

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

PEMM LLC

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(Applicant Name)

6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 14132  
Phone: 716-278-8760 Fax: 716-278-8769  
<http://niagaracountybusiness.com>

Updated 2021

- I. Subject to the applicable statute, information provided by applicant will be treated as confidential until such time as the Agency takes action on the request. However, in accordance with Article 6 of the Public Officers Law, all records in possession of the Agency are open to public inspection and copy.
- II. The Niagara County Industrial Development Agency has a one thousand dollar (\$1000.00) non-refundable application fee that must accompany the application submission.
- III. At the time of the project closing, project applicant is required to pay certain costs associated with the project. The applicant shall be responsible for the payment of an Agency fee in the amount of one percent (1.00%) of the total value of the project, together with Agency counsel fees as set forth in the Agency fee policy schedule, together with various related costs, including but not limited to public hearing expenses. Upon request, a fee summary will be provided to each applicant.
- IV. One (1) original signed copy of the Application and Environmental Assessment form should be submitted with the Application for Assistance.

*The Niagara County Industrial Development Agency does not discriminate on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin, disability or status as a disabled or Vietnam Veteran or any other characteristic protected by law.*

6311 Inducon Corporate Drive, Suite 1 ■ Sanborn, NY 14132-9099 ■ 716-278-8760  
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# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

### I. APPLICANT INFORMATION

Company Name: PEMM LLC

Mailing Address: 2781 Lakeville Rd. Ste 1

City/Town/Village & Zip code: Avon, NY 14414

Phone: (586) 226-3661

Website: quicklees.com

Fed Id. No.: 16-1482409

Contact Person, and Title: Lou Terragnoli, Director of Real Estate Development

Email: l.terragnoli@quicklees.com

**Principal Owners/Officers/Directors** (list owners with 15% or more in equity holdings with percentage ownership):

Peter Bruckel (20%), Jennifer Perelli (20%), Joshua Bruckel (20%), Jacqueline Bruckel (20%), Juston Bruckel (20%)

**Corporate Structure** (attach schematic if applicant is a subsidiary or otherwise affiliated with another entity)

#### Form of Entity

#### Corporation

Date of Incorporation: \_\_\_\_\_

State of Incorporation: \_\_\_\_\_

#### Partnership

General \_\_\_\_\_ or Limited \_\_\_\_\_

Number of general partners \_\_\_\_\_

If applicable, number of limited partners \_\_\_\_\_

Date of formation \_\_\_\_\_

Jurisdiction of Formation \_\_\_\_\_

#### Limited Liability Company/Partnership (number of members <sup>5</sup> \_\_\_\_\_)

Date of organization: to be formed

State of Organization: \_\_\_\_\_

#### Sole Proprietorship

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

\_\_\_\_\_

**Applicant's Counsel**

Company Name: Trevett Cristo Attorneys

Contact Person, and Title: Colin Bruckel

Mailing Address: 2 State Street Ste. 1000

City/Town/Village & Zip code: Rochester, NY 14614

Email: cbruckel@trevettcristo.com

Phone: (585) 454-2181

Fax No.: (585) 454-4026

**II. PROJECT INFORMATION**

**A) Project Address:** Porter Rd.,

Tax Map Number (SBL) 145.14-3-2.11, 145.15-2-3.21, 145.14-3-2.2  
(Section/Block/Lot)

SWIS Number \_\_\_\_\_

Located in City of \_\_\_\_\_

Located in Town of Niagara

Located in Village of \_\_\_\_\_

School District of Niagara Wheatfield

**B) Current Assessment of Property:**

Land 150k, 100k, 46.3k

Total 200k, 100k, 46.3k

**C) Present legal owner of the site** 9395 CH, LLC

If other than from applicant, by what means will the site be acquired for this project?

\_\_\_\_\_

**D) Describe the project:**

The development of a 12,000 sq. ft. travel center with passenger and

professional amenities and accommodations. In addition, there will be

restaurant options, including a drive thru. Both regular fuel and diesel fuel will

be offered.

1. Project site (land)

**(a)** Indicate approximate size (In acres or square feet) of project site.

8 acres

**(b)** Indicate the present use of the project site.

vacant land

2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
no building on site  
\_\_\_\_\_
3. Does the project consist of the construction of a new building or buildings?  
If yes, indicate number and size (in square feet) of new buildings.  
yes, 12,000 sq. ft.  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
indicate nature of expansion and/or renovation.  
n/a  
\_\_\_\_\_
5. If any space in the project is to be leased to third parties, indicate total square footage  
of the project amount to be leased to each tenant and proposed use by each tenant.  
1,200 sq ft. - quick service and restaurant  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
diesel fuel dispensers, tanks, canopy, regular and premium fuel dispensers, service  
equipment.  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
No  
\_\_\_\_\_

**E) Inter-Municipal Move Determination**

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or  No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or  No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or  No

If Yes to any of the questions above, 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:

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- F) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

III. **SOURCES & USES OF FUNDS**

A) Estimated Project Costs:

|  |    |           |
|--|----|-----------|
| Property Acquisition                         | \$ | 2,150,000 |
| Construction (Improvements)                  | \$ | 3,750,000 |
| Equipment Purchases/Fixtures/Furnishings     |    | 2,050,000 |
| Soft costs (i.e. engineering, architectural) | \$ | 250,000   |
| Other (describe)                             | \$ | 300,000   |
| TOTAL USES OF FUNDS                          | \$ | 8,500,000 |

B) Sources of Funds for Project Costs *(Must match above Total Uses of Funds)*:

|                            |    |           |
|----------------------------|----|-----------|
| Bank Financing             | \$ | 6,800,000 |
| Equity                     | \$ | 1,700,000 |
| Grants/Tax Credits         | \$ | 0         |
| Taxable or Tax Exempt Bond | \$ | 0         |
| Other                      | \$ |           |
| TOTAL SOURCES OF FUNDS     | \$ | 8,500,000 |

C) Identify each state and federal grant/credit:

|                    |    |  |
|--------------------|----|--|
|                    | \$ |  |
|                    | \$ |  |
|                    | \$ |  |
|                    | \$ |  |
| TOTAL PUBLIC FUNDS | \$ |  |



## VI. 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 proposed 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 proposed project must 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 Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must 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 proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Filings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed 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.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed 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.
- F. Compliance with N.Y. GML Sec. 862(1): 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.



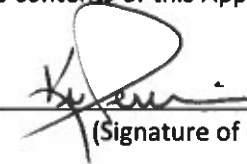
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: 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.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. 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, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

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

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

Kenneth Perelli being first duly sworn, deposes and says:

1. That I am the vice President (Corporate Office) of PEMM, 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.

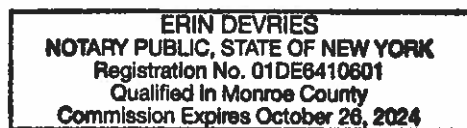
  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 29<sup>th</sup> day of Sept, 2021.

Erin Devries  
(Notary Public)

This Application should be submitted to the Niagara County Industrial Development Agency,  
6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.



**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.

  
\_\_\_\_\_  
(Applicant Signature)

Name: Kenneth Perelli

Title: Vice President

  
\_\_\_\_\_  
(Notary Public)

Sworn to before me this 29<sup>th</sup> day

[stamp]

of September, 2021

ERIN DEVRIES  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01DE6410601  
Qualified In Monroe County  
Commission Expires October 26, 2024

**Real Property Tax Benefits (Detailed):**

\*\* This section of this Application will be: (i) completed 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 (Town/City/Village)/1000 | School Tax Rate/1000 |
|---|--|----------------------|---|----------------------|
| \$3,750,000   | \$1,000,000  | 13.537398            | 4.761063                                | 40.154102            |

\*Apply equalization rate to value

| PILOT Year   | % Payment | County PILOT Amount | Local PILOT amount | School PILOT Amount | Total PILOT       | Full Tax Payment w/o PILOT | Net Exemption     |
|--------------|-----------|---------------------|--------------------|---------------------|-------------------|----------------------------|-------------------|
| 1            | 20%       | \$ 2,707            | \$ 952             | \$ 8,031            | \$ 11,691         | \$ 58,453                  | \$ 46,762         |
| 2            | 25%       | \$ 3,384            | \$ 1,190           | \$ 10,039           | \$ 14,613         | \$ 58,453                  | \$ 43,839         |
| 3            | 30%       | \$ 4,061            | \$ 1,428           | \$ 12,046           | \$ 17,536         | \$ 58,453                  | \$ 40,917         |
| 4            | 35%       | \$ 4,738            | \$ 1,666           | \$ 14,054           | \$ 20,458         | \$ 58,453                  | \$ 37,994         |
| 5            | 40%       | \$ 5,415            | \$ 1,904           | \$ 16,062           | \$ 23,381         | \$ 58,453                  | \$ 35,072         |
| 6            | 45%       | \$ 6,092            | \$ 2,142           | \$ 18,069           | \$ 26,304         | \$ 58,453                  | \$ 32,149         |
| 7            | 50%       | \$ 6,769            | \$ 2,381           | \$ 20,077           | \$ 29,226         | \$ 58,453                  | \$ 29,226         |
| 8            | 55%       | \$ 7,446            | \$ 2,619           | \$ 22,085           | \$ 32,149         | \$ 58,453                  | \$ 26,304         |
| 9            | 60%       | \$ 8,122            | \$ 2,857           | \$ 24,092           | \$ 35,072         | \$ 58,453                  | \$ 23,381         |
| 10           | 65%       | \$ 8,799            | \$ 3,095           | \$ 26,100           | \$ 37,994         | \$ 58,453                  | \$ 20,458         |
| <b>TOTAL</b> |           | <b>\$ 57,534</b>    | <b>\$ 20,235</b>   | <b>\$ 170,655</b>   | <b>\$ 248,423</b> | <b>\$ 584,526</b>          | <b>\$ 336,102</b> |

\*Estimates provided are based on current property tax rates and assessment value

**Cost Benefit Analysis:**

**To be completed/calculated by AGENCY**

|   | <u>Costs =</u><br><u>Financial Assistance</u> | <u>Benefits =</u><br><u>Economic Development</u>  |
|---|---|---|
| *Estimated Sales Tax Exemption          | \$ <u>338,000</u>                             | New Jobs Created<br>Permanent <u>20</u><br>Temporary _____  |
|   |   | Existing Jobs Retained<br>Permanent <u>0</u><br>Temporary _____   |
| Estimated Mortgage Tax Exemption        | \$ <u>51,000</u>                              | Expected Yearly Payroll \$ <u>750,000</u>   |
| Estimated Property Tax Abatement        | \$ <u>336,102</u>                             | Additional Revenues to School Districts<br>\$ <u>170,655</u>  |
|   |   | Additional Revenues to Municipalities<br>County: \$ <u>57,534</u><br>City: \$ <u>20,235</u>   |
|   |   | Other Benefits _____  |
| Estimated Interest Savings<br>IRB Issue | \$ _____                                      | Private Funds invested \$ <u>8,200,000</u>  |
|   |   | Likelihood of accomplishing proposed project<br>within three (3) years<br><input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely |

\* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 12).

\$ 4,225,000 (to be used on the NYS ST-60)

**UPDATED 2021**

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

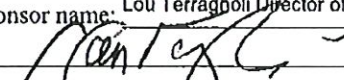
**Instructions for Completing**

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

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

|  |  |                                    |  |
|--|--|------------------------------------|--|
| <b>Part 1 - Project and Sponsor Information</b>  |  |                                    |  |
| Quicklee's Convenience Store   |  |                                    |  |
| Name of Action or Project:<br>Town Of Niagara Travel Center  |  |                                    |  |
| Project Location (describe, and attach a location map):<br>6005 Porter Road, Town of Niagara, NY   |  |                                    |  |
| Brief Description of Proposed Action:<br>The developmetn of a 12,000 square foot travel center with passenger and professional amenities and accomadations. In addition, there will be restaurant offerings, including a drive thru. Both regular and diesel fuel will be offered.   |  |                                    |  |
| Name of Applicant or Sponsor:<br>PEMM LLC/Quicklee's or an entity to be formed.  |  | Telephone: 716-2288860             |  |
|  |  | E-Mail: l.terragnoli@quicklees.com |  |
| Address:<br>2697 Lakeville Road Suite 1  |  |                                    |  |
| City/PO:<br>Avon   |  | State:<br>New York                 | Zip Code:<br>14414   |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.   |  |                                    | NO<br><input type="checkbox"/><br>YES<br><input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |  |                                    | NO<br><input type="checkbox"/><br>YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action?   |  | _____ 8 acres                      |  |
| b. Total acreage to be physically disturbed?   |  | _____ acres                        |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |  | _____ 8 acres                      |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |  |                                    |  |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |  |                                    |  |

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

|   |                                     |                          |
|---|-------------------------------------|--------------------------|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br>If Yes, explain purpose and size: _____ | NO                                  | YES                      |
| _____   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____   | NO                                  | YES                      |
| _____   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____   | NO                                  | YES                      |
| _____   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  |                                     |                          |
| Applicant/sponsor name: Lou Terragnoli Director of Real Estate & Development  |                                     | Date: 9/29/2021          |
| Signature:   |                                     |                          |

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

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



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

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

|  |  |
|--|--|
| <input type="checkbox"/>                                 | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. |
| <input checked="" type="checkbox"/>                      | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.   |
| _____  | _____  |
| NCIDA  | 10/4/21  |
| Name of Lead Agency                                      | Date   |
| _____  | _____  |
| S. LANJUN  | EO   |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer   |
| _____  | _____  |
| Signature of Responsible Officer in Lead Agency          | Signature of Preparer (if different from Responsible Officer)  |

**PRINT**