

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR SALE/LEASEBACK OR BOND TRANSACTION

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for tax incentives or other assistance from the Ulster County Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to the acceptance of the Agency.

COVER SHEET

TO: ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

P.O. BOX 4265

KINGSTON, NY 12402-4265

APPLICANT:

Marlboro Distr. Rte 9 LLC

APPLICANT'S STREET ADDRESS:

90 West Rac Contracting Corp  
687 Old Willets Path, Suite C

APPLICANT'S MAILING ADDRESS:

(Same)

CITY: Hempstead STATE: NY

ZIP: 11788

PHONE: 631-435-1818

FAX: 631-273-7673

EMAIL: gpk33fly@aol.com

EMPLOYER'S ID No.: 81-4619359

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

Gary P. Krupnick

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM:

Kurzman, Eisenberg, Corbin & Lever, LLP

NAME OF ATTORNEY:

Christine Konetal, Esq.

ATTORNEY'S STREET ADDRESS:

1 North Broadway

ATTORNEY'S MAILING ADDRESS:

Same

CITY: White Plains STATE: NY

ZIP: 10601

PHONE: Direct: 914-993-6048  
914-285-9800

FAX: 914-285-9855

EMAIL: ckonetal@kelaw.com

NOTE: Please read the instructions on page 2 before completing this application.

I. PROPOSED OCCUPANT (HEREINAFTER, THE "COMPANY")

A. Identity of Company: PODS ENTERPRISES, LLC

1. Indicate type of business organization of Company:

a.  Corporation.

If so, incorporated in what country? \_\_\_\_\_

What State? \_\_\_\_\_

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

Type of Corporation: \_\_\_\_\_

Authorized to do business in New York?  Yes  No

b.  Partnership.

If so, indicate type of partnership: \_\_\_\_\_

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

Number of limited partners: \_\_\_\_\_

c.  Limited liability company. PODS ENTERPRISES, LLC

If so, formed in what state? Florida

Date formed: 1/28/15

Authorized to do business in New York?  Yes  No

d.  Sole proprietorship.

2. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

No

3. If the Company differs from the Applicant, as stated on Page 1, (e.g. If there will be a real estate holding company and a related operating company or an unrelated tenant company) give details of relationship and contact information if different: Applicant is contract

Vendor for the project site.

Applicant is landlord and company is tenant.

B. Management of ~~Company~~ <sup>Applicant</sup>:

1. List all owners, members, officers, directors and partners (complete all columns for each person):

Name and Home Address	Office Held	Other Principal Business
Gary P. Krupnick 687 Old Willets Path, Suite C Hempstead, NY 11788	manager	see attached

2.  Yes  No Is the ~~Company~~ <sup>Applicant</sup> or management of the ~~Company~~ <sup>Applicant</sup> now a plaintiff or a defendant in any civil or criminal litigation?
3.  Yes  No Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?
4.  Yes  No Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of ~~Company~~ <sup>Applicant</sup>:

1.  Yes  No Is the Company publicly held?

If yes, please list exchanges where stocks are traded: N/A

2. If no, list all stockholders having a 5% or more interest in the Company:

Name	Address	Percentage of Holding
Gary P. Krupnick	687 Old Willets Path Suite C. Hempstead, NY 11788	100%

**ADDENDUM TO APPLICATION UNDER SECTION I(B):**

**OTHER PRINCIPAL BUSINESS OF GARY P. KRUPNICK**

Gary Krupnick is a managing member of, and holds an interest of 50% or more in, the following entities:

**I     Construction**

**West Rac Contracting Corp.**

687 Old Willets Path, Hauppauge, NY 11788

**II     Real Estate Holding Companies**

**Spagnoli GK LLC**

130 Spagnoli Road, Melville, NY 11747

**Motor II LLC**

999 Motor Parkway, Hauppauge, NY 11788

**55 Commerce LLC**

55 Commerce Drive, Hauppauge, NY 11788

**Veterans Hwy-Holbrook LLC**

5050 Veterans Memorial Hwy, Holbrook, NY 11741

**Pacific Street Flex, LLC**

1818 Pacific Street, Hauppauge, NY 11788

**Prime Eleven West, LLC**

400 Prime Place, Hauppauge, NY 11788

**Prime Eleven, LLC**

500 Prime Place, Hauppauge, NY 11788

**Prime Eleven Tower, LLC**

555 Prime Place, Hauppauge, NY 11788

**Prime Eleven East, LLC**

600 Prime Place, Hauppauge, NY 11788

**Calverton Distr. Rte 25 LLC**

3651 Middle Country Road, Calverton, NY 11933

D. <sup>Applicant's</sup> ~~Company's~~ principal bank(s) account(s):  
 BRIDGEHAMPTON NATIONAL BANK (BNB)  
 ATTN: WILLIAM J. NEWHAM III, Sr. VP  
 898 Veterans Memorial Hwy, Suite 560  
 Hauppauge, NY 11788  
 (631) 537-1000 ext 8276 email: wnewham@bridge.nb.com

II. PROJECT ELEMENTS

A. Description of the Project. (Please provide a brief narrative description of the Project.) Applicant is under contract to acquire the property, however, its obligations to purchase are contingent upon IDA approval of the project. Applicant intends to construct a warehouse on the site to be used by the company for storage and distribution of "PODS" for residential and commercial uses, as well as repair and maintenance of machinery used to transport the PODs.

B. Location of the Project:

1. Street Address: 1100 NYS ROUTE 9W
2. SBL Numbers: 108.004.5.27
3. City: none
4. Town: Marlborough, NY 12542
5. Village of: none
6. County of: Ulster

C. Description of the Project Site:

1. Approximate size (in acres or square feet) of the Project site: ±/- 7.8 acres
- Yes  No Is a map, survey or sketch of the Project site attached?
2.  Yes  No Are there existing buildings on the Project site?
  - a. If yes, indicate the number of buildings on the site:  
 Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

N/A

b.  Yes  No Are the existing buildings in operation? N/A  
 If yes, describe the present use of the existing buildings: N/A

c.  Yes  No Are the existing buildings abandoned? N/A

d.  Yes  No About to be abandoned? N/A  
If yes, describe:

3. Utilities serving the Project site:

Water – Municipal: None

Other (describe): N/A

Sewer – Municipal: None

Other (describe): N/A

Electric – Utility: Central Hudson

Other (describe): N/A

Heat – Utility: N/A

Other (describe): N/A

4. Present legal owner of the Project site: Magella Levesque

a. If the ~~Company~~<sup>Applicant</sup> owns the Project site:

Date of Purchase: N/A

Purchase Price: N/A

b.  Yes  No If the ~~Company~~<sup>Applicant</sup> does not own the Project site, does the ~~Company~~<sup>Applicant</sup> have an option signed with the owner to purchase the Project Site?

If yes,

Date option signed with owner: June 28, 2017

Date option expires: June 25, 2018

c.  Yes  No If the ~~Company~~<sup>Applicant</sup> does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site?

If yes, describe: Applicant is contract vendee with right to purchase the project site subject to obtaining IDA benefits.

5. Zoning District in which the Project is located: **HD**

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

If yes, list below and attach copies of all such variances or special permits: **N/A**

D. Description of Proposed Construction:

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

If yes, indicate number and size of new buildings:

**one (1) 40,000 sqft one story building**

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

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

**N/A**

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

**Warehousing and storage of portable storage units (PODs)**

4.  Yes  No If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun?

If yes, please discuss in detail the approximate extent of construction or reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.: **N/A**

E. Description of the Equipment:

1.  Yes  No Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")?

If yes, describe the Equipment: N/A

2.  Yes  No With respect to the Equipment to be acquired, will any of the Equipment have been used? N/A

If yes, please provide detail:

3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: N/A

4. Please give the specific status of any equipment acquisition that is already in process: N/A

F. Project Use

1. What are the principal products to be produced at the Project? N/A  
NONE

2. What are the principal activities to be conducted at the Project?  
warehousing & storage of portable storage units (PODS) and repair and maintenance of the PODS and machinery used to move the PODS.

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

If yes, please provide detail: N/A



4. If the answer to question 3 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 services to customers who personally visit the Project? N/A %.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project: N/A

- a.  Yes  No Will the Project be operated by a not-for-profit corporation?

If yes, please explain: N/A

- b.  Yes  No Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located?

If yes, please explain:

- c.  Yes  No Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York?

If yes, please explain: Financial assistance is required for the Company to remain in Marlboro. The savings in real estate taxes, sales taxes and mortgage recording tax gives incentive for Applicant to build the project to allow the Company to expand and remain in the area.

- d.  Yes  No Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? If yes, please provide detail:

The Company's present lease expires 11/18, after which the services will not be readily accessible but for this project, which will allow the Company to expand and remain in Marlboro.

- e.  Yes  No Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a census tract or block numbering area (or census tract or block numbering 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?

If yes, please explain: *N/A*

6.  Yes  No If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

If yes, please explain: *Continued corporate growth. The Company leases an existing facility in Marlboro which it has out grown. The lease expires 11/18 and this proposed facility is needed for the Company to remain in Marlboro and accommodate growth.*

7.  Yes  No Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York?

If yes, please explain: *As stated above, the Company leases another property in Marlboro which lease expires 11/18. The Company has no renewable options under the lease.*

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

If yes, please explain: *See above*

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project: *N/A*

- a.  Yes  No Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? *N/A*

If yes, please provide detail:

- b.  Yes  No 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? *N/A*

If yes, please provide detail:

G. Sales and Use Tax Exemption (See also question B.3 in Part VI following):

1.  Yes  No Do you wish to apply for sales and use tax exemptions on project materials, equipment and furnishing?

H. Construction Status:

1. Has construction work on this project begun? Yes \_\_\_; No . If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.: *N/A*

2. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:

*N/A*

3. Please indicate the date the applicant estimates the Project will be completed: November 2018.

III. LEASES OR SUBLEASES

A.  Yes  No Does the <sup>Applicant</sup> ~~Company~~ intend to lease or sublease more than 10% (by area or fair market value) of the Project?  
If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: PODS ENTERPRISES, LLC  
Present Address: 13535 FEATHERSOUND DRIVE  
City: Clearwater State: FL Zip: 33762  
Employer's ID No.: 20-2759417  
Sublessee Is:  Corporation  Partnership  Sole Proprietorship  LLC  
Relationship to Company: Tenant / unrelated entity  
Percentage of Project to be leased or subleased: 100%  
Use of Project intended by Sublessee: warehousing & distribution of PODS  
Date of lease or sublease to Sublessee: July 26, 2017  
Term of lease or sublease to Sublessee: 12 years + (1) 5 year option to renew  
 Yes  No Will any portion of the space leased by this Sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such Sublessee.  
Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such Sublessee.

2. Sublessee Name: N/A  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is:  Corporation  Partnership  Sole Proprietorship  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
 Yes  No Will any portion of the space leased by this Sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such Sublessee. Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such Sublessee.

3. Sublessee Name: N/A  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is:  Corporation  Partnership  Sole Proprietorship  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
 Yes  No Will any portion of the space leased by this Sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such Sublessee. Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such Sublessee.

- B. What percentage of space intended to be leased or subleased is now subject to a binding written lease or sublease?

*100% . Applicant has entered into a lease with the Company, which lease is subject to approval by the Ulster County IDA .*

IV. EMPLOYMENT IMPACT.

A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers in table 1). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

\***Total Jobs** – represents total jobs based on a 40 hour work week

\*\***Total FTEs** – represents total full time equivalency based on a 35 hour work week

TYPE OF EMPLOYMENT						
Employees of Applicant <i>Company</i>						
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals Jobs*	Total FTEs**
Present Full Time	1	6			7	7
Present Part Time	2	2			4	2
Present Seasonal						
First Year Full Time	1	8			9	9
First Year Part Time	2	2			4	2
First Year Seasonal						
Second Year Full Time	1	10			11	11
Second Year Part Time	2	2			4	2
Second Year Seasonal						
Third Year Full Time	1	12			13	13
Third Year Part Time	2	2			4	2
Third Year Seasonal						

**TYPE OF EMPLOYMENT**

**Independent Contractors**

	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals Jobs*	Total FTEs**
Present Full Time						
Present Part Time						
Present Seasonal						
First Year Full Time						
First Year Part Time						
First Year Seasonal						
Second Year Full Time						
Second Year Part Time						
Second Year Seasonal						
Third Year Full Time						
Third Year Part Time						
Third Year Seasonal						

*SUPERSEDED - SEE PAGE 13 TO FOLLOW*

*West Rac Contracting Corp., an entity managed and owned by Gary P. Krupnick, will be the general contractor for construction of the project site.*

**Construction Work** **# of Men**

Site Work (dirt and drainage)	4
Concrete	6
Landscaping	4
Masonry	6
Roofing (part of erection)	
Erection	5
Carpentry	2
Electric	4
Plumbing	2
Mechanical	3
Fire Sprinkler	4
Fire Alarms	2
Painting	2
Garage Doors	2
Flooring (carpet and tile)	2
Asphalt	4

**Total Estimated** **52**



**ADDENDUM TO APPLICATION UNDER SECTION IV(D):**

**SCHEDULE OF CURRENT EMPLOYEES OF THE COMPANY**

<b>Number of Employees</b>	<b>Type of Employment</b>	<b>Description</b>	<b>Approx. Salary</b>
6	Full-Time	Drivers/Warehouse workers	\$48,000 each
2	Part-Time	Drivers/Warehouse workers	\$15,000 each
1	Full-Time	On-Site Manager	\$60,000
1	Part-Time	Regional Manager (off-site)	\$30,000
1	Part-Time	V.P. Manager (off-site)	\$20,000

*Per letter from PODS  
- See pg to follow*



March 12, 2018

Ulster County Industrial Development Agency  
P.O. Box 4265  
Kingston, NY 12402-4265

**RE: Addendum to IDA Application of Marlboro Distr. Rte 9 LLC**

To Whom It May Concern:

In response to Section IV(D) of the referenced Application, set forth below is a description of the types of employment at the Project site

**SCHEDULE OF CURRENT EMPLOYEES OF PODS ENTERPRISES, LLC AT ITS EXISTING LOCATION IN MARLBORO, NY**

<b>Number of Employees</b>	<b>Type of Employment</b>	<b>Description</b>	<b>Approx. Salary</b>
6	Full-Time	Drivers/Warehouse workers	\$48,000 each
2	Part-Time	Drivers/Warehouse workers	\$15,000 each
1	Full-Time	On-Site Manager	\$60,000
1	Part-Time	Regional Manager (off-site)	\$30,000
1	Part-Time	V.P. Manager (off-site)	\$20,000

If you have any questions pertaining to this letter, please do not hesitate to call me at (727) 647-1392.

Sincerely,

Daniel Knafo  
Director of Real Estate

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Mid-Hudson Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

RELATED EMPLOYMENT INFORMATION (Present)				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	\$60,000.	\$318,000. (FTT) FT		
Estimated Number of Employees Residing in the Mid-Hudson Economic Development Region <sup>1</sup>	1	8		

- C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project: *The Company projects hiring 2 new employees at the project site annually.*
- D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment. *attached*

#### V. PROJECT COST AND FINANCING SOURCES

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ 490,000.00
Buildings	\$5,300,000.00

<sup>1</sup> The Mid-Hudson Economic Development Region consists of the following counties: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester.

Machinery and equipment costs	\$ <u>    0.00</u>
Utilities, roads and appurtenant costs	\$ <u>20,000.00</u>
Architects and engineering fees	\$ <u>85,000.00</u>
Costs of financing	\$ <u>17,000.00</u>
Construction loan fees and interest (if applicable)	\$ <u>N/A</u>
Other (specify)	
<u>fire protection tanking</u>	\$ <u>200,000.00 *</u>
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ <u>6,112,000.00</u>

B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ <u>3,400,000.00</u>
Public Sector	\$ <u>    0.00</u>
Federal Programs	\$ <u>    0.00</u>
State Programs	\$ <u>    0.00</u>
Local Programs	\$ <u>    0.00</u>
Applicant Equity	\$ <u>2,712,000.00</u>
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____

\* required because no public water is available

	\$ _____
<b>TOTAL AMOUNT OF PROJECT FINANCING SOURCES</b>	<b>\$6,112,000.00</b>

C. Have any of the above expenditures already been made by the applicant?  
 Yes X; No \_\_\_\_\_. If yes, indicate particulars.

Applicant has incurred soft costs including engineering & consulting fees

Total Amount: \$112,000

D. Amount of loan requested: \$ 3,400,000.00 ;  
 Maturity requested: 12 years.

E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes \_\_\_\_\_; No X. Institution Name: BNB (bank) has issued a term sheet - copy enclosed. IDA assistance is a component of  
 Provide name and telephone number of the person we may contact. BNB underwriting

Name: William J. Newham III, Sr. VP Phone: 631-537-1000 ext 8276

F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 0.00 %

G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$ 3,400,000.00

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY.

A. Financing.

1.  Yes  No Is the applicant requesting that the Agency issue bonds to assist in financing the Project?

If yes, indicate:

a. Amount of loan requested: \$ \_\_\_\_\_ ; and b.

Maturity Requested: \_\_\_\_\_ Years.

2.  Yes  No If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? N/A

3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes? N/A

a. Retail food and beverage services:  Yes

- b. Automobile sales or service:  Yes  No
- c. Recreation or entertainment:  Yes  No
- d. Golf course:  Yes  No
- e. Country club:  Yes  No
- f. Massage parlor:  Yes  No
- g. Tennis club:  Yes  No
- h. Skating facility (including roller skating, skateboard and ice skating):  Yes  No
- i. Racquet sports facility:  Yes  No
- j. Handball and racquetball court:  Yes  No
- k. Hot tub facility:  Yes  No
- l. Suntan facility:  Yes  No
- m. Racetrack:  Yes  No
- n. Airplane:  Yes  No
- o. Skybox or private luxury box:  Yes  No
- p. Health club facility:  Yes  No
- q. Gambling:  Yes  No
- r. Sale of alcoholic beverages for consumption off premises:  Yes  No

4. NAICS Code(s): \_\_\_\_\_

**B. Tax Benefits.**

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

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

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

If yes, what is the approximate amount of financing to be secured by mortgages? \$ 3,400,000.00

3. If the answer to question G in Part II previous is yes, what is the approximate amount of purchases which the applicant expects to be exempt from the NYS Sales and Compensating Use Taxes?

\$ 2,112,500.00

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption. NOTE: The Agency will assist you in calculating these estimates:

- a. NYS Sales and Compensating Use Taxes: \$ 169,600.00
- b. Mortgage Recording Taxes: \$ 25,500.00

c. Real Property Tax Exemptions:	\$447,444
d. Amount of bonds sought:	\$ <u>0.00</u>
Estimated interest savings over life of bond:	\$ <u>n/a</u>
e. Other (please specify):	\$ <u>n/a</u>

5. Please list the affected taxing jurisdictions for the Project:

- a. Village (if any): N/A
- b. Town (if any): Marlborough
- c. City (if any): N/A
- d. School District: Marlborough Central School District

6.  Yes  No Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax- Exemption Policy?

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

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VII. COMMUNITY COSTS AND BENEFITS. Provide the Agency with information on costs and benefits to the community accruing from the project, in the following categories, checking or entering information as applicable:

A. Anticipated Community Benefits

- 1. Jobs retained and created by the project (covered in Part IV above)
- 2. New payroll generated by the project (covered in Part IV above)
- 3. New capital investment made or leveraged by the project (covered in Part V above)
- 4. Total new taxes generated and **not exempted or abated** (must be consistent with Parts IV and VI above), as applicable:

- a. Estimated new mortgage recording taxes: \$ 0.00
- b. Estimated new sales and use taxes: \$ 0.00

Additional Purchases (1st year following project completion)	\$ <u>N/A</u>
Additional Sales Tax Paid on Additional Purchases	\$ <u>N/A</u>

Estimated Additional Sales (1 <sup>st</sup> year following project completion)	\$ 115,563 <sup>00</sup>
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ 9,245 <sup>04</sup>

c. New PILOT payments projected for this project and new property taxes projected for this project. (Please discuss eligibility for PILOT schedules with UCIDA staff)

PILOT Year	Est. Existing Real Property Taxes	Est. New Real Property Taxes on Improvements Without PILOT	% of PILOT Exemption on Improvements	Est. New PILOT Payments on Improvements	Est. Total Annual Payments
Current Year	9,699	n/a	n/a	n/a	9,699
Year 1	9,942	150,810	50%	73,566	83,508
Year 2	10,190	154,580	45%	82,946	93,136
Year 3	10,445	158,445	40%	92,748	103,193
Year 4	10,706	162,406	35%	102,989	113,696
Year 5	10,974	166,466	30%	113,684	124,658
Year 6	11,248	170,628	25%	124,850	136,098
Year 7	11,530	174,894	20%	136,502	148,032
Year 8	11,818	179,266	15%	148,660	160,477
Year 9	12,113	183,748	10%	161,339	173,453
<u>Year 10</u>	<u>12,416</u>	<u>188,341</u>	<u>5%</u>	<u>174,560</u>	<u>186,976</u>
<b>Total :</b>	<b><u>\$111,383</u></b>	<b><u>\$1,689,584</u></b>	--	<b><u>\$1,242,140</u></b>	<b><u>\$1,323,227</u></b>

**PILOT Property Tax Abatement over 10-years: \$447,444**  
(defined as Total without PILOT - Total with PILOT)



Assessed Value of Property Before Improvements	\$241,000
Est. Assessed Value of Improvements Only	\$3,658,800
Total New Est. Assessed Value of Property	\$3,900,000

Estimated Tax Rate Per Dollar of Assessment	0.040213
Projected Tax Increase Per Year	2.5%

5. Exceptional wages and benefits

a. At least 80% of FTE's (Full-Time Equivalent) will receive the following hourly wage (including benefits) or better: (Check highest applicable)

- \$19.59  
 \$24.09  
 \$30.11

b.  \* Yes  No During the construction phase, at least 75% of regional labor will be used (i.e. from Ulster, Greene, Delaware, Sullivan, Orange, Dutchess and Columbia counties)? *Best efforts to be documented\**

c.  Yes  No During the construction phase, applicant will pay prevailing wages for at least 50% or 75% of the construction workforce labor? If yes, please select an option below.

- At least 50% *N/A*  
 At least 75%

(See definitions of prevailing wages for Ulster County posted at:

<https://www.labor.ny.gov/workerprotection/publicwork/PWfaq2.shtm>). Applicant is required to submit to the UCIDA monthly certified construction payroll to support this claim.

6. Improvements to the community or the property:

*landscaping along Route 9*

7. New useful products or services:

*Retention of PDIS facility in Marlboro*

8. Secondary business generated or attracted for local or new Ulster County vendors, contractors, suppliers, or customers:

N/A

9. Environmental sustainability benchmarks:

- a.  Yes  No Use of existing industrial site or brownfield; construction in a shovel-ready site or designated business park; LEEDS certified ([www.usgbc.org](http://www.usgbc.org)) or use of significant renewable energy?

10. Community investment benchmarks:

- a.  Yes  No Project easily accessible using public transportation (bus stop within 1/4 mile)?
- b.  Yes  No Development in economically distressed area of Ulster County, as defined by the US Economic Development Administration?
- c.  Yes  No Needed industry or service in the local economy as defined by Ulster Tomorrow or its successor?

11. Education and workforce development benchmarks?

- a.  Yes  No Post job openings with the Workforce Investment Board/Workforce System One-Stop Job Center?
- b.  Yes  No At least 50% of your workforce required to have advanced education credential: (technical degree from an Accredited Technical College, approved NYS Apprenticeship Program or Associate degree, or higher)?
- c.  Yes  No Workforce housing (moderately priced dwelling units that families earning 60% to 120% of the area median income (AMI) can purchase or rent) or senior/disabled housing?

12. Other benefits to the Ulster County community:

B. Anticipated Community Costs

1. Potential taxes forgone (covered in Part VI above)

2. Buildings vacated *NONE*

3. Publicly funded infrastructure required *N/A*

Type of infrastructure required	Estimated cost
<i>NONE</i>	\$
	\$
	\$
	\$

4. Cost of new anticipated municipal services required by the project (for the same period used in A.4.c. above)

New municipal service	Estimated cumulative cost
<i>NONE</i>	\$
	\$
	\$
	\$

5. Environmental costs (please fill out, separate Environmental Assessment Form) *NONE*

6. Other costs to the community: *NONE*

VIII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by the collective bargaining agreements, new employment

opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the "DOL") and the Ulster County Office of Employment and Training (collectively with the DOL, the "OET Entities"), the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (Public Law 97-300)(the "OET Law"), as supplanted by the Workplace Investment Act of 1998 (P.L. No. 105-220), in which the Project is located.

- B. First Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
  
- C. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
  
- D. Annual Employment Reports. The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable.
  
- E. Agency Enforcement Policy. The applicant acknowledges that it has read and understands the Agency's Enforcement of Agency Projects Policy and recognizes that in connection the assistance by the Agency in the undertaking by the applicant of the Project, the Agency will require the applicant to execute and deliver a Uniform Agency Project Agreement outlined in Section F below.
  
- F. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon,

and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the “Public Benefits”) and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

- G. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.
- H. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons: *The company's current lease in Marlboro is expiring & the company has outgrown the facility. In order to remain in the area, the company requires a larger facility to be built. The Applicant's loan commitment was under written based on IDA benefits + financial assistance from the IDA is required for the project to move forward.*
- I. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.
- J. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- K. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.
- L. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's

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

*NONE*


- M. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency are included in the Agency's Policies which can be accessed at <http://ulstercountyny.gov/economic-development/ulster-county-industrial-development-agency/policies>.

**CERTIFICATION**

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date signed: <u>3-29</u> , 20 <u>18</u>	Name of person completing the application on behalf of the Company: <u>Applicant</u>  Name: <u>Gary P. Krupnick</u> Title: <u>managing member</u> Phone Number: <u>631-435-1818</u> Address: <u>Ch West Rac Contracting Corp</u> <u>667 Old Willets Path, Suite C</u> <u>Hempstead, NY 11552</u>  Signature: 
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NOTE: APPLICANT MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 31.

VERIFICATION

(If applicant is limited liability company)

STATE OF New York )  
 ) SS.:  
COUNTY OF Suffolk )

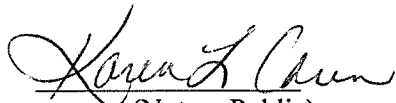
Gary P. Krupnick, deposes and says  
(Name of Individual)

that he is ~~one of the members of the firm of~~ the sole member of Marlboro Distr. Rte 9, LLC  
(Limited Liability Company)

the limit liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

  
Gary P. Krupnick, manager

Sworn to before me this  
29<sup>th</sup> day of March, 20 18

  
(Notary Public)

KAREN L. CHRIN  
Notary Public, State of New York  
No. 01CH6215932  
Qualified in Suffolk County

~~Commission Expires January 11, 2022~~

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 32 IS SIGNED BY THE APPLICANT.



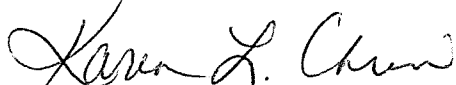
HOLD HARMLESS AGREEMENT

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

Marlboro Distr. Rte 9, LLC  
(Applicant)

BY:   
Amy P. Krupnick, manager

Sworn to before me this  
29<sup>th</sup> day of March, 2018.

  
(Notary Public)

KAREN L. CHRIN  
Notary Public, State of New York  
No. 01CH6215932  
Qualified in Suffolk County  
Commission Expires January 11, 2022



February 9, 2018

*See I DA Note page 3*

Mr. Gary P. Krupnick  
President  
West RAC Contracting Corp.  
687 Old Willets Path  
Hauppauge, NY 11788

Re: PODS Enterprises, LLC  
1100 NYS Rt. 9W  
Marlboro, NY

Dear Mr. Krupnick:

As a follow-up to our meeting, subject to a satisfactory level of financial disclosure and assuming all due diligence investigations and credit analysis provides the comfort level we need to proceed, we would seek internal Bridgehampton National Bank (the "Bank") approval of a financing package as outlined below.

This proposal is based on our evaluation of facts currently presented and known to us. Any material change in the facts as presented or as disclosed during our due diligence process could result in a revision to all or part of the terms contained herein, including complete withdrawal.

**For Discussions Purposes Only –**

**Borrower(s):** Marlboro Distr. Rte. 9, LLC, a single purpose real estate entity majority owned and controlled by Gary P. Krupnick.

**Purpose:** To provide first mortgage financing on the Borrower's fee interest in the Subject Property.

**Loan Amount:** \$3,400,000 not to exceed 65% of the appraised value of the Subject Property.

**Advances:** The Loan Amount shall be funded in full at closing and deposited into a dedicated Project Operating Account in the name of the Borrowing entity and held at Bridgehampton National Bank. The Project Operating Account shall be pledged as additional collateral to secure repayment of the Loan. Principal advances from the Project Operating Account shall be made on a periodic basis in accordance with the construction budget submitted by the Borrower and approved by the Bank's Construction Consultant. Advances shall be made against work in place as determined by the Bank's inspecting engineer and in accordance with the loan documents entered into at the time of closing. Each request for an advance shall be submitted to the Bank in writing, reviewed and inspected by the Bank's construction consultant and credited to the Borrower's operating account maintained with the Bank. Notwithstanding the foregoing, closing shall be subject to the project being 50% complete as determined by the Bank's inspecting engineer.

**Collateral:** First mortgage lien on the leasehold interest to convert to a fee interest in a 7.5 ± acre parcel to be improved with a 40,000 ± square foot commercial industrial building located at 1100 N.Y.S. Rte 9W, Marlboro, New York, ("Subject Property"); assignment of all leases and rents; broad UCC-1 filing. Note: The proposed Ulster County IDA lease shall be a permitted encumbrance subject to satisfactory review of the agreement by the Bank and it's counsel.

**Loan Term:** 12 years from closing.

**Interest Rate:** [REDACTED]

[REDACTED]

**Loan Payments:** [REDACTED]

**Commitment Fee:** [REDACTED]

**Prepayment:** [REDACTED]

**Guarantors:** Borrower, Gary Krupnick along with all members/shareholders of Borrower having ownership interest in the Borrowing entity of 20% or greater.

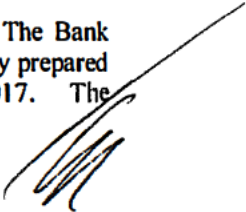
**Guarantee:** Repayment of the Loan shall be personally guaranteed, jointly and severally, by the Guarantors. Furthermore, the Guarantors shall provide a full environmental indemnity satisfactory in all respects to the Bank.

**Title Insurance:** [REDACTED]

**Escrows:** No escrow required at the time of closing. The Bank shall retain the right to escrow in the event of default.

**Appraisal:** The Bank will order an appraisal of the Property from a qualified appraiser designated and engaged by the Bank, at the Borrower's expense. The appraisal will be ordered on an "as is" basis and must be satisfactory in all respects to the Bank.

**Environmental:** Receipt by the Bank prior to closing of a completed Environmental Questionnaire. The Bank shall consider use of the existing Phase I Environmental Site assessment of the Property prepared for the Borrower by Middleton Environmental, Inc. and dated August 22, 2017. The environmental report must be satisfactory in all respects to the Bank.



**Construction  
Consultant:**

Receipt by the Bank prior to closing of a formal plan and cost review of the construction plans, specifications, building costs, approvals and permits for the proposed building improvements from a qualified Construction Consultant designated and engaged by the Bank, at the Borrower's expense. The report must be satisfactory in all respects to the Bank.

In addition, with each request for an Advance, or as determined more frequently by the Bank, the Bank shall require the review and approval of the requisition along with a site inspection by the Construction Consultant, at the Borrower's expense.

**Other Fees:**



**Other Conditions:**

During the term of the Loan and any extension thereof:

- a) The Borrower will maintain its operating account with the Bank.
- b) Annually, the Borrower shall submit to the Bank copies of its federal tax returns within 90 days of the date of filing.
- c) Annually, the Guarantors shall submit to the Bank copies of his federal tax returns within 90 days of the date of filing and a current Personal Financial Statement.
- d) All final plans, permits and the like shall be approved and in place to construct the proposed improvements prior to closing as determined by the Bank, its counsel and Construction Consultants.
- e) The subject property and final Loan amount shall underwrite to a minimum debt-service-coverage-ratio of 1.30x based on prevailing market rents as tested by the Bank in their sole discretion.
- f) On an annual basis or at the request of the Bank, the Borrower shall provide a current rent roll and operating statement for the property.
- g) Satisfactory site inspection of the property by the Bank and its appointed third party vendors.
- h) As a condition of the Bank's underwriting and closing of the proposed mortgage facility; satisfactory receipt and review by the Bank and its counsel of the approved County of Ulster Industrial Development Agency inducement approving the project for sales tax, mortgage recording tax and real property tax benefits.

ULSTER CTY  
IDA  
REQ.  
\* →

**Add'l Information:**

- a) Completed credit application forms.
- b) Signed copies of last two years Federal Tax Returns for the Borrower (if applicable) and Guarantors.
- c) Complete Personal Financial Statement for each Guarantor including supporting bank/brokerage statements.
- d) A detailed listing of all real estate properties along with contingent liabilities.
- e) Rent Roll & operating statement
- f) Copies of all leases agreements and modifications.
- g) Copies of all approved plans, specs and permits related to the development of the property.
- h) Any other related information as may be needed by the Bank to complete their formal underwriting of the Loan.

[REDACTED]

This letter is provided for discussion purposes only. Its purpose is to set forth a general outline of the preliminary loan terms, and does not, and should not be construed as a commitment, implied or otherwise, on the part of the bank to provide financing as described herein, but is merely an expression of interest. Until a written loan commitment is issued by the Bank and accepted in writing by the undersigned (or a designee approved by the Bank), the Bank shall have no obligation or liability by virtue of the continuation or termination of the discussion contemplated herein. The Bank reserves the right to alter the terms contained herein at its sole discretion.

[REDACTED]

Sincerely,

BRIDGEHAMPTON NATIONAL BANK

By: William J. Newham, III  
William J. Newham, III  
S.V.P. & Commercial Loan Officer

READ AND ACKNOWLEDGED

Marlboro Distr. Rte. 9, LLC

Gary Krupnick  
By:  
Date: 2-9-18

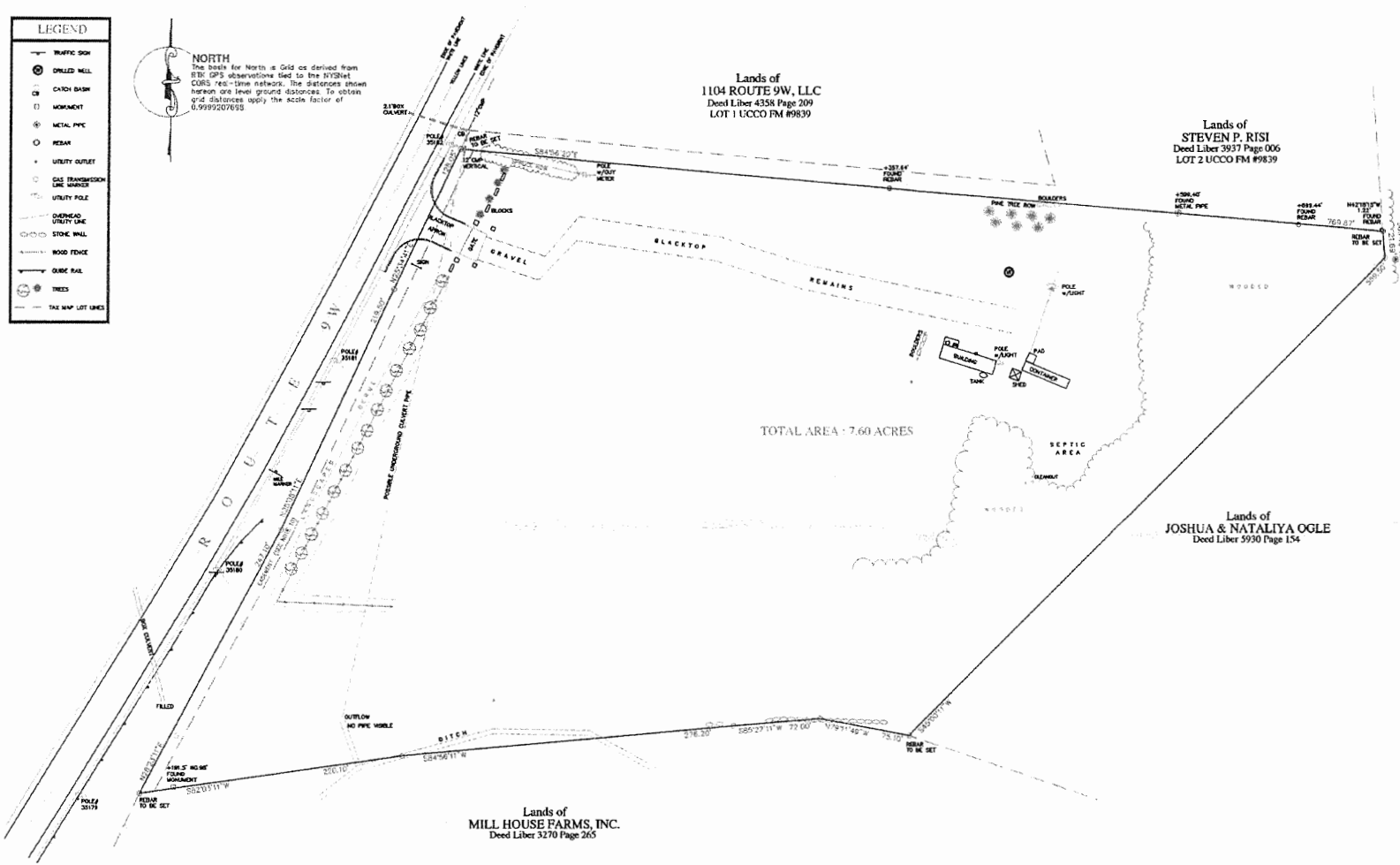
As Guarantor:

Gary Krupnick  
Gary Krupnick  
Date: 2-9-18

LEGEND	
	SURVEY SIGN
	DRILLED WELL
	CATCH BASIN
	MONUMENT
	METAL PIPE
	MARKER
	UTILITY OUTLET
	GAS TRANSMISSION LINE MARKER
	UTILITY POLE
	DELINEATED UTILITY LINE
	STONE WALL
	WOOD FENCE
	OAK RAIL
	TREES
	TAX MAP LOT LINE



**NORTH**  
 The basis for North is a Grid as derived from  
 RTK GPS observations tied to the NYSNET  
 CURS 766-line network. The distances shown  
 herein are level ground distances. To obtain  
 grid distances apply the scale factor of  
 0.9999207655



TOTAL AREA : 7.60 ACRES

- NOTES:**
- 1) Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's Seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.
  - 2) Only copies from the original of this survey marked with an original of the Land Surveyor's inked seal or his/her embossed seal shall be considered to be valid true copies.
  - 3) Subject to all rights of ways, covenants, easements, restrictions, conditions and agreements of record.
  - 4) Subject to whatever state of facts a complete Search of Title may reveal.
  - 5) Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Professional Land Surveyors as adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the parties so noted. Certifications are not transferable to additional institutions, their successors and/or assigns, or subsequent owners.
  - 6) Sub-surface structures not visible or readily apparent are not shown and their location and extent are not certified.
  - 7) Survey performed with snow conditions of 10"-12" of cover.
  - 8) Parcel served by underground utilities.
  - 9) Road line based on DOT S.M. 5176, Map 2, Parcel A, dated 1928.
  - 10) Subject to a 10' wide Gas Line Easement and Right of Way being adjacent to and parallel with the easterly boundary line of NYS Route 9W, as described in Deed Liber 1323 Page 709.

- MAP REFERENCE:**
- 1) "Final Map Prepared for Mary LoPresti" filed November 10, 1993 with the Ulster County Clerk's Office as Filed Map No.9839, and is subject to all provisions shown thereon.
  - 2) "Map of Lands of Mary LoPresti & Frank Tralongo" dated 22 July, 1975 by Roy H. Pauli L.S.

**TAX PARCEL NUMBER :**  
 Town of Marlborough, Ulster County, New York  
 Section 108.4, Block 5, Lot 27

**DEED REFERENCE:**  
 - to -  
 Frank J. Tralongo  
 - to -  
 Magella Levesque  
 Deed Liber 2705 Page 137  
 Dated 30 July, 1997  
 Filed 30 July, 1997

MAP OF SURVEY  
 OF LANDS TO BE CONVEYED TO

# MARLBORO DISTR. RTE 9 LLC

SITUATE  
 TOWN OF MARLBOROUGH  
 ULSTER COUNTY, NEW YORK

**BROOKS & BROOKS**  
 Land Surveyors, P.C.

11 Main Street,  
 12525A, NY 12528  
 845-691-7359

Patricia Paul Brooks, L.S. Registration No. 49795  
 Richard C. Brooks, L.S. Registration No. 49600

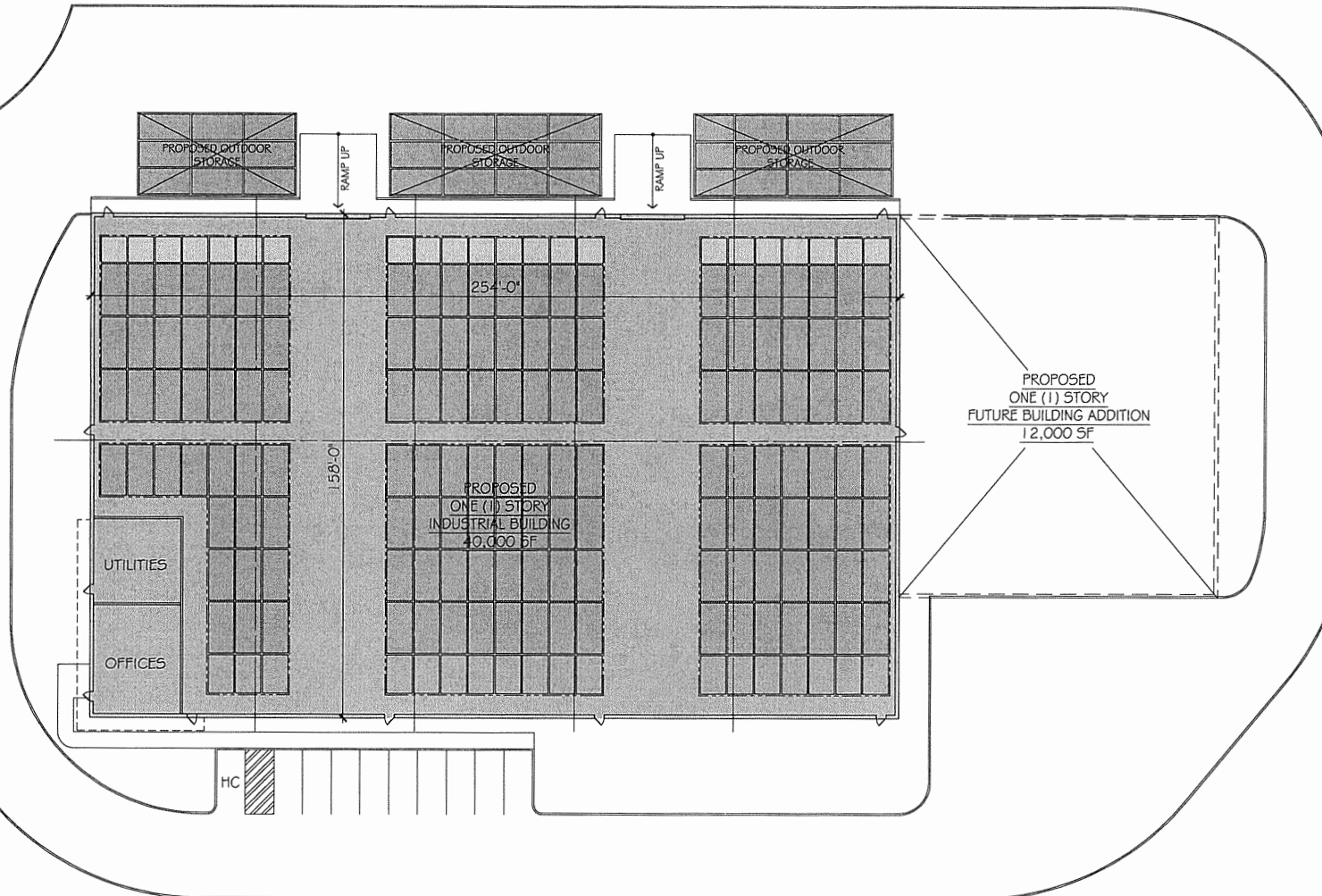
I HEREBY CERTIFY that this map is a true representation of a survey performed by this office in the field on 08 February, 2017 in accordance with the existing codes of practice as adopted by the New York State Association of Professional Land Surveyors and the same is certified to

Marlboro Distr. Rte 9 LLC  
 Stewart Title Insurance Company  
 BRB Bank, its successors and/or assigns

BY:

Patricia Paul Brooks, L.S.  
 © Copyright 2018 by Brooks & Brooks, L.S.P.C. Map Date: 2-8-18  
 20 March, 2018 PRN#0421 DWG#4218.DWG

NYS ROUTE 9 W



**CONCEPT FLOOR PLAN**  
SCALE: NOT TO SCALE




**PROPOSED LAYOUT (INDOOR STORAGE):**  
 (35) 7'x7' PODS  
 (147) 8'x16' PODS  
 182 PODS ON GRADE x 3 HIGH = 546 TOTAL

**OUTDOOR STORAGE:**  
 (3) 7'x7' PODS  
 (30) 8'x16' PODS  
 33 PODS ON GRADE x 3 HIGH = 99 TOTAL

**TOTAL STORAGE = 645 PODS**


PROJECT NAME / LOCATION:  
**PROPOSED NEW BUILDING**  
**MARLBORO II DISTRIBUTION**  
 1100 N.Y.S. ROUTE 9W  
 MARLBOROUGH, NEW YORK 12542  
 TOWN OF MARLBOROUGH  
 TAX I.D. NO. 108.4 - 5 - 27

ARCHITECT:  
  
 ARCHITECTURAL COLLABORATIVE, P.L.L.C.  
 687 OLD WILLETS PATH  
 HAUPPAUGE • NEW YORK • 11788  
 631.793.9684  
 rkent.kent@gmail.com

DEVELOPER / BUILDER / APPLICANT:  
  
**West Rac**  
 Contracting Corp.  
 CONSTRUCTION MANAGEMENT & UTILITIES CONTRACTING  
 677 OLD WILLETS PATH  
 HAUPPAUGE, NEW YORK 11788  
 TEL: 631-435-6818  
 FAX: 631-273-7673

STRUCTURAL ENGINEER:  
**NUCOR BUILDING SYSTEMS**  
 P.O. Box 1006  
 200 Wheelstone Road  
 Swainsboro, SC 29160  
 Tel: 803.568.2100  
 Fax: 803.568.2121

  
**Breuther & Bowen**  
 Engineering, Design, Construction Services  
 328 WARD ST. SCRANTON, PA 18512-2424  
 PHONE (570) 496-7020 FAX (570) 496-7021

  
**BROOKS & BROOKS**  
 Land Surveyors, P.C.  
 Patricia Paul Brooks, L.S. Registration No. 49795  
 Richard C. Brooks, L.S. Registration No. 49600

ENGINEER:  
  
**willingham**  
 10 MAIN STREET SUITE 321  
 NEW PALTZ, NY 12561  
 T 845.256.0210 F 845.256.8110

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REVISION:	DATE:

SEAL:

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