

Section I: Applicant Information

Please answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving benefit:

Applicant Name: Park Place On The Peninsula LLC
Applicant Address: 50 State Street 6th floor Albany NY 12207
Phone: 518-462-7411 Fax: 518-462-8586
Website: _____ E-mail: gail@parkplaceonthepeninsula.com
Federal ID#: 84-3237829 NAICS: _____
State and Year of Incorporation/Organization: New York State (2019)
List of stockholders, members, or partners of Applicant: Jeffery Gordon - Gail Krause

Will a Real Estate Holding Company be utilized to own the Project property/facility? Yes or No
What is the name of the Real Estate Holding Company: Park Place On The Peninsula LLC
Federal ID# of Real Estate Holding Company: 84-3237829
State and Year of Incorporation/Organization: New York State (2019)
List of stockholders, members, or partners of Real Estate Holding Company: Jeffery Gordon Gail Krause

Agency assisting in application (SCPP or SEDC): SEDC

B) Individual Completing Application:

Name: Jeffrey Gordon, Gail Krause
Title: Managing Members
Address: 50 State Street 6th Floor Albany NY 12207
Phone: 518-462-7411 Fax: 518-462-8586
E-Mail: gail@parkplaceonthepeninsula.com

C) Company Contact (if different from individual completing application):

Name: _____
Title: _____
Address: _____
Phone: _____ Fax: _____
E-Mail: _____

D) Company Counsel:

Name of Attorney: Debra J. Lambek, Esq.
Firm Name: Lambek Law
Address: 302 Washington Avenue Extension, Albany, NY
Phone: 518-862-9133 x 4225 Fax: _____
E-mail: dlambek@lambeklaw.com

E) Identify the assistance being requested of the Agency (select all that apply):

1. Exemption from Sales Tax Yes or No
 2. Exemption from Mortgage Recording Tax Yes or No
 3. Exemption from Real Property Tax Yes or No
 4. Tax Exempt Financing * Yes or No
- * (typically small qualified manufacturers)

F) Business Organization (check appropriate category):

- S Corporation
- Corporation Partnership
- Public Corporation Joint Venture
- Sole Proprietorship Limited Liability Company
- Other (please specify) _____

Year Established: 2019

State in which Organization is established: New York State

G) List all stockholders, members, or partners with % of ownership greater than 20%:

| <u>Name</u> | <u>% of ownership</u> |
|-----------------------|-----------------------|
| <u>Jeffrey Gordon</u> | <u>62%</u> |
| <u>Gail Krause</u> | <u>38%</u> |
| _____ | _____ |
| _____ | _____ |

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: Land Development and Management Company

Estimated % of sales within Saratoga County: 100

Estimated % of sales outside Saratoga County but within New York State: 0

Estimated % of sales outside New York State but within the U.S.: 0

Estimated % of sales outside the U.S.: 0

(*Percentage to equal 100%)

I) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Saratoga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentage of local purchases.
See attached

Section II: Project Description & Details

A) Project Location:

Municipality or Municipalities of current operations: Halfmoon, Saratoga County

Will the Proposed Project be located within the Municipality, or within a Municipality, identified above?

Yes or No

If Yes, in which Municipality will the proposed project be located? Halfmoon

If No, in which Municipality will the proposed project be located? _____

Provide the Property Address of the proposed Project:

2 Beach Road, Halfmoon NY 12065

SBL (Section, Block, Lot) # for Property upon which proposed Project will be located: 289.-1-88

What are the current real estate taxes on the proposed Project Site? \$15,886.02

If amount of current taxes is not available, provide assessed value for each:

Land: \$ \$15,886.02 Buildings(s): \$ _____

**** If available please include a copy of current tax bill.**

Are Real Property Taxes current? Yes or No. If no, please explain _____

Town/City/Village: Halfmoon School District: Shendehowa

Does the Applicant or any related entity currently hold fee title to the Project site? Yes or No

If No, indicate name of present owner of the Project Site: _____

Does Applicant or related entity have an option/contract to purchase the Project site? Yes or No

Describe the present use of the proposed Project site: Vacant land

B) Please provide narrative of project, the purpose of the project (new build, renovations, and/or equipment purchases), and the type of project (educational, recreational, historic preservation, etc.). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility – Attach additional pages if necessary): _____

Please see attached project Narrative

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary): _____

Please see Attached

Please confirm by checking the box below if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency: _____

See Attached

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and County/City/Town/Village? _____

See Attached

C) Will Project include the leasing of any equipment? Yes or No

If Yes, please describe: _____

D) Site Characteristics:

Will the Project meet zoning/land use requirements at the proposed location? Yes or No

Describe the present zoning/land use: Planned Development District

Describe required zoning/land use, if different: None Needed

If a change in zoning/land use is required, please provide details/status/timeline of any request for change of zoning/land use requirements: _____

1. Utilities serving project site:

a. Water - Municipal: Halfmoon Water Department

Other (Describe): _____

b. Sewer - Municipal: Saratoga County Sewer District #1-3 mile force main

Other (Describe): upgrade required.

c. Electric – Utility: National Grid-
Other (Describe): Underground extension required

d. Heat – Utility: None
Other (Describe): _____

e. Gas – Utility: National Grid-needs to be extended to site and each building
Other (describe): _____

2. Are there public infrastructure improvements required or proposed? Yes No

If yes, please describe:

The project needs to construct roughly three miles of off-site sewer force main to tie into the Saratoga County Sewer District #1 pump station along Grooms Road. The SCSD#1 supports this project. It will bring additional revenue o the district from services from the project as well as the ability to tie in other existing residential and potentially commercial properties along the force main route. The force main will run along portions of Canal, Beach, Clam Steam, Dunsbach, and Woodin Roads and Breski Ln.

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? If yes, please explain: Yes - Former buildings have various levels of asbestos. National Grid old pole mounted transformers likely have PCB Oil.

E) Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed project site? Yes or No If yes, please provide a copy.

F) Have any other studies or assessments been undertaken with respect to the proposed project site that indicate the known or suspected presence of contamination that would complicate the site’s development?
 Yes or No. If yes, please provide copies of the study

G) Provide any additional information or details: Former buildings including the restaurant structure, limited areas on the picnic pavilion and the former camps have various levels of asbestos materials discovered through completion of ACM testing.

H) Select Project Type for all end users at project site (you may check more than one):

**** Please check any and all end users as identified below.**

**** Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Questionnaire contained in Section IV of the Application.**

Retail Sales: Yes or No

Services: Yes or No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

| | | | |
|----------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Industrial | <input type="checkbox"/> | Back Office | <input type="checkbox"/> |
| Acquisition of Existing Facility | <input type="checkbox"/> | Mixed Use | <input checked="" type="checkbox"/> |
| Housing | <input checked="" type="checkbox"/> | Facility for Aging | <input type="checkbox"/> |
| Equipment Purchase | <input type="checkbox"/> | Other _____ | <input type="checkbox"/> |
| Multi-Tenant | <input checked="" type="checkbox"/> | | |
| Commercial | <input checked="" type="checkbox"/> | | |

I) Project Information:

Estimated costs in connection with Project:

| | |
|---|----------------------|
| 1. Land and/or Building Acquisition: | \$ <u>3,000,000</u> |
| <u>36.47</u> acres <u>1,588,633</u> square feet | |
| 2. New Building Construction: <u>225,000</u> square feet | \$ <u>28,500,000</u> |
| 3. New Building Addition(s): _____ square feet | \$ _____ |
| 4. Infrastructure Work | \$ <u>7,700,000</u> |
| 5. Reconstruction/Renovation: _____ square feet | \$ _____ |
| 6. Manufacturing Equipment: | \$ _____ |
| 7. Non-Manufacturing Equipment (furniture, fixtures, etc.): | \$ _____ |
| 8. Soft Costs: (professional services, etc.): | \$ <u>4,500,000</u> |
| 9. Other, Specify: <u>Reserves & Public Benefits</u> | \$ _____ |

TOTAL Capital Costs: \$ 43,700,000

Project refinancing: estimated amount
(for refinancing of existing debt only) \$ 1,975,000

Sources of Funds for Project Costs:

| | |
|---|----------------------|
| Bank Financing: | \$ <u>34,960,000</u> |
| Equity (excluding equity that is attributed to grants/tax credits): | \$ <u>8,740,000</u> |
| Tax-Exempt Bond Issuance (if applicable): | \$ _____ |
| Taxable Bond Issuance (if applicable): | \$ _____ |
| Public Sources (Include sum total of all state and federal grants and tax credits): | \$ _____ |

Identify each state and federal grant/credit:

| | |
|--------------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| Other: _____ | \$ _____ |

| | |
|---|----------------------|
| Total Sources of Funds for Project Costs: | \$ _____ |
| Total Investment by applicant: | \$ <u>8,740,000</u> |
| Total Amount being financed: | \$ <u>34,960,000</u> |
| Percent of total costs be financed through the public sector | <u>0</u> % |
| Percent of total costs be financed through the private sector | <u>80</u> % |

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

If Yes, describe particulars: \$1,975,000 in current construction plus land value of \$3,000,000

Mortgage Recording Tax Exemption Benefit: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ 34,960,000

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by current mortgage recording tax in Saratoga County):
\$ \$262,200

Construction Cost Breakdown:

| | |
|--|----------------------|
| Total Cost of Construction (sum of 2,3,4,5, and/or 7 in Question I, above) | \$ <u>36,200,000</u> |
| Cost for materials | \$ <u>14,286,000</u> |
| % sourced in Saratoga County: | <u>40</u> % |
| % sourced in New York State: | <u>60</u> % |
| Cost for labor: | \$ <u>21,914,000</u> |

Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

\$ 14,286,000

Estimated State and local Sales and Use Tax Benefit (product of 7 % multiplied by the figure, above):

\$ 1,000,020

*** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate above represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate above as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit: N/A

IDA PILOT Benefit: Indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in Section V of the Application.

Percentage of Project Costs financed from Public Sector sources: Calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above in Section II(I) of the Application.

J) For the proposed facility, please indicate the square footage for each of the uses outlined below:

*If company is paying for FFE for tenants, please include in cost breakdown

| | Square Footage | Cost | % of Total Cost of Project |
|----------------------------|----------------|------|----------------------------|
| Manufacturing/Processing | | | |
| Warehouse | | | |
| Research & Development | | | |
| Commercial | 3,790 | | Approximately 3% |
| Retail (see section K) | | | |
| Office | | | |
| Specify Other Apartment | 221,415 | | Approximately 97% |

K) What is your project timetable (Provide dates):

1. Start date: acquisition of equipment or construction of facilities: October 2021
2. Estimated completion date of project: October 2025
3. Project occupancy – estimated starting date of operations: Initial by October 2022
4. Have construction contracts been signed? Yes or No Off-Site Sewer
5. Has financing been finalized? Yes or No
6. Indicate number of full-time construction jobs to be created by the project 50 FTE (est)

*** If construction contracts have been signed, please provide copies of executed construction contracts and a complete project budget. The complete project budget should include all related construction costs totaling the amount of the new building construction, and/or new building addition(s), and/or renovation.*

L) Have site plans been submitted to the appropriate Planning Department?

Yes or No

*** If yes, provide the Agency with a copy of the related State Environmental Quality Review Act ("SEQR") Environmental Assessment Form.*

Has the Project received site plan approval from the Local Planning Board? Yes or No.

If No, What is the anticipated approval date? _____

If Yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. [NOTE: SEQR Determination is required for final approval and sales tax agency appointment].

M) Is the project necessary to expand project employment: Yes or No

Is project necessary to retain existing employment: Yes or No

N) Employment Plan (Specific to the proposed project location):

Indicate below the number of people presently employed at the site of the project and the number that will be employed at the site at the end of the first and second years after the project has been completed. (Do not include construction workers.)

| | | TYPE OF EMPLOYMENT | | | |
|--------------|-----------|---|---------|--------------------------------|--------|
| | | Professional Managerial Technical | Skilled | Unskilled or Semi – Skilled | Totals |
| PRESENT: | Full Time | 0 | 0 | 0 | 0 |
| | Part Time | 0 | 0 | 0 | 0 |
| | Seasonal | 0 | 0 | 0 | 0 |
| FIRST YEAR: | Full Time | 1 | 1 | | 2 |
| | Part Time | 1 | | | 1 |
| | Seasonal | | | 3 | 3 |
| SECOND YEAR: | Full Time | 2 | 1 | | 3 |
| | Part Time | | | | |
| | Seasonal | | | 3 | 3 |

Indicate number of construction jobs expected to be generated by the project and the expected duration of such jobs:

Number of Jobs 50 FTE (est) Length of Employment 48 months

*** By statute, project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Project such jobs over the TWO-Year time period following Project completion. Convert PTE jobs into FTE jobs by dividing the number of PTE jobs by two (2).

Note: Agency Staff will review and verify all projections.

Salary and Fringe Benefits for Jobs to be Retained and Created:

| Category of Jobs to be Retained and Created | Average Salary or Range of Salary | Average Fringe Benefits or Range of Fringe Benefits |
|---|-----------------------------------|---|
| Management | \$45,000 (est) | \$9,000 (est) |
| Professional | \$30,000-\$40,000 (est) | \$5,000-\$10,000 (est) |
| Administrative | 35,000 (est) | \$4,000 (est) |
| Production | | |
| Independent Contractor | \$35,000-\$45,000 (est) | \$5,000-\$8,000 (est) |
| Other | | |

Annual Payroll Current: \$ 0.00
 Annual Payroll, Yr. 1 (after project completion) \$ \$250,000-\$450,000 (est)
 Annual Payroll, Yr. 2 \$ \$250,000-\$450,000 (est)

Employment at other locations in Saratoga County: (provide address and number of employees at each location):

| | Address | Address | Address |
|-----------|---------|---------|---------|
| Full time | | | |
| Part Time | | | |
| Total | | | |

O) Will any of the facilities described above be closed or subject to reduced activity? Yes or No

*** If any of the facilities described above are located within the State of New York, and you answered Yes to the question, above, you must complete Section IV of this Application.*

*** Please note that the Agency may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.*

P) Is the project reasonably necessary to prevent the project occupant from moving out of New York State? Yes or No.

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation if available: _____

Q) What competitive factors led you to inquire about sites outside of New York State? _____
N/A

R) Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? Yes or No.

If yes, please identify which agencies and what other Local, State and/or Federal assistance and the assistance sought and dollar amount that is anticipated to be received: _____

Section III Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

- A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes or No. If the answer is yes, please continue. If no, proceed to section V

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

- B.** What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 15%. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to section V.**

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the (8) county economic development region (Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Washington, Warren Counties) in which the project will be located?

Yes or No

If yes, please provide a third party market analysis or other documentation supporting your response.

2. 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 municipality within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes or No

If yes, please provide a third party market analysis or other documentation supporting your response.

3. 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 or No.

If yes, explain _____

4. Is the project located in a Highly Distressed Area? Yes or

"Highly distressed area" – As defined in NY General Municipal Law § 854 (18)

(a) a census tract or tracts or block numbering areas or areas or such census tract or block numbering area contiguous thereto which, according to the most recent census data available, has:

(i) a poverty rate of at least twenty percent for the year to which the data relates or at least twenty percent 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; or

(b) a city, town, village or county within a city with a population of one million or more for which:

(i) the ratio of the full value property wealth, as determined by the comptroller for the year nineteen hundred ninety, per resident to the statewide average full value property wealth per resident; and

(ii) the ratio of the income per resident; as shown in the nineteen hundred ninety census to the statewide average income per resident; are each fifty-five percent or less of the statewide average; or

(c) an area which was designated an empire zone pursuant to article eighteen-B of this chapter

Section IV Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency Financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

Yes or No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

Yes or No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: _____

Does the Project involve relocation or consolidation of a project occupant from another municipality?

Within New York State

Yes or No

Within Saratoga County/City/Town/Village

Yes or No

If Yes to either question, please, explain: _____

Section V: Estimate of Real Property Tax Abatement Benefits* and Percentage of Project Costs
financed from Public Sector sources**

**** Section V of this Application will be: (i) reviewed & verified by IDA staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet

| Dollar Value of New Construction and Renovation Costs | Estimated New Assessed Value of Property Subject to IDA* | County Tax Rate/1000 | Local Tax Rate(s) (Town/City/Village)/1000 | School Tax Rate/1000 |
|---|--|----------------------|--|----------------------|
| See Attached | See Attached | \$4.132149 | \$1.157037 | \$28.890380 |

*Apply equalization rate to value

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|------------|--------------|---------------------|--------------------|---------------------|---------------------|----------------------------|---------------------|
| PILOT Year | % Payment | County PILOT Amount | Local PILOT Amount | School PILOT Amount | Total PILOT (3+4+5) | Full Tax Payment w/o PILOT | Net Exemption (7-6) |
| 1st | See Attached | | | | | | |
| 2nd | | | | | | | |
| 3rd | | | | | | | |
| 4th | | | | | | | |
| 5th | | | | | | | |
| 6th | | | | | | | |
| 7th | | | | | | | |
| 8th | | | | | | | |
| 9th | | | | | | | |
| 10th | | | | | | | |
| TOTAL | | | | | | | |

***** Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and will be reviewed and verified by IDA staff**

Percentage of Project Costs financed from Public Sector Table Worksheet:

| Total Project Cost | Estimated Value of Property Tax Exemptions | Estimated Value of Sales Tax Exemptions | Estimated Value of Mortgage Tax Exemptions | Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.) |
|--------------------|--|---|--|--|
| \$43,700,000 | \$1,536,064 | \$1,000,020 | \$262,000 | N/A |

Percentage of Project Costs financed from Public Sector (Est. Property Tax + Est. Sales Tax+ Est. Mortgage Tax+ Other) / Total Project Cost): 6.40 %

Section VI Representations, Certifications and Indemnification

**** This Section of the Application can only be completed upon the Applicant receiving, and must be completed after the Applicant receives, IDA staff confirmation that Section I through Section V of the Application are complete.**

Gail Krause _____ (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Partner (title) of Park Place On The Peninsula LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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. Copies of all filings shall be provided to the Agency.
- D. 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, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
- E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.
- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.
- G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel 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: (i) 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; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) 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. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.

- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:
- (i) a non-refundable \$ 1,000 application and publication fee (the "Application Fee");
 - (ii) a \$ _____ expense deposit for the Agency's Counsel Fee Deposit. .
 - (iii) Unless otherwise agreed to by the Agency, an amount equal to _____ percent (_____ %) of the total project costs.
 - (iv) 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 and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's 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.
- J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by

the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.

- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost 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.
- M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
- N. The Applicant acknowledges that it has been provided with a copy of the Uniform Tax Exemption Policy, Attachment A, being the Uniform Modification of Real Property Tax Abatement AND Claw Back Penalty for Failure to Meet Employment Levels. The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
- O. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

- R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants 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.

STATE OF NEW YORK)
 COUNTY OF SARATOGA) ss.:

Gail Krause, being first duly sworn, deposes and says:

1. That I am the Partner (Corporate Office) of Park Place On The Peninsula LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

Gail Krause
 (Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
 this 27 day of September, 2021.

Kimberly K Dempsey
 (Notary Public)

KIMBERLY K DEMPSEY
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01DE6303449
 Qualified In Saratoga County
 My Commission Expires 05-12-2022

PROJECTED EMPLOYMENT PLAN

COMPANY: Park Place on the Peninsula

ADDRESS: 50 State Street 6th Floor, Albany, NY 12207

TYPE OF BUSINESS: Land Development

CONTACT PERSON: Jeff Gordon, Gail Krause

TELEPHONE NUMBER: 518 462-7411

Please complete the following chart describing your projected employment plan following receipt of financing.

| Current and Planned Full Time Occupations in Company | Current Number Full Time Jobs Per Occupation | Estimated Number of Full Time Jobs After Completion of the Project | | |
|--|--|--|----------|----------|
| | | 1 Year | 2 Year | 3 Year |
| Property Manager | 0 | 1 | 1 | 1 |
| Accounts Manager | 0 | 1 | 1 | 1 |
| Maintenance Tech | 0 | 1 | 1 | 1 |
| Part Time Pool Attendent | 0 | 0 | 3 | 3 |
| Part Time Leasing Agent | 0 | 0 | 1 | 1 |
| Totals | 0 | 3 | 6 | 6 |

Please indicate the estimated hiring dates for new jobs shown above and any special recruitment or training that will be required.

TBD based on completion of construction.

Are the employees of your firm currently covered by a collective bargaining agreement? Yes No

If Yes, provide Trade's Name and Local Number: _____

Prepared by: Gail Krause

Title: Partner

Signature: Gail Krause

ATTACHMENT "A"

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE

NAME OF APPLICANT: Park Place On The Peninsula LLC

Are approvals, consents, permits,
funding or other actions required
from any other governmental agency
(including municipal Planning Boards,
State agencies, etc.)

YES NO

If "NO," skip the rest of this
form and request a "long form
environmental assessment form"
from the Agency.

If "YES," list below the names of
the other agency and the type of
action required.

| <u>Name of Agency</u> | <u>Type of Action</u> |
|-----------------------|-----------------------|
| Town of Halfmoon | Building Permits |
| | |
| | |

Attach copies of all Environmental Assessment Forms or Environmental Impact Statements submitted to any of the agencies you have listed.

ATTACHMENT "B"

EMPLOYMENT REPORTING AGREEMENT AND PLAN

In consideration of the extension of financial assistance by COUNTY OF SARATOGA INDUSTRIAL DEVELOPMENT AGENCY, Park Place On The Peninsula LLC (Project Beneficiary), agrees to cause any new employment opportunities created in connection with projects financed by the proceeds of such obligations to be listed with the New York State Department of Labor Community Services Division and with the Saratoga County Dept. of Employment & Training. Park Place On The Peninsula LLC (Project Beneficiary) also agrees to report to the County of Saratoga Industrial Development Agency on or before January 10 of each year on the status of employment plans filed with the Department of Economic Development, including the number of new employment opportunities created, the number listed and the number filled. Park Place On The Peninsula LLC (Project Beneficiary) further agrees, subject to the requirements of any existing collective bargaining agreement, to first consider for new employment opportunities those persons eligible for service under the Job Training Partnership Act.

DATED: 9/27/21

Park Place On The Peninsula LLC

Name of Applicant

By: Paul Lauer

Its: Partner

ATTACHMENT "C"

Report to Agency added 09/14/09
Abatement requires Cert.05/14/12
Recapture language in bold 08/12/13

SALES TAX REPORTING AGREEMENT

Upon being designated as an agent of the County of Saratoga Industrial Development Agency in conjunction with the issuance of Industrial Revenue Bonds or the provision of other forms of financial assistance by the Agency, Park Place On The Peninsula LLC (Project Beneficiary) agrees to annually file a statement with the New York State Department of Taxation and Finance on a form and in such manner as is prescribed by the Commissioner, describing the value of all sales tax exemptions claimed by Park Place On The Peninsula LLC (Project Beneficiary) as agent for the County of Saratoga Industrial Development Agency, including but not limited to, consultants and subcontractors. The Park Place On The Peninsula LLC (Project Beneficiary) recognizes that failure to file such statement will result in its removal of authority to act as an agent of the Agency. Park Place On The Peninsula LLC (Project Beneficiary) further agrees that it will provide the Agency a report of all sales tax abated during any applicable calendar year. Such report shall include the name, city and state of any company providing materials or a service which was subject to New York State and local sales tax; a description of the materials purchased or service provided the cost of those materials or services and the amount of sales tax abated in each case. The report shall be submitted by the last day in February following the close of the calendar year in which sales tax abatement occurred. **The Company acknowledges and agrees to the extent it (i) utilizes the exemption from New York State and local sales and use tax in a manner inconsistent with the intent of this application and/or (ii) attempts to obtain an exemption from New York State and/or local sales and/or use tax which exceeds the scope of the exemption provided in this application it will be subject to a recapture of such inconsistent or excessive exemption benefits by the Agency in accordance with the provisions of Section 875 of the General Municipal Law of the State, the provisions of which are hereby incorporated herein by reference. The Company agrees to cooperate with the efforts of the Agency to recapture such inconsistent or excessive exemption benefits and shall pay said amounts to the Agency or the State of New York as required and any failure to do so shall constitute an Event of Default.**

Mark Krause
Signature

9/27/21
Date

Partner
Title

NOTE: Abatement of NYS Sales Tax on eligible purchases of goods and services by approved companies is subject to the issuance of a valid sales tax exemption certificate by the Agency.

ATTACHMENT "D"

LABOR POLICY

**Saratoga County Industrial Development Agency
Declaration of Motivation
For the Employment of Local Tradespeople
During the Construction Phase of IDA-Benefited Projects**

The County of Saratoga Industrial Development Agency (IDA), formed pursuant to Section 856 of the New York State Industrial Development Act (the "Act"), was created for the purpose of promoting employment opportunities for and the general prosperity and economic welfare of Saratoga County residents. The IDA is authorized by Section 858 of the Act to enter into agreements requiring payments in lieu of taxes ("PILOT Agreements") with private companies in order to facilitate the location or the expansion of their businesses in Saratoga County. A PILOT Agreement essentially extends, either in whole or in part, an IDA's exemption from real property and other taxes to private companies participating in IDA programs.

Construction jobs, although limited in time duration, are vital to the overall employment opportunities within Saratoga County since construction wages earned by local residents are reinvested in the local economy, adding greatly to its vitality. It is the IDA's strong conviction that companies benefiting from its programs should employ New York State residents during the construction phase of projects. Only in that way can the public benefits accruing from the IDA's efforts be maximally distributed to the residents and taxpayers of Saratoga County. It is, therefore, the request of the IDA that firms benefiting from its programs be fully cognizant of the IDA's mission to promote employment opportunities during all project phases, including the construction phase.

The IDA hereby declares its right to request companies benefiting from its programs to engage Saratoga County residents in and during the project construction phase through the addition of an amendment to the IDA project application requiring applicants, prior to and during the construction phase of the development project, to:

1. Identify the name, title, mailing address, phone/FAX/E-Mail of the project contact person who will be responsible and accountable for providing information about the bidding for and awarding of future construction contracts relative to the application and project.
2. Describe, in the best way possible, the nature of construction jobs created by the project. The description should provide as much detail as possible, including the number, type and duration of construction positions.
3. Submit to the IDA a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged for the construction phase of the project by companies benefiting from IDA programs.

In turn the IDA will:

1. Post all applications approved for a public hearing to its web site (www.saratogacountyida.org) within two business days of such authorization.
2. Following the public hearing and after Agency approval has been granted for an inducement resolution, the website will be promptly updated for all current data.
3. Reserve the right to modify and/or rescind benefits granted to any company under the IDA's Uniform Tax Exemption Policy for the failure to comply with any of the provision listed herein.

ATTACHMENT "D-1"

CONSTRUCTION EMPLOYMENT AGREEMENT

Recognizing the mission of the Industrial Development Agency of Saratoga County (IDA) to promote construction employment opportunities for residents of Saratoga County and in consideration of the extension of financial assistance by the IDA, Park Place On The Peninsula LLC (Project Beneficiary) understands that it is the Agency's policy that benefiting companies should employ New York State residents and agrees to provide the information requested below as a way to provide local construction opportunities. Park Place On The Peninsula LLC (Project Beneficiary) also agrees to provide an estimate of the number, type and duration of construction jobs to be created through IDA financial assistance, whether employment is gained directly through the Company, its general contractor, or individual vendors.

Upon project completion Park Place On The Peninsula LLC (Project Beneficiary) shall, if requested by the Agency, submit to the IDA a Construction Completion Report in which is identified names and business addresses of the prime contractor, sub-contractors and vendors engaged in the construction of the facility.

Company: Park Place On The Peninsula LLC

Company Representative for Contract Bids and Awards:
Jeff Gordon, Gail Krause

Mailing Address: 50 State Street 6th Floor
Albany, NY 12207

Phone: 518 462-7411 Fax: 518-462-8586
Email: gail@parkplaceonthe peninsula.com

General Contractor, if determined

Company: TBD

Representative: _____

Mailing Address: _____

Phone: _____ Fax: _____

Email: _____

Construction start date is estimated to be October 2021 with occupancy to be taken on Initial in October 2022

| Construction Phase or Process | Duration of Construction Phase | # to be Employed |
|-------------------------------|--------------------------------|------------------|
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| Construction Phase or Process | Duration of Construction Phase | # to be Employed |
|-------------------------------|--------------------------------|------------------|
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| | | |

Dated _____

Park Place On The Peninsula LLC
Name of Applicant

Signed
Partner
Company Position

PARK PLACE ON THE PENINSULA

4 - UTEP-PROJECT NARRATIVE

INTRODUCTION

Park Place on the Peninsula is a Planned Unit Development project to be located on the former Krause's Restaurant and Grove property along the Mohawk River in the Town of Halfmoon. The project will be a Riverfront revitalization project that currently has full approval for the construction of 244 dwelling units, offices, and club house all contingent on the project constructing a nearly 3-mile sanitary sewer to an area already within the Saratoga County Sewer District #1 that has never actually had sewer infrastructure. Once constructed the new sewer will be dedicated to the Saratoga County Sewer District #1. There are many benefits to the larger community associated with this project. These include:

1. Revitalization of this underutilized riverfront commercial property, bringing its taxable value back-up to a highest and best use from its current shuttered and vacant use status.
2. Construction of a new 3-mile sewer line and wastewater pump station to service portions of the Town of Halfmoon that will front on commercial and residential properties currently all on septic systems.
3. Construction of an additional gravity sewer on a portion of Canal Road that will be tied into the new pump station which will allow for the future extension of the County sewer along Canal Road to NYS Route 9 by the County and Town.
4. Residential homes along the sewer route may also tie into the sewer thus replacing many failing septic systems and improving the overall environmental conditions along the route. This will bring a health, safety and welfare improvement to the larger community.
5. Reconstruct the portion of Canal Road from Beach Road to the project that is within the Mohawk River floodplain to improve flood resiliency reducing flood impacts to this Town infrastructure.
6. Abatement of National Grid transformers and asbestos in structures on the former commercial property.
7. The project will also greatly increase the taxable value of the property. The targeted end user population for the project include empty nester's, single's, couples, and young professionals. The project does not target large families as dwellings are all smaller square footage one- and two-bedroom units. This limits the demand on the local school district.
8. Construction of a public park that provides access to the riverfront and links back to the canal trail system.

9. The project supports private sector employment both during the construction of the asset.
10. Will provide operational employment for those working directly for the complex (management and maintenance); as well as for those companies who would be under contract for mowing & grounds maintenance, plowing, salting and snow removal, electrical and plumbing services, pool maintenance, community room and fitness center cleaning, etc.
11. The project will also be the catalyst for the extension of Natural Gas service in the area around the project and the extension of 3-Phase electrical power. Gas service will be accessible to a significant number of properties along Canal road east to NYS Route 9 and additional portions of Beach Road.
12. In addition the project will provide residential housing options meeting a growing demand in the market for alternates to traditional home ownership. In doing this the property will bring additional residents to the community adding consumers to increase sales tax revenue from local businesses.

PROJECT PILOT NEED

The project Owner/Investor started construction on the infrastructure for the project in the Spring of 2020 but had to stop due to complications with the Covid 19 Pandemic. The impact of Pandemic has created unique hardships for the development industry.

- 3 to 4-million off-site utility improvements for the sewer extension (Dependent on amount of bedrock removal needed during construction).
- Disproportionate amount of site work needed to redevelop the property into a vibrant revitalized waterfront development - this includes flood resiliency, earthwork well above normal levels and a desire to greatly enhance the aesthetics of the grounds of the property and the scenic riverfront.
- Unforeseen repercussions of the pandemic.
 - Unprecedented material cost increases - lumber, pipe, appliances, etc.
 - Material supply chain disruptions limiting access to products.
 - Uncertainty relative to municipal tax revenue.
 - Inflation pressure (the uncertainty of rising interest rates)
 - Banking underwriting has become significantly more difficult.
 - Significant shortfall in skilled labor and related wage increases.
 - Due to future uncertainty in the market we are building 150 units instead of 244 units. As such, all off-site and on-site costs must be amortized by the reduced initial project density.

This Pilot request is needed to offset these development costs.

It is important to point out that in the sites current condition, the property generates under \$16,500/year in taxes.

SARATOGA COUNTY IDA PROJECT BENEFIT CRITERIA

The project at hand is a form of commercial development. It will provide a new three-quarter acre Town Park with a fishing pier, picnic area, shade structure, off-street parking, ornamental pathway lighting, landscaping and a large stone setting wall using stones reminiscent of the historic canal blocks. This park will be deeded to the Town of Halfmoon upon completion of construction. The project will also provide numerous construction phase jobs, long term permanent jobs, demand for local service providers and will attract new residents to the community adding to the available county work force and the number of consumers in the county of goods and services. It will also construct a new public utility adding to the asset value and related ratables for the Saratoga County Sewer District #1.

The project will meet the following IDA benefit criteria goals:

- **Jobs created: salaries, benefits, payroll and importance to local economy.** – The project will increase employment demand for the community. During construction there will be a significant increase in demand for design and construction related jobs. At current planned build out of 150 dwellings roughly 225,000 SF of new construction will be built. Total construction jobs are anticipated to be approximately 50 plus Full Time Equivalents (FTE's).

Long term job creation is estimated at between 3 to 6 FTE's.

Another significant amount of new employment will be generated through the support industry for the properties upkeep. Vendors at the site will include contracts for lawn and landscaping, snow removal, cleaning service, service contracts for site lighting and life-safety generators, garage collection, power and communications, plus contracts for unit transition services normally including a painting contractor, carpenter, carpet and flooring provider and installer and appliance vendor. Other vendor contracts include paving contractors, service contracts for the community pool, and other longer-term capital improvements including roofing, siding, sidewalks, etc.

- **Jobs retained: salaries, benefits, payroll and importance to local economy** – As noted the property was in use until 2018 as Krause's Restaurant and Grove. This long-time local business is memorialized as part of the history of the Town of Halfmoon and seasonally employed upwards of 30 FTE's. Bringing the property back into a productive use will restore the properties contribution to the local job force and its economic benefit to the larger community through its planned adaptive re-use.

- Capital Investment- The project includes the construction of roughly 225,000 SF of new construction. However, the project is temporarily on hold due to Covid 19 Pandemic related complications that may extend out long after the pandemic itself is over. In 2021 we are now also seeing a significant rise in material costs, long lead times on the supply chain side and shortfalls in skilled labor.
Uncertainty on the threshold for property related taxes makes estimations of capital outlay needs with lending institutions unpredictable. Other community actions in this regard further reinforces that this uncertainty is real and not to be dismissed as being a short-term impact. Tax increases once imposed rarely decrease in ensuing years and can become permanent unanticipated burdens to an investor. Current investment and lending arrangements for this project are on hold and will continue to stop the advancement of this project without some form of PILOT or similar tax agreement in place to protect lenders from these unknowns.
- Impact of project on existing business or segment of local economy. – Clearly this project will have a significant positive impact on the local construction industry as it will be one of the largest site redevelopment projects in Saratoga County. Beyond the construction industry, the project will also improve the property values of adjacent properties through the introduction of nearly three miles of public sewer and the provision of additional dry sewer to allow for expansion of the sewer infrastructure in the future. Without this project there will not be a new sewer utility. Currently the costs associated with this infrastructure are making the project financially risky within a very risk adverse commercial leading environment.
- Impact of project on public infrastructure and services. In addition to the new sewer noted above that will help mitigate groundwater contamination in the community by taking failing septic systems off-line, the project will also be the catalyst for the extension of Natural Gas service in the area around the project and the extension of 3-Phase electrical power. In addition the project includes reconstructing a portion of Canal Road that is within the 100-year floodplain. This will improve the future resiliency of this transportation infrastructure.
- The Project involves redevelopment of distressed or underutilized property. Previously it was noted that the former Krause's Restaurant and Grove ceased operations at the end at the summer of 2018. After that, the site became more of a liability to the community than a cherished memory of times spent by many within the larger Capital District for large corporate events, family reunions, large picnics, weddings, and other social events. The site had numerous old camp structures, the former restaurant and the former 20,000 SF picnic pavilion that were in various states of degradation. Many of the structures have asbestos material needing abatement prior to removal. The site also had numerous old septic tanks and leach fields. C&D material also existed on the site from older building demolitions that had not been fully removed. The cost for cleaning up the property exceeded the value that could be expected from the sale of equipment and other property assets when the business closed its doors. Without the redevelopment of the site, the clean-up of the property would not be possible.

The Park Place on the Peninsula project will be a very beneficial project in Saratoga County. Park Place on the Peninsula believes that the conditions outlined above demonstrate that it

meets the criteria for commercial expansion under the IDA assistance criteria. In particular, the project narrative:

1. Demonstrates that Industrial Development Agency assistance will induce the location of the project in Saratoga County.
2. Demonstration that there is a community need for the project and the economic benefits it represents including public utilities and a Town Park.
3. Demonstration that the project will not cause substantial disruption of existing employment at similar facilities in Saratoga County.
4. Demonstration that the project will provide employment for Saratoga County residents and will provide a service which is demonstrated to be in the best interest of the public and the taxpayer with limited burden on the school district.
5. Demonstration that the project involves the development of new facilities including new infrastructure in the County.

CONCLUDING REMARKS

In summary we offer the following:

- The project will take a previously successful commercial property that is now shuttered and bring it back to an even higher benefiting commercial use generating future tax revenue way in excess of its historic tax generation, even with the benefit of this PILOT request.
- The redevelopment of the property will take a distressed property and breathe new life into it, removing environmental hazards on the site, revitalizing the property and greatly improving the visual beauty of this waterfront commercial property.
- The ability to construct the project has been greatly impacted by the Covid 19 pandemic, material costs are up, and supply is uncertain.
- The project does offer significant benefits to the region – significant increase in demand for construction phase jobs, long term job creation for site management, ancillary job creation and stability through the increased demand for goods and services at the property,
- Infrastructure improvements will benefit the larger region with the introduction of a new sanitary sewer pump station, nearly three miles of new and/or improved municipal sewers in areas plagued with existing undersized and failing septic systems all at the expense of the project sponsor.
- The uncertainty of the cost for constructing the off-site sewer and the unpredictability of future municipal tax base revenue have lenders hesitant to finance the project. Budget stability needs to be shored up on the project through construction and until the project reaches stability. This significant unknown has stopped the project and without a PILOT or some other form of Tax agreement, the project will not advance as was planned for 2021.

Thank you for your consideration of our application.

Respectfully,

August 12, 2021

Park Place on the Peninsula, LLC
Owners: Jeffrey Gordon, Gail Krause

Park Place on the Peninsula-Proposed PILOT Amount

| PILOT Year | Calendar Year | Proposed Fixed PILOT Amount | Estimated Special District Non-Exempt | Estimated Payment W/PILOT | Estimated Payment W/O PILOT | Net PILOT Exemption | Development Progress Notes | Estimated per/unit Assessment Rate * |
|-------------------------------|---------------|-----------------------------|---------------------------------------|---------------------------|-----------------------------|---------------------|-------------------------------|--------------------------------------|
| 1 | 2022 | \$20,568 | \$4,357 | \$24,925 | \$15,885 | -\$9,039 | off-site sewer Construction | 2450 |
| 2 | 2023 | \$20,568 | \$20,157 | \$40,725 | \$73,500 | \$32,775 | 30 built, 40 in construction | 2450 |
| 3 | 2024 | \$20,568 | \$47,034 | \$67,602 | \$171,500 | \$103,898 | 70 built, 60 in construction | 2450 |
| 4 | 2025 | \$45,000 | \$87,349 | \$132,349 | \$318,500 | \$186,151 | 130 built, 20 in construction | 2450 |
| 5 | 2026 | \$53,000 | \$100,787 | \$153,787 | \$367,500 | \$213,713 | 150 | 2450 |
| 6 | 2027 | \$55,000 | \$100,787 | \$155,787 | \$367,500 | \$211,713 | 150 | 2450 |
| 7 | 2028 | \$60,000 | \$100,787 | \$160,787 | \$367,500 | \$206,713 | 150 | 2450 |
| 8 | 2029 | \$65,000 | \$100,787 | \$165,787 | \$367,500 | \$201,713 | 150 | 2450 |
| 9 | 2030 | \$70,000 | \$100,787 | \$170,787 | \$367,500 | \$196,713 | 150 | 2450 |
| 10 | 2031 | \$75,000 | \$100,787 | \$175,787 | \$367,500 | \$191,713 | 150 | 2450 |
| Estimated 10 YR Totals | | \$484,704 | \$763,618 | \$1,248,322 | \$2,784,385 | \$1,536,064 | | |

* Full Payment amount assumes an assesment per unit Tax of \$2,450 in 2022 based on a comparision of similar projects in the Town of Halfmoon & discussion with the Town Assessor