

**Niagara County Industrial Development Agency**  
6311 Inducon Corporate Dr. - Sanborn, New York 14132  
(716) 278-8760 Fax (716) 278-8769

**Application for Assistance**

Please answer all questions on the **Niagara County Industrial Development Agency Application and Environmental Assessment Form**. Information submitted as part of this application will not be made public prior to the passage of an Official Action Resolution by the Agency. After such action, this information may be subject to disclosure under the New York State Freedom of Information Act.

Prior to application submission, this project was reviewed with Lawrence Witul,  
Asst. Director of the Niagara  
County Industrial Development Agency and assigned Project Number \_\_\_\_\_.

**I. Company Data**

A. Company Name: 210 Walnut Street, LLC  
Address: c/o Greater Lockport Development Corporation, One Locks Plaza  
Lockport, NY 14094

Telephone: 716-439-6687 Fax: 716-439-6605  
Email: wiecdgldc@hotmail.com Website: elockport.com city-community-  
IRS Identification No.: \_\_\_\_\_ development.php

Company official completing this application and authorized to respond on behalf of the  
company:

- Name: Thomas J. Caserta Title: attorney
- B. Company Owners, Officers, Directors and Partners: List name and home address, title  
and other principal business affiliations.
- C. Legal Counsel: Thomas J. Caserta, Esq.  
Address: 800 Main St. Niagara Falls, NY 14302  
Telephone: 284-7886 Fax: \_\_\_\_\_  
Email: \_\_\_\_\_
- D. Accountant (Firm): Swift & Swift  
Address: 125 Professional Parkway, Lockport, NY 14094  
Telephone: 716-433-0341 Fax: 716-433-1522  
Email: TSwift@SwiftCPAs.com
- E. Principal Bank of Account: M&T Bank

F. Type of Business     Corporation     Sub Chapter S     Partnership  
                                   Sole Proprietorship     Other

G. Is Company authorized to do business in New York State? Yes  No

H. Principal Stockholders with 5% or more of stock outstanding in the company:

<u>Name</u>	<u>Address</u>	<u>% of Holding</u>
Greater Lockport Development Corporation	One Locks Plaza Lockport, NY 14094	100%
_____	_____	_____
_____	_____	_____

I. List subsidiary, associate, and/or affiliated companies of applicant.

_____	_____	_____
_____	_____	_____
_____	_____	_____

J. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?    Yes  No

Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?    Yes  No

Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?    Yes  No

*If the answer to any of the above questions is yes, please, furnish details in a separate attachment.*

K. Identify the assistance being requested of the Agency:

- (1)  Bond financing for new project; estimated amount    \$ \_\_\_\_\_
- (2)  Bond/project refinancing; estimated amount    \$ \_\_\_\_\_
- (3)  Lease/sale back
- (4)  Assignment of lease
- (5)  Exemption from Sales Tax; estimated benefit    \$ \_\_\_\_\_
- (6)  Exemption from Mortgage Tax; estimated benefit    \$ \_\_\_\_\_
- (7)  Exemption from Real Property Tax; estimated benefit    \$ \_\_\_\_\_

If you have selected (5),(6) or (7), indicate whether you are seeking a deviation from the Agency's uniform tax exemption policy: Yes ; No . If the answer is yes, please furnish details in a separate attachment.

(8)  Other (please furnish details in a separate attachment)

## II. Business Data

### A. Company Background

1. Describe when and where was the company established?  
210 Walnut Street, LLC was formed on 10/12/06 exclusively as a holding company for the subject property due to potential environmental hazards.
2. Describe the type of business  
Real estate holding company.
3. Description of Present Facilities:  
Lot size: 9.18± acres Number of buildings: 4  
Square footage of facilities: 473,033± sq. ft. of gross building area  
 Owns OR  Rents present facilities
4. What is the present employment of the company?  
# Full Time 44 # Part Time       
Estimated annual payroll: \$
5. Approximate annual sales: \$ N/A
6. Describe primary markets.  
Real Estate
7. Provide a brief description of the company and its history.  
See II, 7 continued on separate page

B. Provide types of business activity and approximate square feet of each for company's present facility:

	Square Feet
<b>Manufacturing/Processing</b>	444,454
<b>Warehousing</b>	
<b>Research &amp; Development</b>	
<b>Commercial</b>	
<b>Retail*</b>	
<b>Office</b>	28,579± (6%)
<b>Other (specify)</b>	

\* A retail business activity shall mean (i) sales by a registered vendor under article twenty-eight of the New York tax law primarily engaged in the retail sale of tangible personal property, as defined in subparagraph (i) of paragraph four of subdivision (b) of section eleven hundred one of the tax law; or (ii) sales of a service to such customers.

C. Describe principal goods, products and/or services of the company:

Real estate holding, management and rehabilitation

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### III. Project Data

A. Location of Proposed Project:

1. Physical Address of proposed Project Site:

Address: 160 Washburn Street  
 City, Town, Village: Lockport  
 County: Niagara

2. New York State Empire Zone Tax Incentives.

*In addition to financial incentives that the Niagara County Industrial Development Agency can provide with respect to the proposed Project, the Project may also be eligible for New York State tax benefits (sales tax, income tax, and real property tax benefits and credits) under the New York State Empire Zone Program. Empire Zone tax benefits can be utilized concurrently with Niagara County Industrial Development Agency benefits and incentives.*

Is the proposed Project Site located in an Empire Zone?

Yes       No       Unsure

3. New York State Brownfield Cleanup Program Tax Incentives

New York State provides for significant refundable New York State tax credits with respect to cleanup and construction (buildings and equipment) costs, real property tax expenses, and insurance costs related to remediating and developing a Brownfield/contaminated property. In addition, New York State provides for a release of liability with respect to such contamination located in, on or emanating from the Brownfield Site. New York State Brownfield Cleanup Program tax credits can be utilized concurrently with Niagara County Industrial Development Agency benefits and incentives.

Under the New York Brownfield Cleanup Program, a Brownfield or a Brownfield Site is any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous waste, petroleum, pollutant, or contaminant (collectively, "contaminants").

Is the proposed Project Site located on a site where the known or potential presence of a contaminant(s) is complicating the development/use of the property?

Yes       No       Unsure

Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed Project Site?

Yes       No       Unsure

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       No       Unsure

B. Existing Project Facilities:

1. Parcel Size: 9.18 Acres OR ft. x ft.

2. Are there existing buildings on the Project site? Yes ; No .

a. If yes, indicate the number of buildings on the site: 4. Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such existing building:

Building Description	Size
see page 30 of real estate appraisal by Klauk, Lloyd & Wilhelm Inc. dated 2/6/08	

b. Are the existing buildings in operation? Yes ; No . If yes, describe present use of present buildings: see pages 27-35 of annexed appraisal

Building	Use
475,000 sq. ft.	62,981 sq. ft.

c. Are the existing buildings abandoned? Yes ; No . About to be abandoned? Yes ; No . If yes, describe:

\_\_\_\_\_  
\_\_\_\_\_

d. Attach photograph of present buildings. see annexed appraisal

3. Identify present landowner. 210 Walnut Street, LLC

4. Present zoning of site: R3, B2 and I3

Are there any variances or special permits affecting the Project site?  
Yes  No .

If yes, list below and attach copies of all such variances or special permits.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Provide Tax Map (section/block/lot) number(s):  
see pages 25-26 of annexed appraisal

6. List current assessed value: \$ 450,000.00  
List current annual property tax payment: \$ 20,992.90

7. Identify school district pertaining to Proposed Project location:  
Lockport City School District

**C. Proposed Project Facility and Equipment**

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes ; No .

If yes, indicate number and size of new buildings:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes ; No .

3. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

See Restore New York Budget Summary 1/15/10 annexed -  
\$1,649,723 and pages 35-36 of annexed appraisal

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:  
see page 42 of annexed appraisal - highest and best use

4. Will machinery and equipment be acquired and installed?

New:  No  Yes Type \_\_\_\_\_

Used:  No  Yes Type \_\_\_\_\_

Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Project Use

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

The project can serve as an incubator for small  
start up businesses.  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Project Use

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

	%		%
Warehousing	50	Manufacturing	40
Processing		Pollution control	
Office	6	Research & Development	
Retail*		Commercial	
Recreational		Other:	4

\* A retail business activity shall mean (i) sales by a registered vendor under article twenty-eight of the New York tax law primarily engaged in the retail sale of tangible personal property, as defined in subparagraph (i) of paragraph four of subdivision (b) of section eleven hundred one of the tax law; or (ii) sales of a service to such customers.

c. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes ; No .

**If yes, please see Addendum A attached hereto.**

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes  No

If yes, please provide detail:

\_\_\_\_\_  
 \_\_\_\_\_



i. If the answer to either question (d) or question (e) is yes, indicate whether any of the following apply to the Project:

- (1) 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:

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- 2) 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:

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6. Is this a single phase or multi-phase project?  Single  Multi

Phase I Activities: Replace roof (\$1,350,736); repair elevators (\$150,122); paint exterior of building (\$54,000); utility\*  
 Phase II Activities: Increase occupancy and revenue; manage operations and costs to a plan  
 Phase III Activities: Pursue large tenants for Building 4 and other opportunities for Buildings 1 and 3. (See copy of\*\*

D. Utilities and services presently serving site. Provide name of utility provider.

Gas:	Size:
Electric:	Power:
Water:	Size:
Sewer:	Size:
Other (specify):	

E. What is your project timetable? (Provide dates)

1. Start date: acquisition or construction of facilities: 10/12/06  
 2. Completion of project facilities: \_\_\_\_\_  
 3. Project occupancy – starting date of operations: \_\_\_\_\_

\*infrastructure (\$12,365) and project management (\$82,300)

\*\*"The Strategic Building Solution for the former Harrison Building" presented November 29, 2007 annexed.

F. Have any contracts or purchases been made, committed and/or executed toward the project?  No  Yes,

If yes, please provide detail:

See Restore New York Budget Summary 1/15/10 attached.

G. Has any work toward the completion of the project been initiated?  No  Yes,

If yes, please provide detail:

same as above

H. Will the project require any government actions, permits or clearances (other than IDA requirements)? If yes, please provide the following details:

Action	Issuing Agency	Date of Issuance

I. Include any site plans, drawings or blueprints that have been developed.

J. 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:

Sublessee name: see annexed Rent Roll - 32 tenants to date

Present Address: \_\_\_\_\_

Address: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Sublessee is:  Corporation  Partnership  Sole Proprietorship

Relationship to Company: \_\_\_\_\_

Percentage of Project to be leased or subleased: \_\_\_\_\_ %

Use of Project intended by Sublessee:

\_\_\_\_\_

Date of lease or sublease to Sublessee: \_\_\_\_\_

Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee 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 questions III(D)(6)(c) through (f) with respect to each such sublessee.

K. Describe the reasons why this project is necessary and what effect it will have on your company:

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**IV. Employment Impact**

A) Will Niagara County contractors and / or sub contractors be utilized for the construction project? Yes  No .

B) What is the estimated number of construction jobs to be created at the project site from:

Niagara County: , Erie County , Other Areas ,

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

TYPE OF EMPLOYMENT				
	PROFESSIONAL OR MANAGERIAL	SKILLED OR SEMI- SKILLED	UNSKILLED	TOTALS
Present Full Time				
Present Part Time				
Present Seasonal				
First Year Full Time				
First Year Part Time				
First Year Seasonal				
Second Year Full Time				
Second Year Part Time				
Second Year Seasonal				

#### V. Project Cost Data

- A. Give breakdown of project costs:

Land		\$
Buildings: Acquisition	250,000	\$
Renovation	1,649,723	\$
New Construction		\$
Demolition		\$
Utilities and Road		\$
Site work and preparation		\$
Acquisition of machinery & equipment		\$
Installation		\$
Architectural and engineering fees		\$
Legal fees		\$
Interest during construction		\$
Other		\$
<b>TOTAL</b>		<b>\$</b>

Have any of these expenditures been incurred to date?  No  Yes If yes, identify:

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210 WALNUT STREET LLC  
 CURRENT TENANT LIST  
 AS OF 12/31/09

	# EMPLOYEES	PROFES SIONAL	SKILL	UN SKILLED
ADVANCED LIGHTING - ELECTRIC	2	1	1	
APTON, STEVE & DAVE	2	2		
AUTOMATION TECHNOLOGIES	2	1		1
CINGULAR WIRELESS	0			
CREATIVE ARTS & ABILITIES	1	1		
BAILEY, RYAN	1	1		
DAN DUDER CONSTRUCTION	2	1	1	
DOBRIK INDUSTRIES	4	2	2	
DOOR SOLUTIONS	2	1	1	
EMERSON / VAN CLOVE	0			
FEDERAL ELECTRONICS	1	1		
FRED WAL INC.	4	1	3	
GOURMET WORLD	3	1	2	
IGNATOWSKI, SCOTT	0			
J TEC CENTRAL	1	1		
LOCKPORT SCHOOL DISTRICT	2	1	1	
MANTELLI TRAILER SALES	4	2		2
MURPHY, MATT	1	1		
NIAGARA COUNTY ACTION PROGRAM	4	1		3
ORGANIC CONNECTIONS	1	1		
PALACE THEATER	0			
STAMOS, JAMES	1	1		
STODDARD, CHUCK	1	1		
STOLL, DAVID	0			
SULLIVAN, ERIC	0			
TIMKEY LIMOUSINE	3	1	2	
VICTORY CHRISTIAN CENTER	0			
VISUAL GAGING	1	1		
WILSON RICHARD	1	1		
	44	25	13	6

B. Summary of Financing

<b>Total Project Costs</b>	<b>\$</b>
<b>Amount of Bond or Leaseback financing</b>	<b>\$</b>
<b>Amount of Conventional financing</b>	<b>\$</b>
<b>Equity</b>	<b>\$</b>

C. Will any part of the project be financed with funds of the company?  No  Yes, If yes, please provide detail:

Item	\$

D. Will other forms of government financing be used to undertake the project:  No  Yes  
If yes, please provide detail:

Program	Amount	Status
Restore New York	\$1,649,723	finished

E. Have financial institutions or potential bond purchasers been approached?  No  Yes  
If yes, please provide detail:

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F. List capital expenditures of the company:

	Past 3 years	Next 3 years
<b>Real Property</b>	<b>\$</b>	<b>\$</b>
<b>Buildings</b>	1,649,723 <b>\$</b>	<b>\$</b>
<b>Equipment</b>	<b>\$</b>	<b>\$</b>

VI. Financial and Feasibility Data

A. Describe the need or demand for the product or services to be provided as a result of the project:

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B. Has the company utilized bond financing before?  No  Yes.

If yes, describe when, where and amount:

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C. Provide any marketing, economic and/or feasibility studies that have been developed, particularly for tourist destination facilities.

D. The following information will be required by the Agency and returned once an action of the Agency has been taken:

1. Financial statements for the last three (3) years;
2. Projections for the next three (3) years including Balance Sheets, Profit and Loss Statements, Cash Flow Statements by quarters, etc.

### VII. Financial Assistance Expected From The Agency

A. Tax Benefits.

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency?  
Yes  No

If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes  No

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes  No

If yes, what is the approximate amount of financing to be secured by mortgages?  
\$ \_\_\_\_\_

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes  No .

If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_

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

- |    |  |              |
|----|--|--------------|
| a. | N.Y.S. Sales and Compensating Use Taxes: | \$ _____     |
| b. | Mortgage Recording Taxes:                | \$ _____     |
| c. | Real Property Tax Exemptions:            | \$ 1,200,000 |
| d. | Other (please specify):                  | _____        |
|    |  | \$ _____     |
|    |  | \$ _____     |

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax-exemption Policy?

Yes  No .

If yes, please explain how the request of the applicant differs from the Agency's Uniform Tax-Exemption Policy: \_\_\_\_\_

### VIII. 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 and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Mayor of the City of Lockport serves on the IDA Board and on the Board of Directors of the Greater Lockport Development Corporation, the parent company of the applicant.

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## I. Company Data

### K. (7) continuation

The applicant is a holding company of the Greater Lockport Development Corporation. The Greater Lockport Development Corporation is a City of Lockport development corporation. The property was at one time a multi tenant manufacturing complex operating as Commerce Square with an occupancy level of 5.7%. The primary parcel (160 Washburn Street) is located at the southwest corner of Washburn and Walnut Streets and the northwest corner of Washburn and South Streets. The non-contiguous parking lot (280 Walnut Street) is located on the south side of Walnut Street several hundred feet east of the approved parcel. A contiguous parking lot (59 Locust Street) is located on the east side of Locust and north side of South Streets. Additional non-contiguous parking lot (50 Elmwood Avenue) is located on the north side of Elmwood Avenue and the south side of South Street. All the parcels are located in the City of Lockport, County of Niagara and State of New York. The area referred to as 160 Washburn Street is located in an area zoned I3, heavy industrial district. Permitted uses within this zoning classification include manufacturing, warehouse and related uses. The parking lots (280 Walnut Street and 59 Locust Street) are located in an area zoned B2, business district. Permitted uses within this zoning classification include retail, office, parking lots and related uses. The parking lot at 50 Elmwood Avenue is located in an R3, residential three-family district. Permitted uses within the district include single, two and three family dwellings and related uses. The current uses of this site as multi tenant manufacturing facility with parking lots are considered to be legal conforming uses. The property was designed and constructed as a manufacturing facility in 1917 as the corporate headquarters and manufacturing facility of Harrison Radiator. In subsequent years additional buildings were erected encompassing the five buildings delineated as 1, 1A, 2, 3 and 4. For a detailed description of the former uses of the above buildings, please see the real estate appraisal of 160 Washburn Street by James T. Szakacs, Klauk, Lloyd & Wilhelm Inc. dated February 6, 2008 annexed hereto, in particular page 34 "Description of Real Estate Continued – Design/Layout". In its entirety the subject property is disjointed and does not offer physical or functional attributes that would facilitate production flows of most manufacturing processes. Due to the subject's ceiling heights, column space and multi story configuration, warehousing or distribution uses would be problematic. The property may support low intensity storage, assembly and general staging uses. The office space layout may support low intensity back office operations. Overall the structure is considered to be a Class B average quality manufacturing building as defined in the Marshall and Swift Cost Manual. The property is in fair condition and requires extensive maintenance. The maintenance issues that impact on the lease ability of the property include the following:

1. Masonry ceiling and repair;
2. Heating, cooling, plumbing and mechanical repairs;
3. Elevator repair;
4. Window replacement built out to suit as space is absorbed.

## **II. Business Data**

### **A. Company Background, 7.**

210 Walnut Street, LLC was created on October 12, 2006, as a holding company and subsidiary of the Greater Lockport Development Corporation. Its exclusive purpose is to manage/operate 210 Walnut Street, 160 Washburn Street, 59 Locust Street and 50 Elmwood Avenue.

PROJECT ID NUMBER

617.20  
APPENDIX C

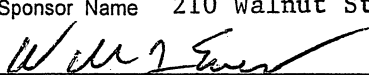
SEQR

STATE ENVIRONMENTAL QUALITY REVIEW

### SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

#### PART 1 - PROJECT INFORMATION ( To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR 210 Walnut Street, LLC	2. PROJECT NAME Harrison Place
3. PROJECT LOCATION: 160 Washburn Street Municipality City of Lockport	County Niagara
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map 160 Washburn Street, 280 Walnut Street, 59 Locust Street, 50 Elmwood Avenue	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: Application to the Niagara County Industrial Development Agency for a payment in lieu of tax agreement to facilitate rehabilitation of an old manufacturing site to an incubator for start up businesses.	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately 9.18 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park / Forest / Open Space <input type="checkbox"/> Other (describe)	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal, State or Local) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit / approval: Niagara County Industrial Development Agency	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant / Sponsor Name 210 Walnut Street, LLC	Date: 2/8/10
Signature 	William J. Evert, CEO

If the action is a Coastal Area, and you are a state agency,  
complete the Coastal Assessment Form before proceeding with this assessment

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:  
 Yes  No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:  
 Yes  No

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)