

**Application to  
Troy Industrial Development Authority (TIDA)  
For  
Tax Exempt Bond Financing  
and/or  
Straight-Lease Transaction  
and  
Fee Schedule**

Please contact the Authority for more information  
regarding project eligibility and application process.

FORM ADOPTED  
MAY 20, 2016

FEE SCHEDULE  
MODIFIED  
JUNE 4, 2021

## AUTHORITY ADMINISTRATIVE FEE SCHEDULE

### Troy Industrial Development Authority (TIDA)

433 River Street, Suite 5001, Troy New York 12180

## AUTHORITY ADMINISTRATIVE FEE SCHEDULE Taxable and Tax Exempt Industrial Development Revenue Bonds

<b>Application Fee:</b>	A non-refundable fee of \$5,000.00 and a \$500.00 processing fee are payable to the TIDA at the time the application is submitted. The \$5,000.00 fee will be credited towards the total fee at closing.
<b>Fee:</b>	First \$10,000,000: .75% of the principal amount of the bond series. Over \$10,000,000: .5% of the bond series Annual (post-closing) administrative fee of \$1,500.00

### Straight Lease Transactions (including PILOT Agreement)

<b>Application Fee:</b>	A non-refundable fee of \$5,000.00 and a \$500.00 processing fee are payable to the TIDA at the time the application is submitted. The \$5,000.00 fee will be credited towards the total fee at closing.
<b>Fee:</b>	.75% of total Project Cost Annual administrative fee of \$500.00

### Sales Tax and/or Mortgage Recording Tax only Transactions (No PILOT Agreement)

<b>Application Fee:</b>	A non-refundable fee of \$2,500.00 and a \$500.00 processing fee are payable to the TIDA at the time the application is submitted. The \$2,500.00 fee will be credited towards the total fee at closing.
<b>Fee:</b>	Minimum \$4,500.00 or 10% estimated exemption amount, whichever is greater Annual administrative fee of \$500.00

## INSTRUCTIONS

1. The Authority will not approve any applications unless, in the judgment of the Authority, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer, which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return this application to the Authority at the address indicated on the first page of this application.
6. The Authority will not accept this application as complete until the Authority receives (i) a completed environmental assessment form concerning the Project; (ii) the Applicant has met with Authority representatives and has received the Authority's review and completed **Project Summary and Financial Assistance Cost Benefit Analysis (See, last 2 pages of this Application)**; and payment of all required fees and escrows, as applicable.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Authority (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of Public Officers Law.
8. The applicant will be required to pay to the Authority all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Authority's bonds issued to finance the project. The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Authority. The costs incurred by the Authority, including the Authority's general counsel and bond counsel, may be considered a part of the project and included as a part of the resultant bond issue.
9. The Authority has established a combined application fee of \$5,500.00 (\$5,000 + \$500) to cover the anticipated costs of the Authority and counsel in processing this application. A check or money order made payable to the Authority must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AUTHORITY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
10. The Authority has established a project fee for each project in which the Authority participates. **UNLESS THE AUTHORITY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AUTHORITY.**

This application should be submitted to the Troy Industrial Development Authority, 433 River Street, Suite 5001, Troy NY 12180 (Attn: Chief Executive Officer).

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

## Troy Industrial Development Authority (TIDA)

### Application for Tax Exempt Bond Financing and/or Straight-Lease Transaction

#### I. APPLICANT INFORMATION

Company Name: 504 Holdings, LLC

Address: 142 Grand Ave Saratoga Springs, NY 12866  
291 River St Troy, NY 12180

Phone No.: (518) 587-7120

Fax No.: (518) 587-7250

Federal Tax ID: 92-1502928

Contact Person: Michael R. Phinney

E-Mail: mphinney@phinneydesign.com

Date: 05/05/23

a. Form of Entity:

Corporation

Partnership (General \_\_\_ or Limited \_\_\_; Number of General Partners \_\_\_ and, if applicable, Number of Limited Partners \_\_\_), List Partners in section below.

Limited Liability Company, Number of Members 1

Sole Proprietorship

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

504 Holdings, LLC

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

Name	Address	Percentage Ownership/Office
Michael R. Phinney	142 Grand Ave Saratoga Springs, NY 12866	100%

(Use attachments if necessary)

c. If a corporation, partnership, limited liability company:

What is the date of establishment? 2022 Place of organization NYS

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

*(Attach organizational chart or other description if applicant is a subsidiary or otherwise affiliated with another entity)*

d. Attach certified financial statements for the company's last three complete fiscal years. If the company is publicly held, attach the latest Form 10K as well. To be sent via separate cover

## II. APPLICANT'S COUNSEL

Name/Firm: Robert Schofield - Whiteman Osterman & Hanna, LLP Attorneys at Law  
Address: 1 Commerce Plaza 99 Washington Ave 19th Floor  
Albany, NY 12260  
Phone No.: (518) 487-7600  
Fax No.: NA  
E-Mail: rschofield@woh.com

## III. PROJECT INFORMATION:

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

The project converts an existing 2-story, 1960s-era brick masonry office building in the historic downtown Troy Business district to a 4-story multi-use 19,760 square foot Net Zero energy building with restaurant on first floor, and offices above. The exterior of the building will have a modern aesthetic to complement the existing masonry while highlighting the new wood timbers, and large expanses of glass.

The overall building design will incorporate low-carbon and Net Zero energy conservation strategies throughout. The use of a mass-timber structure will provide a robust, low-carbon alternative to a more conventional concrete and steel structure and will be the first of its kind used in commercial office space in the Capital District. Triple-pane glass will be used throughout the building, with Structural Insulated Panels (SIPs) at the roof. Geothermal/Air source heat pumps will be utilized to provide an ultra-clean, on-site supply of energy for heating and cooling, and solar photo-voltaic arrays will be installed over the entire roof to provide additional power for the building. The building will utilize all-electric energy systems, utilize water-saving fixtures, on-street electric-vehicle charging stations. The application of these cutting-edge green building strategies will provide enough power generation to accommodate the building's entire energy requirement. This will ultimately lower the tenants' annual energy costs, simultaneously reduce the long-term cost of ownership, and creating a model for innovative, mixed-use design in the Capital District.

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

Project Address: 504 Broadway  
City: Troy, NY 12180  
Name of School District: Troy City School District  
Tax Map No.: Sec 101.53 Block 6 Lot 22

Describe Existing Improvements, if any:

The property houses an existing 2-story 1960s era masonry building which is approximately 10,000 square feet.

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c. Are Utilities on Site? Water:  Electric:  Gas:  Sanitary/Storm Sewer:  Telecom:

d. Identify Present legal owner and all tenants of the site if other than Applicant and by what means will the site be acquired for this Project (please include details regarding purchase and sale agreement, if applicable, including all contingencies):

Applicant is the legal owner - 504 Holdings LLC. There are currently no tenants.

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e. Zoning of Project Site:

Current: B4

Proposed: B4

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f. Are any zoning approvals needed? Identify: None

g. Local Permitting and Approvals – Does the project require local planning or permitting approvals? If so, please explain. Planning, Building Permit will a site plan application to be filed? Yes If so, please include copy if prepared.

See attached Troy Planning Commission application.

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

Troy Planning Commission has declared Lead Agency, and a Negative Declaration has been made. See attached.

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i. Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? No; If yes, please explain:

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j. Will the Project result in the abandonment of one or more plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? No; If yes, explain:

N/A

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k. If the answer to either question i. or j. is yes, **you are required to** 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:

N/A

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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:

N/A

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**NOTES: If you answer “yes” to questions i. or j., above, and fail to provide a detailed response within question k.(1) or k.(2), above, then the Authority will be barred from providing any financial assistance.**

**THE AUTHORITY IS REQUIRED TO NOTIFY THE CHIEF EXECUTIVE OFFICER OF THE MUNICIPALITY FROM WHICH YOUR FACILITY IS BEING RELOCATED OR ABANDONED. THIS NOTIFICATION WILL BE SENT PRIOR TO THE AUTHORITY’S CONDUCT OF REQUIRED PUBLIC HEARINGS(S).**

**CERTIFICATION: Based upon the answers provided within i. j., k(1), and k(2), above, the Company hereby certifies to the Authority that the undertaking of the proposed project and provision of financial assistance to the Company by the Authority will not violate GML Section 862(1).**

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

Yes- The project is proposed to provide Professional services (offices) on the 2nd/3rd and 4th floors. A restaurant or retail sales will be on the 1st floor.

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m. If the answer to l. is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods **or** any services to customers who personally visit the Project? +- 25 %

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

1. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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2. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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

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

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5. Will the Project be located in one of the following: (i) an area designed as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

N/A

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o. 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:

3rd/4th floors

Sub lessee name: Michael R. Phinney Architect, PLLC dba Phinney Design Group

Present Address: 291 River St

City: Troy State: NY Zip: 12180

Employer's ID No.: 45-0518649

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

Relationship to Company: President of 504 Holdings LLC is Principal Architect of Phinney Design Group

Percentage of Project to be leased or subleased: 60%

Use of Project intended by Sub lessee: Architecture, Interior Design and Construction Management Offices

Date and Term of lease or sublease to Sub lessee: 06/2024, 10 year lease

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ; No . If yes, please provide on a separate attachment (a) details and (b) the answers to questions I. 1-5 with respect to such sub lessee.

1. Will the Project be operated by a not-for-profit corporation? Yes ; No . If yes, please explain:  

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2. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes ; No . If yes, please explain:  

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

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

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5. Will the Project be located in one of the following: (i) an area designed as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes ; No . If yes, please explain:

N/A

2nd floor Sub lessee name: TBD- Professional Offices

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

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

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

Use of Project intended by Sub lessee: \_\_\_\_\_

Date and Term of lease or sublease to Sub lessee: \_\_\_\_\_

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes X; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions I. 1-5 with respect to such sub lessee.

1. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

2. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

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

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

5. Will the Project be located in one of the following: (i) an area designed as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

N/A

1st floor

Sub lessee name: TBD - Restaurant or Retail Sales

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

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

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

Use of Project intended by Sub lessee: \_\_\_\_\_

Date and Term of lease or sublease to Sub lessee: \_\_\_\_\_

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes X; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions I. 1-5 with respect to such sub lessee.

1. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_
2. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_
3. Would the Project occupant, but for the contemplated financial assistance from the Authority, locate the Project and related jobs outside of New York State? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_
4. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the City within which the Project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_
5. Will the Project be located in one of the following: (i) an area designed as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No X. If yes, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

N/A

p. Project Costs (Estimates):

Category	Amount
Land-acquisition	\$ 615,000
Buildings-Construction/Renovation (No FF&E)	\$5,551,839 (est.)
Utilities, roads and appurtenant costs	\$ 293,121 (est.)
Machinery and Equipment (All FF&E)	\$ 834,406 (est.)
Soft Costs (Architect, Legal and Engineering)	\$1,003,219 (est.)
Costs of Bond issue	TBD
Construction Loan Fees and interest	TBD
Other (specify) Green Building Infrastructure Production Machinery & Equipment	\$1,070,100 (est.)
Total Project Costs	\$9,367,685 (est.)

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

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

Private Sector: \$8,017,685 (est.) - 85.58%

Equity: \$1,685,000 (est.)  
Bank: \$6,332,685 (est.)

State Grants: \$1,100,000 (est.) - 11.74%

NYSERDA: \$600,000 (est.)  
NYS EDC: \$500,000 (est.)

Other Incentives: \$250,000 (est.) - 2.68%

National Grid: \$250,000 (est.)

q. Job Creation:

Construction jobs created by the Project: 30 Anticipated Dates of Construction: 7/2023-6/2024

Permanent jobs created by the Project

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

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

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

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

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

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

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

(A) Job Title	(B) Annual or Hourly Wages	(C) Current Number of Positions	(D) Jobs Created: Year One	(E) Jobs Created: Year Two	(F) Jobs Created: Year Three	(G) Total Jobs Created
Principal / Project Manager	\$100,000	2	0	0	1	1
Architect/Designer	\$70,000	3	4	1	1	6
Interior Designer	\$65,000	0	1	0	0	1
Administrative	\$60,000	0	3	0	1	4
Kitchen Staff (FTE)	\$55,000	0	4	0	0	4
Waitstaff/Bartender (FTE)	\$40,000	0	10	1	1	12
<b>TOTALS:</b>		5	22	2	4	28

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

- 1) The projected number of full time equivalent jobs that would be retained and that would be created if the request for financial assistance is granted.

5 jobs retained, 28 additional created in 3 years, 8 additional in the following 2 years

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- 2) The projected timeframe for the creation of new jobs.

See chart above for jobs created by year, starting in 2024.

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

See chart above for jobs creation. Fringe benefits would add approximately 15-20% for full-time positions listed above.

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

1,106,2868 residents in the Capital Economic Development Region per Empire State Development in 2023.

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**TIDA Financial Assistance Requested and Company Estimates**

A. Estimated Project Costs eligible for Industrial Development Authority Financial Assistance

1. Sales and Use Tax (X) Check if Requested

A. Amount of Project Cost Subject to Sales and Use Tax: \$ 7,749,466 (est.)

Sales and Use Tax Rate: 8.00 %

B. Estimated Sales Tax (A X .08): \$ 619,957

2. Mortgage Recording Tax Exemption (  ) Check if Requested

A. Projected Amount of Mortgage: \$ \$6,332,685 (est.)

Mortgage Recording Tax Rate: 1.00%

B. Estimated Mortgage Recording Tax (A X .0125): \$ 63,327

3. Real Property Tax Exemption (X) Check if Requested Current assessed value \$620,000

A. Projected Increase in Assessed Value on Project: \$ TBD (est.) from Tax Assessor's office

B. Total Applicable Tax Rates Per \$1000: \$ \$45.78 including City, County, Library, School Taxes

C. Estimated Annual Taxes without PILOT (A X B)/1,000: \$ TBD

4. Interest Exemption (Bond transactions only) (  ) Check if Requested

a. Total Estimated Interest Expense Assuming Taxable Interest: \$ TBD

b. Total Estimated Interest Expense Assuming Tax-exempt Interest Rate: \$ TBD

B. Estimated Benefits of Industrial Development Authority Financial Assistance

1. Current Company employment in Capital Economic Development Region 5 jobs

2. Current Company payroll in Capital Economic Development Region \$ 370,000

3. Project Jobs to be Created over 3 years 28 jobs

Is the company delinquent in the payment of any state or municipal property taxes?  Yes  No

Is the company delinquent in the payment of any income tax obligation?  Yes  No

Is the company delinquent in the payment of any loans?  Yes  No

Is the company currently in default on any of its loans?  Yes  No

Are there currently any unsatisfied judgments against the company?  Yes  No

Are there currently any unsatisfied judgments against any of the company's principals?  Yes  No

Has the company ever filed for bankruptcy?  Yes  No

Have any of the company's principals ever personally filed for bankruptcy, or in any way sought protection from creditors?  Yes  No

Are there any current or pending real estate tax assessment challenges associated with the proposed project realty and/or improvements?  Yes  No

Is the proposed project realty currently subject to any exemption from real estate taxes?  Yes  No

Are there any current or pending criminal investigations or indictments of the Company or any of its principals or equity holders (including any and all holders of equity or ownership of Company parent organizations)?  Yes  No

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

N/A

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

Category	Last Three Years	Next Three Years
Land	\$ 615,000	
Building		\$5,551,839 (est.)
Equipment		\$ 834,406 (est.)
Soft Costs		\$1,003,219 (est.)
Other		\$ 293,121 (est.)
		\$1,070,100 (est.)
<b>Total</b>		<b>\$9,367,685 (est.)</b>

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

The project may still be undertaken without the assistance of the Authority, however, without the funds requested the net-zero goals will be eliminated and the building will need to utilize more conventional construction and use of fossil fuels. The all-electric goals will not be possible. Without the IDA to fill the funding gap, the project would need to be re-designed, scaled back and rents increased to still make the project viable. The entire fourth floor or mezzanine level will be eliminated and the total amount of new jobs the project will be able to create will be reduced.

- t. List any other positive impacts that the Project may have on the City of Troy:

The proposed project at 504 Broadway closely aligns with the Capital Region Economic Development Council's (CREDC) regional strategies of; building the workforce of tomorrow, allocating office space for local small businesses; connecting markets and businesses supporting the growth of the key cluster in downtown Troy; as well as the strengthening of the community's ability to attract private investment through the projects that Phinney Design Group designs as a major tenant.

504 Broadway will be a multi-use commercial building highlighting the goal of attracting businesses including the siting of a restaurant space on the ground floor. Adjacent to two MAGNET communities referenced in the CREDC's strategic report, 504 Broadway responds to the responsibility of community resilience as a net-positive energy building. As the pandemic made transparent, the need for net-zero resilient buildings are crucial to combat the growing challenges of climate change, including the risks involved with natural disasters such as weather-related disasters and disease outbreaks.

Phinney Design Group as the major tenant understands the impact and economic benefits of student activity in the capital region directly aligning with the TALENT strategy of the CREDC, hiring young designers from Rensselaer Polytechnic Institute and other regional institutions, working with them through their professional development stages, strengthening their growth in the STEM and arts work force, providing the skills and opportunities available to attain licensure as an architect and its allied arts. The office space at 504 Broadway will help Phinney Design Group, as a small business, by providing space for employee growth.

## V. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Authority as follows:

- A. **Job Listings:** In accordance with Section 1967-a(2) of the New York Public Authorities Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Authority, 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 1967-a(2) of the New York Public Authorities Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Authority, 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 1964-a(9) of the New York Public Authorities Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Authority, in accordance with Section 1964-a(9) of the Public Authorities 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 Authority, the applicant agrees to file, or cause to be filed, with the Authority, 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 Authority a list of the members, officers, employees and Counsel of the Authority. No member, officer, employee, or Counsel of the Authority has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

There are no conflicts of interest.

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**HOLD HARMLESS AGREEMENT AND APPLICATION DISCLAIMER**  
**CERTIFICATION PURSUANT TO NEW YORK STATE**  
**FREEDOM OF INFORMATION LAW ("FOIL")**

Applicant hereby releases the TROY INDUSTRIAL DEVELOPMENT AUTHORITY and the members, officers, servants, agents and employees thereof (the "Authority") from, agrees that the Authority shall not be liable for and agrees to indemnify, defend and hold the Authority harmless from and against any and all liability arising from or expense incurred by (A) the Authority'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 Authority, (B) the Authority's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Authority 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 Authority or the Applicant are unable to reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Authority, its agents or assigns, all costs incurred by the Authority in the processing of the Application, including attorneys' fees, if any.

Through submission of this Application for Financial Assistance (this "Application"), the Company acknowledges that the Authority, as a public benefit corporation, is subject to the New York State Freedom of Information Law ("FOIL") and Open Meetings Law ("OML"), as codified pursuant to the Public Officers Law ("POL") of the State of New York (the "State"). Accordingly, unless portions hereof are otherwise protected in accordance with this Certification, this Application, including all Company-specific information contained herein, is subject to public disclosure in accordance with applicable provisions of the POL, Article 18-A of the General Municipal Law ("GML") and the Public Authorities Accountability Act of 2005, as codified within the Public Authorities Law ("PAL") of the State. Specifically, this Application may be disclosed by the Authority to any member of the public pursuant to a properly submitted request under FOIL and the Authority is further required to affirmatively disclose certain provisions contained herein pursuant to the GML and PAL, including the identification of the Company, general project description, location proposed capital investment and job estimates.

Notwithstanding the foregoing, the Company, pursuant to this Certification, may formally request that the Authority consider certain information contained within this Application and other applicable supporting materials proprietary information and "trade secrets", as defined within POL Section 87(2)(d). To the extent that any such information should qualify as trade secrets, the Company hereby requests that the Authority redact same in the event that formal disclosure is requested by any party pursuant to FOIL. Application Sections or information requested by Company for Redaction\*:

Financial Statements should remain non-disclosed for FOIL requests.

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

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

The undersigned officer of the applicant deponent acknowledges and agrees that the applicant shall be and is responsible for all costs incurred by the Authority and legal counsel for the Authority, 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 Authority shall not be liable for and agrees to indemnify, defend and hold the Authority harmless from and against any and all liability arising from or expense incurred by (A) the Authority'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 Authority, (B) the Authority's acquisition, construction and/or installation of the proposed project described herein and (C) any further action taken by the Authority with respect to the proposed project; including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing.

By executing and submitting this Application, the applicant covenants and agrees to pay the following fees to the Authority, the same to be paid at the times indicated:

- (a) The sum of \$5,000, plus the sum of \$500 as a non-refundable processing fee, to be paid upon submission of the Application;
- (b) An Administrative Fee amounts to be determined using the schedule on Page 2 hereof for all other projects for which the Authority provides financial assistance, to be paid at transaction closing;
- (c) An amount to be determined by Authority Staff payable to the Authority's bond/transaction counsel for the preparation and review of the inducement resolution, the environmental compliance resolution, TEFRA hearing proceedings and the tax questionnaire assuming no further activity occurs after the completion of the inducement proceedings, to be paid within ten (10) business days of the receipt of bond/transaction counsel's invoice;
- (d) All fees, costs and expenses incurred by the Authority for (1) legal services, including but not limited to those provided by the Authority's general counsel or bond/transaction counsel, and (2) other consultants retained by the Authority in connection with the proposed project; with all such charges to

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

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

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

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

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

**Company Acknowledgment and Certification:**

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

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

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

By:



Name:

Michael R. Phinney

Title:

Principal Architect

State of New York )

County of Saratoga) ss.:

On the 10<sup>th</sup> day of May in the year 2023, before me, the undersigned, personally appeared Michael R. Phinney, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signatures on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

LISA MARIE DAPPER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01DA6372473  
Qualified in Saratoga County  
Commission Expires March 19, 2024

## **Project Summary and Financial Assistance Cost Benefit Analysis**

**(This page to be completed by TIDA Staff)**

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**Company Name:** \_\_\_\_\_

**Project Description:** \_\_\_\_\_  
\_\_\_\_\_

**Project Location:** \_\_\_\_\_

**City:** \_\_\_\_\_

**School District:** \_\_\_\_\_

### **Estimated Cost of Industrial Development Authority Financial Assistance**

**1. Sales and Use Tax Exemption**

A. Amount of Project Cost Subject to Sales and Use Tax: \$

Sales and Use Tax Rate: \_\_\_\_\_ 8%

B. Estimated Exemption (A X .08): \$

**2. Mortgage Recording Tax Exemption**

A. Projected Amount of Mortgage: \$

Mortgage Recording Tax Rate: \_\_\_\_\_ 1.25%

B. Estimated Exemption (A X .0125): \$

**3. Real Property Tax Exemption**

A. Projected Increase in Assessed Value on Project: \$

B. Total Applicable Tax Rates Per \$1000: \$

C. Total Annual Taxes without PILOT (A X B)/1,000: \$

D. PILOT Exemption Rate (see TIDA Uniform Tax Exemption Policy): %

E. Average Annual PILOT Payment (C X D): \$

F. Net Exemption over PILOT term ((C-E) x 7, 10 or 15)): \$

4. Interest Exemption (Bond transactions only)

a. Estimated Interest Expense Assuming Taxable Interest: \$

b. Estimated Interest Expense with tax-exempt Interest Rate: \$

c. Interest Exemption (a - b): \$

**Estimated Benefits of Industrial Development Authority Financial Assistance**

1. Jobs to be retained in the Capital Economic Development Region

2. Current Company payroll in the Capital Economic Development Region \$

3. Project Jobs to be Created over 3 years

4. Total Project Investment \$

5. Non IDA financing leveraged \$

6. Other project benefits:

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Authority Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_



OFFICE USE ONLY

**Application**

for

**Planning Commission Review**

PC Case #: \_\_\_\_\_

Date Received: \_\_\_\_\_

SEQR Type: \_\_\_\_\_

**Review Type**

Check all that apply:

Concept/Sketch

Change of Use

Site Plan

Subdivision or  
Lot Line Adjustment

Fill out the following information based on the site plan submitted. Applicants should familiarize themselves with the City of Troy Zoning Code prior to completing this form. For Changes of Use certain sections are not required *if* site alterations are not proposed, see below.

**Applicant**

Name:		Contact (if business):
Address:		
Phone:		Email:

**Property**

If the applicant is not the property owner, documentation must be attached demonstrating that the applicant has a legal interest in the subject parcel. (e.g. contract vendee, lessee, etc.)

Owner:	Phone:
Address:	
Tax Map Nos.:	Lot Area (acres):
Zoning District:	Historic Distict:

**Project**

Existing Use:	Proposed Use:
Hours of Operation:	# of Employees:
Project Title:	
Project Description:	

**Subdivision/Lot Line Adjustment**

*This section is required for subdivisions or lot line adjustment applications only.*

# of Existing Lots: \_\_\_\_\_ # of Proposed Lots: \_\_\_\_\_

**Site Statistics**

*This section is not required for Changes of Use with no site alterations. For subdivisions please leave this sections blank, attach a summary for each lot (existing and proposed).*

**Existing**

Lot Area (sf.):
Front Yard (ft.):
Rear Yard (ft.):
Side Yard(s) (ft.):

Lot Width (ft.):
Lot Coverage (%):
Density (units per ac.):
Bldg. Height (ft.):

**Proposed**

Lot Area (sf.):
Front Yard (ft.):
Rear Yard (ft.):
Side Yard(s) (ft.):

Lot Width (ft.):
Lot Coverage (%):
Density (units per ac.):
Bldg. Height (ft.):



OFFICE USE ONLY

**Application**

for

**Planning Commission Review**  
(page 2)

Date Complete: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

**Site Statistics (cont'd)**

*This section is not required for Changes of Use with no site alterations.* Provide existing and proposed lot coverage. Pavements include asphalt, concrete, or packed earth/gravel. Building areas include foundations and covered porches/decks only; roof overhangs or awnings do not count toward building area.

**Existing Lot Coverage**

Green Space (sf.):

Pavements (sf.):

Buildings (sf.):

**Proposed Lot Coverage**

Green Space (sf.):

Pavements (sf.):

Buildings (sf.):

Total Increase of Impervious Area (sf.):

**Buildings**

*This section is not required for Changes of Use with no site alterations.*

# of Existing Structures:

Type of Construction: \_\_\_\_\_ (e.g. brick, steel, wood)

# of Ex. Bedrooms:

# of Prop'd Structures:

Type of Construction: \_\_\_\_\_ (e.g. brick, steel, wood)

# of Prop'd Bedrooms:

**Parking**

*This section applies to off-street parking only. Refer to §285-52 through §285-66 for parking requirements by zoning district. Refer to §285-91 for the Schedule of Required Off-Street Parking for parking requirements by use.*

# Req'd Parking Spaces:

# Prop'd Parking Spaces:

# Prop'd ADA Spaces: \_\_\_\_\_

**Utilities**

Provide existing and proposed water and sewer usage quantities. In addition, please provide information (size, type, and location) for utilities available to the project site; either existing utilities or those proposed. Contact Department of Public Utilities (DPU) for available record information.

Ex. Water Usage (gpd):

Pro. Water Usage (gpd):

Ex. Sewer Usage (gpd):

Pro. Sewer Usage (gpd):

Sewer:

Water:

Storm/Drainage:

**Request for Extension**

Per the City of Troy's Code, Planning Commission approval expires after six (6) months if an application for building permit has not been filed. Use this section to request any additional time required.

Requested Extension: \_\_\_\_\_ months

I(We) understand that I(we) am(are) responsible for the placement of notification signs per §285-47 of the Zoning Ordinance. Further, I(we) certify that the information contained in this application and on the Site Plan(s) submitted with this application is to the best of my(our) knowledge and belief accurate and correct and that I(we) have read and understand all applicable requirements, regulations, and laws as well as the instructions provided by City Staff.

Signed: Edwin C. Anderson IV  
Name: \_\_\_\_\_

Date: \_\_\_\_\_



## Planning Commission

City of Troy  
433 River St., Ste. 5001  
Troy, New York 12180

## INSTRUCTIONS TO APPLICANTS

### INTRODUCTION

Site Plan Review is an analysis of your site plan to determine if your proposal will be safe and to minimize negative impacts on nearby properties. Review of your site plan is conducted in several stages and are outlined below:

1. **Submit Site Plan Application:** Site plans and application should be submitted to the City of Troy Planning and Community Development Department (PCD). Details of what needs to be submitted, approvals and requirements vary depending on the type and complexity of the project. These are generally outlined on the following pages.
2. **Site Plan Review:** Copies of your site plan are circulated to professional staff personnel of the City of Troy whose collective recommendations are passed on in a staff report to the Commission itself. Applicants will also receive this staff report.
3. **Planning Commission Review:** The Planning Commission formally reviews your site plan in a public hearing and makes a decision whether to approve the site plan, approve it with conditions, or disapprove it. If your site plan is disapproved you have the right to amend it and submit it again for another site plan review.
4. **Site Plan Approval:** Once approval is received by the Planning Commission, apply for a work permit through the Building Department.

### TYPES OF PROJECTS

Generally, proposals fall into one of three categories:

**Change of Use:** City law requires any proposal which constitutes a Change of Use to be presented to the Planning Commission. An application which does not propose a new structure or any exterior improvements to an existing structure falls under this category. *Changes of Use do not require the submission of a site plan.*

Example: A former convenient store is being converted into a new retail store. The applicant proposes no exterior improvements other than signage.

**Minor Projects:** A Minor Project is any proposal which includes exterior improvements and, at the discretion of the Planning Department, lacks the complexity to be deemed a Major Project. Generally, projects which propose less than 3,000 square feet of commercial space, less than 10 residential units, or disturb less than ¼ acre of land fall into this category.

Example: A 500 square foot addition to a single-family home to create an apartment.

**Major Projects:** A Major Project is any project not classified as a Change of Use or Minor Project. Major Projects require preparation of fully-engineered site plans and accompanying reports. Typically, applicants will present such proposals to the Planning Commission at the concept level, before finalizing layout and design. After Concept Review, the applicant will have the opportunity to address any concerns and revise the proposal for a final determination.

Example: Construction of a 20-unit apartment building and associated parking, utilities, and hardscape.



## Planning Commission

City of Troy  
433 River St., Ste. 5001  
Troy, New York 12180

### SITE PLAN CHECKLIST

Required documentation differs for each type of proposal. Below is a checklist of the required elements for Minor and Major Projects. Typically, Change of Use proposals do not require a Site Plan. At the purview of the Planning Commission, additional documentation may be requested, examples of such documentation are included at the end of this section.

Site Plan Elements	Minor Project	Major Project	Current Submission
Note the following on the site plan: <ul style="list-style-type: none"> <li>- Applicant's full name, address, phone number, and email</li> <li>- Property Owner's full name, address, phone number, and email (if not applicant)</li> <li>- Street address of the property</li> <li>- <u>Zoning District</u></li> <li>- <u>Historic District</u></li> <li>- <u>Tax Map Number</u> of the property</li> <li>- Scale of the drawing (1"=10', 1"=20', 1"=30', 1"=40', or 1"=50')</li> <li>- Date the drawings were last revised</li> <li>- North arrow</li> </ul>			
Show the boundaries of the property, include any easements and adjacent rights-of-way. Minor Projects: If any permanent, founded structure is proposed within five feet (5') of an assumed property line a Licensed Land Surveyor must prepare a Boundary Survey. Major Projects: Boundaries must be provided by a Licensed Land Surveyor.	●	●	
Identify and provide the location of all existing structures on site plan. This includes all pavements, curbs, buildings, poles, fences, trees, etc.	●	●	
Provide existing and proposed topography. Minor Projects: Required if existing grades vary by more than five feet or if changes in excess of one foot are proposed. Major Projects: Always required.	●	●	
Provide the location, type, style, and size of all proposed pavement areas, curbs, buildings, structures, etc.	●	●	
Provide a landscaping plan which clearly shows all existing vegetation to remain and the type, installed size, and location of all proposed plantings.	●	●	
Location, type, and size of any proposed signage.	●	●	
Provide parking information including: existing parking count, number of spaces required, number of spaces provided, size of spaces, location of ADA spaces and number required, and where snow storage is provided.	●	●	
Clearly illustrate site circulation for vehicles and pedestrians.	●	●	
Provide the location, type, and wattage of all existing and proposed site lighting.	○	●	
Identify all utilities on and adjacent to the site. Clearly illustrate which utilities exist and which are proposed. Includes water, sewer, storm/drainage, electric, and gas.	○	●	
Identify existing/proposed dumpster locations and illustrate how access and screenings will be provided.	●	●	
Provide the location of the closest Fire Hydrant servicing the site. Note distance to hydrant.	○	●	
Architectural Elevations or Renderings depicting and describing all proposed finishes.	●	●	
Provide details for any proposed fencing, walls, or other site amenities which will affect the appearance of the site.	●	●	

○ Not Required   ● Required if Requested   • Required

All required elements must be presented in a thorough and thoughtful manner. It should be made clear to Commissioners what exists on the site, what will be removed, and what is proposed. **Site plans which do not adequately detail a proposal will not be accepted.**

**Examples of Additional Documentation:** Lighting (Photometric) Plan, Landscaping Plan, Stormwater Management Report, Traffic Impact Study, Wetland Delineation/Determination, Archaeological Resources Report



### Planning Commission

City of Troy  
433 River St., Ste. 5001  
Troy, New York 12180

## SUBMISSION INSTRUCTIONS

Applicants are required to submit all necessary copies to Planning and Economic Development (PED) for review of their proposal. PED **will not** make copies for applicants. Ten (10) copies of all supporting documentation must be submitted to PED at least twenty-one (21) calendar days prior to the hearing date. Incomplete applications **will not** be added to the agenda.

All drawings must be formatted to fit on 11" x 17" (ANSI B) sized paper. If the nature of the site requires a larger drawing format, the full-sized plans must be reducible to 11" x 17" at a convenient scale. For example a drawing at 1"=40' on 22" x 34" (ANSI D) paper can be reduced to 1"=80' on 11" x 17".

In addition to required applications, checklists, and drawings, color photos of the existing site must be provided. The photos must be a minimum of 3" x 5" (four per 8½" x 11" sheet of paper) and clearly depict the existing site. Provide as many photos as required to accurately communicate existing conditions, typically four (4) are sufficient.

A digital copy of all materials must be provided with every submission. Documents and drawings must be in Adobe .pdf format; photos should be in .jpg or .png format. These materials will be presented at the public hearing.

## SUBMISSION REQUIREMENTS

### Change of Use

- Site Plan Application
- Site Photos
- Digital Copy of Photos

### Minor Project

- Site Plan Application
- Site Photos
- Complete Streets Checklist
- Short EAF (if required)
- Complete Site Plan Checklist
- Site Plan
- Architectural Elevations
- CD/USB of all Digital Files

### Major Project

- Site Plan Application
- Site Photos
- Complete Street Checklist
- Short EAF (Full EAF, if required)
- Complete Site Plan Checklist
- Site Plan (including Erosion and Sediment Control and Construction Details)
- Architectural Elevations
- Stormwater Pollution Prevention Plan (if required)
- CD/USB of all Digital Files

***Full Environmental Assessment Form***  
***Part 1 - Project and Setting***

## **Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

### **A. Project and Applicant/Sponsor Information.**

Name of Action or Project: 504 Broadway		
Project Location (describe, and attach a general location map): Located at the corner of Broadway and Union St		
Brief Description of Proposed Action (include purpose or need):  504 Broadway is an existing two-story building previously occupied by Unity House. The project involves gut-renovation of the existing building, and addition of a third story, to create a three-story mixed-use space. The first floor will be utilized as restaurant or retail space, and the second and third floors will be office space. The project will incorporate sustainable design elements and is targeting LEED Zero Energy (net zero) certification. The existing sidewalks along the south and east of the building will be removed and replaced. A new tree will be provided in an existing tree pit, and planters will be incorporated along the Broadway and Union St streetscapes. New water, sanitary sewer, and roof drain services will be provided.		
Name of Applicant/Sponsor: Phinney Design Group		Telephone: 518-587-7120 E-Mail: eanker@phinneydesign.com
Address: 291 River St		
City/PO: Troy	State: NY	Zip Code: 12180
Project Contact (if not same as sponsor; give name and title/role):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

<b>B. Government Approvals, Funding, or Sponsorship.</b> (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	City of Troy Planning Board - Site Plan Approval	January 2023
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City of Troy: Historic Resource Commission - Historic Review, Code Enforcement - Bldg Permit	Spring 2023
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSCPRHP - project review/consultation NYSERDA & NYS ESD - Funding	Spring 2023
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Is the project site within a Coastal Erosion Hazard Area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the  Yes  No only approval(s) which must be granted to enable the proposed action to proceed?

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site  Yes  No where the proposed action would be located?

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action  Yes  No would be located?

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway;  Yes  No Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)

If Yes, identify the plan(s):

NYS Heritage Areas:Hudson-Mohawk Troy Bicycle Connections Plan

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

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan,  Yes  No or an adopted municipal farmland protection plan?

If Yes, identify the plan(s):

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

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance?  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Central Commercial (B-4)

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No  
c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? City of Troy School District  
b. What police or other public protection forces serve the project site? City of Troy Police Department  
c. Which fire protection and emergency medical services serve the project site? City of Troy Fire Department  
d. What parks serve the project site? Riverfront Park, Prospect Park

## D. Project Details

### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial (restaurant and office space)  
b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 0.15 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 0.05 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 0.15 acres  
c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ 60 Units: \_\_\_\_\_ Square Feet  
d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_  
e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ 14 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?

Yes  No

If Yes, show numbers of units proposed.

One Family

Two Family

Three Family

Multiple Family (four or more)

Initial Phase

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

At completion

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Initial Phase

Yes  No

At completion

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

g. Does the proposed action include new non-residential construction (including expansions)?

Yes  No

If Yes,

i. Total number of structures 1 \*Existing structure, third story to be added.

ii. Dimensions (in feet) of largest proposed structure: 49 height; 59 width; and 94 length

iii. Approximate extent of building space to be heated or cooled: 15,961 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

Yes  No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
\_\_\_\_\_

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): \_\_\_\_\_

• Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No

If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment

Yes  No

into any existing wetland, waterbody, shoreline, beach or adjacent area?

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

\_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

---

---

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_

- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: 5,033 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: City of Troy Department of Public Utilities
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site? \*Existing service will be replaced  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: 5,033 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: Rensselaer County Sewer District #1 Wastewater Treatment Plant
- Name of district: Rensselaer County Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

<ul style="list-style-type: none"> <li>Do existing sewer lines serve the project site? *Existing service will be replaced</li> <li>Will a line extension within an existing district be necessary to serve the project?</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<ul style="list-style-type: none"> <li>Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<ul style="list-style-type: none"> <li>Applicant/sponsor for new district: _____</li> <li>Date application submitted or anticipated: _____</li> <li>What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?            _____ Square feet or _____ acres (impervious surface)            _____ Square feet or _____ acres (parcel size)         </li> </ul>	
ii. Describe types of new point sources. _____	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____ _____</li> <li>• Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul>	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify:	
<ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</li> </ul>	
<u>Delivery vehicles</u> <ul style="list-style-type: none"> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</li> </ul>	
<u>Temporary sources during construction</u> <ul style="list-style-type: none"> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:           <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Estimate methane generation in tons/year (metric): _____	
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____ _____	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend	
<input type="checkbox"/> Randomly between hours of _____ to _____.	
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____	
iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____	
iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:	
vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? *project being designed for LEED net zero energy which eliminates need for new or additional demand <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Estimate annual electricity demand during operation of the proposed action: _____	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Hours of operation. Answer all items which apply.	
i. During Construction:	
<ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7am - 5pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	
ii. During Operations:	
<ul style="list-style-type: none"> <li>• Monday - Friday: _____ 8am-10pm</li> <li>• Saturday: _____ 8am-10pm</li> <li>• Sunday: _____ 8am-10pm</li> <li>• Holidays: _____ 8am-10pm</li> </ul>	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes:		
i. Provide details including sources, time of day and duration:	Temporary construction noise. Noise will be limited to hours consistent with the City Code.	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Describe: _____		
n. Will the proposed action have outdoor lighting?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes:		
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	Building mounted lights designed to prevent light pollution on adjacent properties. Lighting will comply with City of Troy zoning requirements.	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Describe: _____		
o. Does the proposed action have the potential to produce odors for more than one hour per day?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____		
Restaurant operations during regular business hours.		
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:		
i. Product(s) to be stored _____	_____	
ii. Volume(s) _____ per unit time _____ (e.g., month, year)	_____	
iii. Generally, describe the proposed storage facilities: _____	_____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:		
i. Describe proposed treatment(s):	_____	
_____		
_____		
ii. Will the proposed action use Integrated Pest Management Practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:		
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	_____	
• Construction: _____ 0.1 +/- tons per _____ day (unit of time)	_____	
• Operation : _____ 0.3 +/- tons per _____ day (unit of time)	_____	
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:	_____	
• Construction: _____	_____	
• Operation: Commercial components within the project will collect recyclable materials.	_____	
iii. Proposed disposal methods/facilities for solid waste generated on-site:	_____	
• Construction: Waste generated by construction will be collected and discarded off-site.	_____	
• Operation: Solid waste and recyclables are anticipated to be collected by a licensed private hauler.	_____	

s. Does the proposed action include construction or modification of a solid waste management facility?

Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

• \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or

• \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

\_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

\_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

\_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

\_\_\_\_\_

## E. Site and Setting of Proposed Action

### E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:

\_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.15	0.15	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: Boys and Girls Clubs of the Capital Area, Troy Medical Plaza, EcoKids LLC, Monument Square Apartments (Senior Living) _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Dam's existing hazard classification: _____	
iii. Provide date and summarize results of last inspection: _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____	
iii. Describe any development constraints due to the prior solid waste activities: _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input checked="" type="checkbox"/> Neither database	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. If site has been subject of RCRA corrective activities, describe control measures: _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): 546031, C401074	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): 546031 (Hudson River PCB Sediments) - Primary source mostly abated, main remaining source is the contaminated sediments in the river. Remedial investigation and Actions still underway. C401074 (South Island Apartments Brownfield Cleanup) - Remedial Action Complete, site is being managed under SMP.	

v. Is the project site subject to an institutional control limiting property uses?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? _____</li> <li>• Explain: _____ _____ _____</li> </ul>		<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>E.2. Natural Resources On or Near Project Site</b> *Excavation will be shallow and limited to sidewalk reconstruction and frost wall installation for new pedestrian access ramp.		
a. What is the average depth to bedrock on the project site? _____ >6 feet		
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %		
c. Predominant soil type(s) present on project site: _____ Ur - Urban Fill 100 % _____ % _____ %		
d. What is the average depth to the water table on the project site? Average: _____ >6 feet		
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input checked="" type="checkbox"/> Poorly Drained 100 % of site		
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: 100 % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site		
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____		
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes to either i or ii, continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul> v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____		
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Name of aquifer: Principal Aquifer		

m. Identify the predominant wildlife species that occupy or use the project site: Species common to urban Rens. County	<input type="text"/> <input type="text"/> <input type="text"/>
n. Does the project site contain a designated significant natural community? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Describe the habitat/community (composition, function, and basis for designation):	<input type="text"/>
ii. Source(s) of description or evaluation:	<input type="text"/>
iii. Extent of community/habitat:	<ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Species and listing (endangered or threatened):	<input type="text"/>
Shortnose Sturgeon *The project site contains no waterbodies, therefore there are no Shortnose Sturgeon present.	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Species and listing:	<input type="text"/> <input type="text"/>
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? If yes, give a brief description of how the proposed action may affect that use:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? If Yes, provide county plus district name/number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Are agricultural lands consisting of highly productive soils present? i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: <input type="text"/> <input type="text"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: Proctor's Theater, US Post Office--Troy, Central Troy Historic District, Fire Alarm Telegraph and Police Signaling Bu...

iii. Brief description of attributes on which listing is based:

Architecture, commerce, community planning and development, education, industry, transportation

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Lakes to Locks Passage, Mohawk Towpath Scenic Byway, Wynants Kill corridor, Oakwood Cemetery, Uncle Sam Bikeway, etc

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Byway, Local Scenic Resource

iii. Distance between project and resource: 0-5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

## F. Additional Information

Attach any additional information which may be needed to clarify your project.

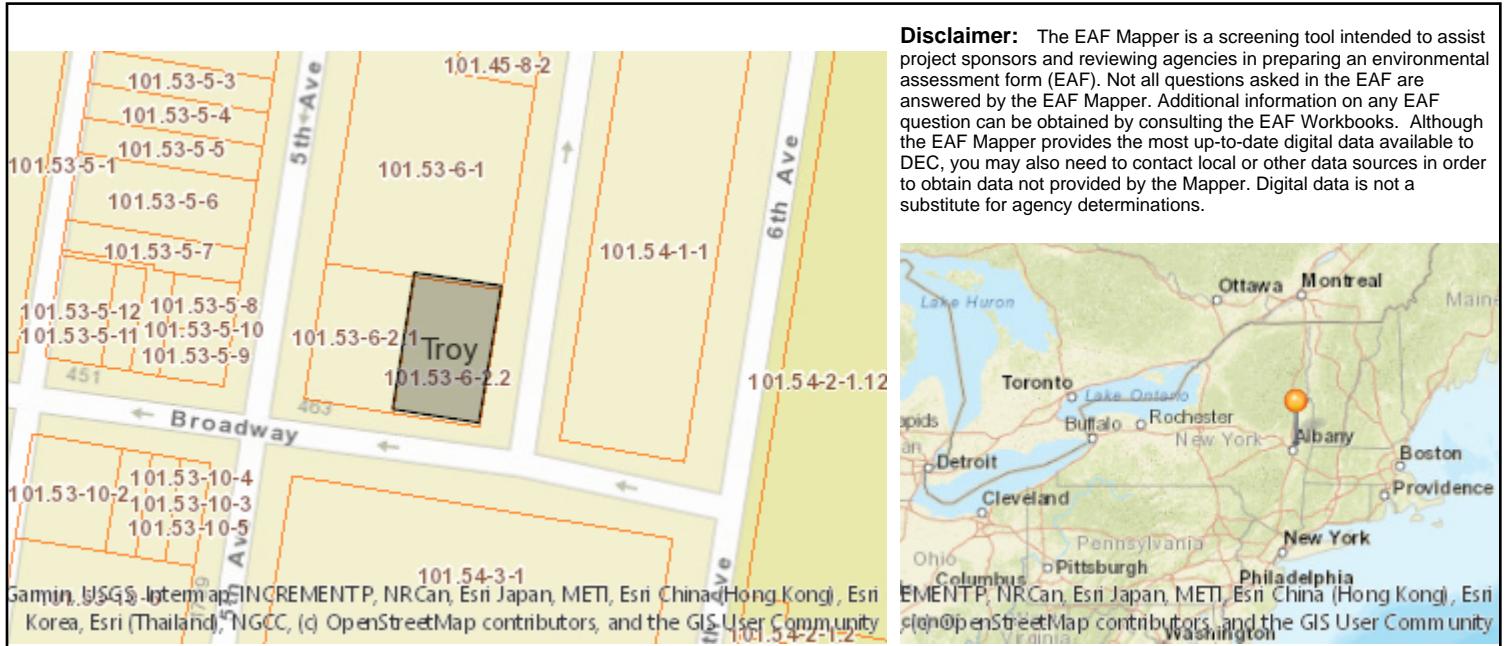
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

## G. Verification

I certify that the information provided is true to the best of my knowledge.

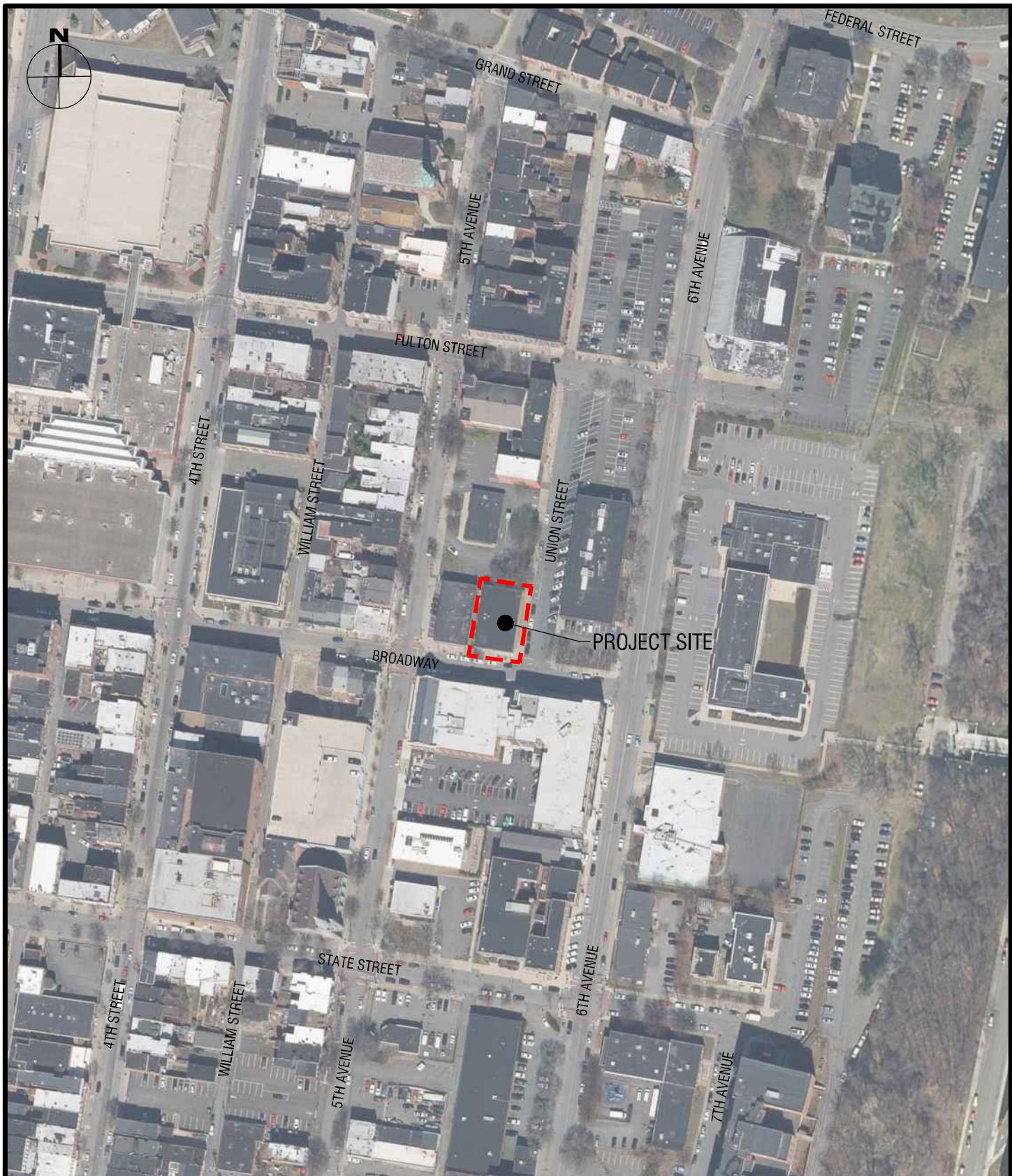
Applicant/Sponsor Name Edwin C. Anker Date 02/21/2023

Signature  Title Troy Office Director, Senior Project Manager



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Hudson-Mohawk
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031, C401074
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes

E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Shortnose Sturgeon
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Proctor's Theater, US Post Office--Troy, Central Troy Historic District, Fire Alarm Telegraph and Police Signaling Building, Central Troy Historic District (Boundary Expansion 2015), W. & L. E. Gurley Building, Ilium Building, Fifth Avenue--Fulton Street Historic District (1970)
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



 <p><b>LaBella</b> Powered by partnership</p> <p>4 British American Boulevard Latham, NY 12110 518-273-0055 labellapc.com</p> <p>C.A. NUMBER: GEOLOGICAL: 018750 LAND SURVEYING: 017976 PROFESSIONAL ENGINEERING: 016281</p>	<p>It is a violation of New York Education Law Art. 145 Sec. 7209 &amp; Art. 147 Sec. 7307, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered, the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.</p>	<p>ISSUED FOR: <b>EAF</b></p> <p>DRAWING NAME: <b>SITE LOCATION MAP</b></p> <p>PROJECT NAME: <b>504 BROADWAY</b></p> <p>504 BROADWAY, CITY OF TROY, RENSSELAER COUNTY, NEW YORK</p>	<p>DRAWN BY: <b>CLD</b></p> <p>DATE: <b>02/21/2023</b></p> <p>PROJECT NO.: <b>2230842</b></p> <p>DRAWING NUMBER: <b>FIGURE 1</b></p>
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**Wm. Patrick Madden**  
Mayor

**Christopher Nolin**  
Deputy Mayor



**Steven Strichman**  
Commissioner

Phone: (518) 279-7166  
steven.strichman@troyny.gov

## Planning and Economic Development

433 River St., Ste. 5001  
Troy, New York 12180

### City of Troy Planning Commission Resolution

SEQRA Determination related to:

**PLPC 2023 0004** – 504 Broadway Ave. (101.53-6-2.2)

Site Plan Review and SEQR Determination (Type I)

WHEREAS, Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Troy City Planning Commission as the Lead Agency, has previously made the determination that the project, which consists of a conversion of an existing 2-story building built in 1970 into a 3-story, mixed use, self-sustaining building with professional workspaces on upper 2 floors and a restaurant on the ground floor. Additionally, the applicant proposes to replace sidewalks, provide bicycle parking, EV charge stations for electronic vehicles and install planters/enhance green footprint, is a Type I action, and has hereby evaluated the proposed actions and makes the following determinations:

1. That the actions do not include the potential for at least one significant adverse environmental impact that cannot be mitigated.
2. That sufficient information has been submitted with the Environmental Assessment Form (EAF), and supporting documentation, to determine that an Environmental Impact Statement (EIS) is not required for the proposed actions.
3. That the project, the EAF, and supporting documentation have been evaluated per 617.7 (c) (1), (2), and (3) of SEQRA.
4. That no adverse impacts or concerns have been identified by any interested or involved agencies.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Troy, New York that there are no significant impacts that will occur as a result of this proposal and hereby issues a Negative Declaration.

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Eric Ferraro  
On Behalf of the Executive Secretary  
City of Troy Planning Commission

04/21/2023

Date