsible Officer: Chair of the Joint Planning Board

Signature of Responsible Officer in Lead Agency:  Date: 02/28/2022

Signature of Preparer (if different from Responsible Officer)  Date: 02/28/2022

For Further Information:

Contact Person: Paul O'Leary, Town of Tupper Lake

Address: 120 Demars Blvd., Tupper Lake, NY 12986

Telephone Number: 518-359-9261

E-mail: poleary@townoftupperlake.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM