



NEW YORK RETAIL

SERVING THE PUBLIC

A legislative report on supporting and facilitating the preservation and revitalization of retail in urban neighborhoods.

June 2010



New York State Senate
Committee on Cities

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Senator Shirley L. Huntley, Chairwoman 2010
Senator Daniel Squadron, Chairman 2009
Senator Suzi Oppenheimer
Senator Bill Perkins
Senator Frank Padavan, Ranking Member
Senator Andrew Lanza

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THE SENATE, STATE OF NEW YORK

June 2010

This report is the result of a hearing the Committee conducted on September 18, 2009 on retail diversity and neighborhood health. It analyzes several of the major problems local retail merchants face, such as adverse tax policy and high commercial rent. Furthermore, it explores the problems and benefits associated with “big box” retailers in New York communities and the effects they have on local retailers.

The Committee seeks to better coordinate several of the State’s existing programs that have helped local businesses. We are also considering other cities’ successful economic policies, seeking to implement some of these successful programs in the 2010 Legislative session. This report offers several recommendations for reform, including better coordination of the state’s existing programs to help local businesses, and the implementation of other cities’ successful economic policies.

We look forward to working with our partners in local government and our colleagues in the Legislature during the next year to pass many of the report’s recommendations into law. We will continue to strive to strengthen our urban neighborhoods by building and revitalizing retail diversity in our state.

Senator Shirley L. Huntley, CHAIRWOMAN 2010
Senator Daniel Squadron, CHAIRMAN 2009

SENATE COMMITTEE ON CITIES

I. Introduction and Overview

Legend has it that Napoleon disparagingly referred to England as “A Nation of Shopkeepers” (*L’Angleterre est une nation de boutiquiers*), with the goal of depicting his adversaries as unfit for war. Napoleon clearly underestimated the importance of retail to the economic strength of a nation. Those “shopkeepers” would eventually sow the seeds of his defeat in 1815 at the Battle of Waterloo. Interestingly, Napoleon’s statement may not have in fact been his own; its roots appear in Adam Smith’s 1776 *The Wealth of Nations*:

“To found a great empire for the sole purpose of raising up a people of customers may at first sight appear a project fit only for a nation of shopkeepers. It is, however, a project altogether unfit for a nation of shopkeepers; but extremely fit for a nation whose government is influenced by shopkeepers.”¹

While the root of the problems associated with operating retail businesses in the cities of New York does not quite stretch back to Napoleonic times, the stress in this sector has a long history and predates the economic downturn of 2008-2009.

The Senate Committee on Cities, through ongoing research and testimony collected at a hearing conducted on September 18, 2009, is working to coordinate and facilitate the ability of New York businesses to better focus resources and take advantage of programs and policies designed to support a diverse retail base in urban areas throughout the state.

The Committee finds that the biggest challenges facing businesses in New York’s urban communities are high commercial rents, lack of coordination/information between state and local government and retailers, and adverse tax policy. The Committee recommends the following changes to address these issues: (1) expansion of the commercial rent abatement program in lower Manhattan and incorporation of small local retailers into major development projects; (2) establishment of a single entity to develop a comprehensive urban renewal policy; (3) support for localities’ efforts to include “formula restrictions” or other retail-type zoning; (4) establishment of state-based task forces to implement the best practices from around the nation; and (5) comprehensive review of the state’s tax policy as it affects small businesses.

A comprehensive urban renewal policy for the 21st century will strengthen our downtowns and streetscapes, create jobs, and help protect our architectural heritage by preserving historic buildings through adaptive reuse. Retail is an essential generator of economic activity for New York State, employing nearly one million workers with an annual payroll of \$26 billion. Additionally, retail generates sales taxes of \$20 billion dollars per year for state and local governments.² Maintaining and growing this type of economic activity will not only help retailers’ bottom lines in these difficult financial times, but will also positively impact state and local budgets.II.

1 *The Wealth of Nations*, Glasgow Edition, 1976, Book IV section vii.c.

2 Ted Potrikus, Executive Vice President, Retail Council of New York State, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

Current Successful Programs

Both New York State and New York City have used a variety of tools to spur economic activity and retail. To understand the government's successes and failures in assisting the retail community a review of some of these programs is helpful.

1. Industrial Commercial Assistance Program (ICAP)

One of New York City's major economic development tools is the Industrial Commercial Assistance Program. It provides abatements of real property taxes for varying periods up to 25 years for eligible industrial and commercial buildings that are built, modernized, rehabilitated, expanded, or otherwise physically improved.

As Ted Potrikus, Executive Vice President of the Retail Council of New York State, noted at the September hearing, the retail community is grateful for the renewal and retention of retail through the former ICIP (now ICAP):

“City leaders facing budgetary pressures looked to trim this investment incentive by all but barring retail projects from eligibility. We are grateful that Mayor Bloomberg and the state legislature's New York City delegation kept their doors open for many months, giving us the opportunity to state the case for retail retaining its ICIP benefits. ...[T]he state legislature approved an ICIP renewal that included consideration for retail projects under limited circumstances and in certain portions of New York City most in need of retail development.”³

2. New York State Historic Preservation Tax Credits

The state's historic preservation tax credit program can go a long way in helping historic downtowns revitalize storefronts. It also has the potential to create meaningful housing opportunities when developers restore historic commercial properties that can be mixed use. The program was expanded in 2009 (Chapter 239) in order to focus on the availability of commercial credit for distressed areas, increase the percentage of qualified rehabilitation costs that can be claimed, and increase the cap on credit value. As Corning's City Manager Mark Ryckman noted, this program should especially benefit downtown areas in the State, which—though in many cases distressed—continue to be the most likely location for small businesses and diverse retail.

3. New York State's Empire Zone Program

New York State's Empire Zone program was created to stimulate economic growth through a variety of tax incentives designed to attract new businesses to New York State. It is also meant to enable existing businesses to expand and create more jobs. To participate in the Empire Zone Program, a business must first be located in an Empire Zone, or qualify as a

³ *Id.*

“regionally significant project,” and become “zone certified.” To qualify for certification, a business must be able to demonstrate that it will create new jobs and/or make investments in the Empire Zone and be consistent with the local zone’s development plan, including a cost-benefit analysis. However, many questions have been raised about the program’s success at reaching these goals.

4. New York Main Street Program

The New York Main Street Program (NYMS) provides financial resources to assist New York’s communities with their Main Street and downtown revitalization efforts. NYMS makes funds available to stimulate reinvestment in properties located within mixed-use commercial districts. Eligible applicants include organizations incorporated under the state not-for-profit corporation law, which includes community based organizations, Business Improvement Districts, Neighborhood and Rural Preservation Companies and other similar entities that have been providing relevant service to the community for at least one year prior to application.

5. Restore New York Communities Initiative

The Restore New York Communities Initiative was enacted as part of the 2006-07 state budget. It made the Empire State Development Corporation responsible for implementing this \$300 million program whose sole purpose is to revitalize urban areas and stabilize neighborhoods. Municipalities can submit requests for funding to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned or surplus properties. Additionally, funds can be used for site development needs related to a project including, but not limited to water, sewage, and parking.

The City of Corning has successfully made use of this program to help restore and improve its downtown business district, though city leaders have suggested that accessing these funds through a single source, rather than multiple state bureaucracies, would be even more helpful.

6. Business Improvement Districts

The Business Improvement Districts (BID) program allows local businesses to join together to develop and fund their own plans in a variety of areas. From increased sanitation to sophisticated neighborhood marketing plans, the BIDs tackle a wide spectrum of issues. The City of New York is home to some of the most innovative BIDs in the nation. For example, the Downtown Alliance has adapted its priorities to address Lower Manhattan’s current economic challenges and the specific circumstances that its local entrepreneurs face. While focusing on traditional efforts and practices, such as making capital and storefront improvements, recruiting specific retailers, and attracting customers to district stores, the Alliance also confronts the unique problems associated with having 60 construction sites in the district. To meet these challenges, the Alliance strengthened its traditional consumer marketing efforts and added an investor component. By distributing data extolling the thriving market in Lower Manhattan for retail investors and emphasizing a business-to-business follow-up component, the Alliance has made significant efforts reinforcing the district’s status as a desirable location for investment.

7. Avenue New York City Program

The Avenue New York City program is another source of funding for city revitalization projects. It is designed to help non-profit economic development organizations carry out commercial revitalization initiatives. The Federal Department of Housing and Urban Development has spent billions of dollars on community development block grants (CDBG) which fund the Avenue NYC program. The program targets city neighborhoods with low-income residents. In 2007, Avenue New York City invested \$2.5 million in support of commercial revitalization activities of 45 organizations throughout the city.⁴ Activities such as BID formation/expansion, façade improvement, merchant organizing and neighborhood economic development planning have historically been funded through this program.

8. Lower Manhattan Development Corporation

The Lower Manhattan Development Corporation was created to assist New York City in recovering from the 2001 terrorist attacks on the World Trade Center. LMDC is charged with, among other things, studying and developing initiatives for the redevelopment of Lower Manhattan. Its ultimate goal is to ensure Lower Manhattan's strength as a community over the long term.

LMDC also administers the Small Firm Assistance Program, which has the potential to be immensely helpful to small businesses throughout the state. The program makes grants available to small businesses adversely affected by the large number of publicly funded construction projects in Lower Manhattan. Ro Sheffe, Chairman of Community Board One's Financial District Committee, in Manhattan, highlighted strengths and areas for improvement in the Small Firm Assistance Program.

9. Small Business Services Portal

In a welcome development, the New York City Department of Small Businesses Services (SBS) has recently opened a new web portal "NYC Business Express" (<http://www.nyc.gov/portal/site/businessexpress>). It is an online, one-stop resource where entrepreneurs and business owners can quickly and easily learn about licenses, permits and other government requirements for doing business in New York City. It allows customers to receive customized information about city, state and federal incentives, and apply and pay for more than 35 licenses, permits and certifications from multiple city agencies. As this portal continues to evolve, it would be most useful if it could be fully integrated with state and federal business assistance to allow businesses to apply for both state and federal, as well as city, licenses or permits that may be necessary for a particular venture.

10. Small Business Revolving Loan Fund

Governor Paterson's recently announced \$25 million Small Business Revolving Loan Fund is a tonic for worthy businesses that have difficulty attracting needed capital. Its goal is to provide capital to a variety of small businesses such as "mom and pop," retail, and service businesses. Startup business may also be eligible.

⁴ Jeremy Waldrup, Assistant Commissioner, New York City Department of Small Business Services, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

III. Scope of the Problem: Urban Retailers' Biggest Challenges

I. Escalation of Rent

One of the resounding themes of the September hearing was that the escalation of commercial rents has had a devastating effect on the diversity of local retailing, especially in New York City. Elena Conte of the Pratt Center for Community Development raised this salient point when she began her testimony:

“[T]he number one thing that small businesses cite as their issue is the escalation of rent, and that it particularly affects small retailers. And chain stores, you know, play a big factor in raising the level of all that up.”⁵

Barbara Clurman, from the Atlantic Avenue Betterment Association echoed these thoughts, “When rents are excessive, you have a retail district of cell phone stores, banks, drugstores and chain stores.”⁶

2. Competition from National Formula Retailers

Chain stores or “formula retailers” tend to proliferate in certain cities and neighborhoods because they can pay higher commercial rents than a new or smaller entrepreneur and offer more security. Thus, chain stores tend to be more attractive to landlords. This need not be the case.

The phenomenon of excessive rent is not just exclusive to New York City and downstate urban areas. Upstate cities and rural retailers also suffer this difficulty. However, with collaborative, innovative and creative use of the menu of state programs and resources that are available, it is possible for municipalities to redevelop existing commercial real estate into mixed-use retail. Municipalities can make the properties affordable for both new entrepreneurs and those seeking affordable housing.

As discussed during the hearing, the City of Corning has been able to maintain and revitalize its commercial district using a mix of state programs and innovative commercial renovations. As Corning City Manager Mark Ryckman explained, by using the Empire Zone Program, the Main Street grants and the Restore New York program, Corning has been able to renovate its historic downtown business district and maintain it as a vibrant center of commerce, while keeping rents affordable for independent retailers.⁷ As the City of Corning has proved, local retail can be supported and retained with creative financing and forms of state support.

⁵ Elena Conte, Pratt Center for Community Development, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

⁶ Barbara Clurman, Board Member, Atlantic Avenue Betterment Association, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

⁷ Mark Ryckman, City Manager, Corning, New York, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

3. Property Taxes

One of the costs that business owners have little control over is their tax burden. Landlords pass this cost along in the form of higher rents. Business owners must consider whether passing along higher property taxes to their customers in the products and services they provide is worth the potential loss of clientele. At the same time, battles with municipalities over their property tax assessments are a perpetual issue. It is especially galling to business property owners when a neighboring mega project receives a 20-year tax abatement. These tax abatements attract competitors who are given lower fixed costs. These competitors can undercut the small business owner's prices, thus making it very difficult for the small business owner to compete.

Barbara Clurman, of the Atlantic Avenue Betterment Association, raised concerns in her testimony that property tax relief for major developments put smaller retailers at risk:

“The state, city, and Empire Development Corporation talk about supporting small businesses. However, they encourage practices, which drive small businesses out. Generous subsidies are provided to large developers. These developers use their commercial space for large big box stores, suburban mall type businesses, banks and a host of other large businesses.

These developments are the recipients of government subsidies and may have their taxes abated for decades. This tax relief for developers has fueled rising taxes on small commercial residential properties. In our district, a 20-foot wide storefront may face a \$25,000 annual tax bill. These taxes are passed along to the commercial tenants in the form of higher rents, which frequently force small businesses to close.⁸

4. Deficient State and City Services and Coordination

The lack of coordination among various state and city agencies is a cause for concern. Many economic development programs that New York currently has in place are less effective because they are spread across various agencies. Currently, programs with similar aims are distributed among various agencies. For example, the ESDC handles the Restore New York Initiative, a program focused on the rehabilitation of commercial and residential properties. Separately, the Office of Community Renewal spearheads the Community Development Block Grant Program, another program that addresses rehabilitation of commercial and residential properties.

Tony Bates, a small business owner on Montague Street in Brooklyn, expressed his concern that many small businesses don't know what assistance is available to them from the government:

“Promote all of these packages, get them out to the small retailers because I, for one, am not aware of a lot of the incentives or what have you that might have been spoken to, or what have you, so that the small retailers can be educated as well.

⁸ Clurman, *supra* note 6.

We get bombarded by fees or for a cup of coffee that's been sitting on the sidewalk with a \$75 ticket which we have no idea why and we keep the sidewalks clear or what have you, but, yet, all this other information and this bureaucracy that we have to go through to adhere our taxes that we pay is almost impossible to get.

And what is happening is it makes it very difficult for a small retailer to be successful because everything is already against that small retailer because of lack of information, lack of tax burden that we carry only as a merchant, but as a landlord as well.

If I had not been a landlord, I could not be in my place of business for as long as I have. But the taxes, as we are asking all of you guys to just refocus the tax programs that you have to make it viable...⁹

New York State and City programs that support small businesses will never be utilized to the extent necessary to nurture new businesses and save old businesses if entrepreneurs do not know they exist.

Daniel Zarin, President of Zarin Fabrics, echoed the daily frustrations that small businesses suffer at the hands of competing regulatory agencies:

“The cost of doing business in New York City is extraordinarily high. Retailers are not only pressured by relatively high rental rates, but also by a seemingly endless array of government agency fees and fines.

As a retailer, I feel like I'm being nicked and dimed to death. From the fee for my air-conditioning units approximately \$400 per unit, to the unwarranted writing of trash violations, it is impossible to control what happens to the trash after it's put outside at the end of the day properly, and until the time it's picked up by the contractor.

As president of Zarin Fabrics, a small family business that's been operated in New York City for over 70 years, I can tell you that it has never been more difficult to run a business in New York than it is today. Small business owners support the city by employing millions of people. Yet, it is commonplace to hear or read about major incentives given to large corporations.

If the same amount of incentive money is split among small businesses throughout the city, not only will this create greater employment, but it will also support more commerce in a larger number of neighborhoods.¹⁰

As mentioned, however, the advent of the Small Business Services' online portal has the potential to alleviate many of these retailers' frustrations.

⁹ Tony Bates, Owner, Bates Shoes, Brooklyn, New York, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

¹⁰ David Zarin, President, Zarin Fabrics, New York, New York, Testimony before the New York State Senate Committee on Cities, September 18, 2009.

IV. Looking to Other States

The Cities Committee is fortunate to have been able to collaborate with the Pratt Center for Community Development, which has been studying the issue of retail diversity for some time, and has prepared an excellent policy brief on the issue. Their findings on what can be done are excerpted below.

“New York City should start by looking to models from more than twenty states and fifty plus cities that have new or proposed laws aimed at fostering a stable, thriving and successful local business sector, turning to tolls that can be combined with smart incentives and a community planning process to encourage the kinds of businesses that neighborhood residents want and need.”

The policy tools now employed or under consideration across the nation fall into three general categories: (1) land use regulations, especially zoning provisions to prevent or inhibit the proliferation of chains; (2) financial incentive/benefit programs and market control mechanisms to reward landlords for accommodating local retail; and (3) support programs—everything from niche marketing to grants and loans for business owners—to bolster local retailers’ ability to compete.

1. Formula Business (i.e. “Chain”) Restrictions

San Francisco, Seattle, and 15 other cities around the country have established restrictions on chains. A formula retail establishment is commonly defined as having 11 or more other retail sales outlets in the United States, having a trademark or service mark, and maintaining two or more standardized features, such as merchandise, facade, decor, uniform for workers, signage, etc. San Francisco has the strongest restrictions on chain retailers in the nation, using a combination of land use regulations within specifically created districts where special review is required before a chain store may open.

2. Size Caps on Commercial Property

Madison, Wisconsin and 29 other cities have set size caps on commercial property. Instead of banning formula businesses outright, size caps serve as another means to prevent large chains from moving into urban neighborhoods. A store size cap amends a zoning ordinance, either for an entire city or for designated areas within a city, to limit the physical size of retail stores. Some municipalities put an outright ban on stores above a certain size, while others limit large stores to specific areas. Small towns and large cities across the nation are using store size caps to protect small and local businesses, decrease traffic congestion, lessen the burdens on infrastructure, regulate building design, and maintain pedestrian-friendly districts, among many other planning goals.

11 Pratt Center for Community Development, Issue Brief, “Saving Independent Retail,” August 2009.

3. Neighborhood-Serving Zones

Palm Beach, Florida has established “neighborhood-serving zones,” which are designed to meet the everyday consumer needs of local residents, as opposed to attracting tourists. Such regulations limit the size and use type of retail stores in certain districts in order to maintain an area’s character and ensure pedestrian-friendly streets. Palm Beach is the only city in the nation to have this type of zoning. This type of zoning could also be used to curtail the oversaturation of any one type of business in a given area.

4. Big Box Tax

“Big box taxes” have been proposed in Maine and Minnesota, though no state has yet passed such an initiative into law. This type of tax would obviously create a disincentive for chains to locate in certain districts within a state or city. In cases where the retailer was willing to pay the tax and open a store, the tax revenue could be used to support local businesses and/or retail chain workers earning less than a living wage.

5. Community Land Trusts

A community land trust (CLT) is an existing policy tool being used in a handful of locations around the country to address the need for affordable housing. In a CLT, a private, nonprofit corporation acquires land parcels in a targeted geographic area with the intention of retaining ownership of the land in the long term. The nonprofit CLT leases or sells structures on the land at below-market rates to eligible residents, who enjoy the benefits of low rent or mortgages, while agreeing to restrictions on subletting or reselling. This model could be applied to commercial or mixed-use land. Taking property off the commercial market and leasing it at below-market rates to residents and small business owners who demonstrate need could be a viable strategy for protecting small businesses from rising rents.

6. “Shop Local” Campaigns

New York City, Austin, Texas, and many other cities around the nation have had success with campaigns that encourage patrons to shop locally. The loss of mom-and-pop shops nationwide has inspired governmental and private sector entities to create marketing campaigns for local products and local retailers. These campaigns share resources such as websites and brochures to promote “shopping local” and are often a venue for merchants to meet and discuss best practices.¹²

12 *Id.*

V. Summary and Conclusions

As the New York economy continues to struggle in this recession, a change that has long been in process becomes even more obvious: upstate and downstate, in large cities and small cities, across wealthy and struggling neighborhoods, there is less and less retail diversity. At the outset of planning for this hearing, the goal of the Senate Committee on Cities was to explore how to better serve small business in order to retain retail diversity in communities across New York. We considered the policies and programs that should be adopted or modified to help retailers thrive and survive in this difficult economy. This needs to be a constantly evolving process; it can never be static and rely on any one particular program to support and enhance small business. As noted, developing partnerships is the key.

However, a point that became evident at the hearing is that there is an underutilization of programs or types of assistance for retailers. A lack of awareness and coordination of the existing programs themselves is a major hindrance to getting local retailers needed assistance. As multiple witnesses noted, better coordination and enunciation of existing programs would go a long way toward helping retail businesses take advantage of the aid that is already available through city and state sources. Our goal should be to facilitate a greater level of awareness and coordination of programs that can assist retailers.

Reducing the regulatory, bureaucratic, tax and fee burdens will also assist small businesses in our city and state. As Mark Ryckman of Corning noted, there are at least three ways the State could address these deficiencies: (1) New York could establish a single entity to handle a comprehensive urban renewal policy; (2) there should be greater coordination of programs at the state level, to encourage more rapid deployment at the local level; and (3) the State should formulate and institute a comprehensive policy governing urban development and revitalization.¹³

It is clear that the problems associated with the lack of retail diversity in our downtown business districts existed well before the current recession. As Potrikus noted, the economic downturn of 2008-09 has only intensified the difficulties faced by small independent entrepreneurs and increased competition for consumer dollars; it did not create them. For some time now, consumers have been opting for the ease of online shopping. The rise of e-commerce has helped sow the seeds of demise not just for the small mom and pops, but for many larger, traditional department stores as well. There is now a whole generation of New Yorkers who have never head of the Gimbel brothers, or what happened when Abraham partnered with Strauss in Brooklyn.

The solutions offered by the government need to be flexible, broad based and comprehensive enough for maximum statewide impact in order to survive in this downturn and beyond.

¹³ Ryckman, *supra* note 9.

VI. Recommendations

Just as it is impossible to identify any single reason for the broad loss of local and diverse retail, there is no single, silver bullet solution that would be a panacea for local retail. Recommendations on the State level include:

1. Local Retail Task Force

The State should establish a local retail retention task force consisting of a broad range of stakeholders including government, policy experts, small business owners and community groups to analyze the problem of independent retail attrition and to develop potential solutions. The focus of the task force should be to: (1) create financial incentives and programs to support independent stores; (2) develop strategies to provide for the mutually beneficial coexistence of chains and local retailers, as exists in communities such as Saratoga Springs; (3) ensure that the enforcement of sanitation, health and other codes does not unreasonably burden small business; (4) ensure transparency and coordination to existing programs; and (5) consider the best practices from around the nation, including local and formula restriction zoning.

2. Limiting the Escalation of Commercial Rent

Limiting the escalation of commercial rent is key to retaining local retail. Tax abatement programs, like ICAP, have already been shown to help; and a targeted statewide expansion of the Commercial Revitalization Program (CRP) (Chapter 22 of the laws of 2010), where tax abatements are given to landlords who agree to a schedule of modest rent increases for local businesses, could be an essential element in retaining retail diversity in urban communities. The Pratt Center, several BIDS, and nearly all hearing witnesses support this recommendation. Furthermore, various retailers and retail consultants suggested requiring large commercial developments that enjoy tax abatements to provide space for small businesses and incubator space with below market rents.

3. The Historic Preservation Tax Credit Program

New York should continue to expand eligibility and build upon and promote the use of its Historic Preservation Tax Credit Program to assist in the rehabilitation of downtown business districts across the state. The Preservation League of New York State and the NYS Conference of Mayors support this suggestion.

4. Incorporation into Large-Scale Development

Local retail should be incorporated into large-scale economic development projects. Developers should be required to include small businesses in their development plans if they are to be afforded state abatements and incentives. Rents should be below market rate for at least five years for included businesses. The Pratt Center and various independent retail consultants support this suggestion.

5. Displacement and Relocation Funds

New York should establish a displacement and relocation fund for large developments that displace small businesses. When developers receive 20-year tax abatements and other incentives, they should be required to pool dollars to assist smaller retailers and entrepreneurs. The Pratt Center and various retail consultants support this suggestion.

6. Business Improvement Districts

Business Improvement Districts (BIDs) are significant and important tools for business retention; however, their resources vary widely between more affluent and less affluent communities. If BIDs in low-income business districts had greater resources, they could potentially do a better job of helping retain businesses and retail diversity in these areas. Various New York City BIDs support this suggestion.

7. Small Business Assistance Program

The Small Business Assistance Program grants that are administered by the Lower Manhattan Development Corporation (LMDC) could be expanded in a number of ways: eligibility rules could be relaxed, including, for example, to allow for upper-level retailers to qualify, not just ground-level businesses; the program could be better publicized; and it could be extended with additional funds. Manhattan Community Board One supports this suggestion.

8. Empire Zone Program

Commercial projects seeking qualification under the Empire Zone Program should be afforded benefits only if they can prove that existing sites in downtown business districts cannot meet their needs. The City of Corning supports this suggestion.

9. Social and Economic Assessments

Municipalities should be required to assess the social and economic impact of a large development in addition to the environmental impact before these projects are given approval and permission to build. The Retail, Wholesale and Department Store Union supports this suggestion.

10. Single Entity

New York State should establish a single entity to coordinate a comprehensive urban renewal policy. Currently, programs with similar aims are distributed among various agencies. Greater coordination of programs at the state level could lead to more rapid deployment at the local level. It would be more efficient for communities to access a variety of programs through a single agency. The City of Corning and the New York State Conference of Mayors support this suggestion.

11. Increasing State Resources

As a general matter—and recognizing the difficult financial situation we currently face—the State could increase resources and funding to support local planning efforts. Increasing funding to the State Department of Transportation, for example, would go a long way towards supporting communities local comprehensive development plan. With additional

funding, communities could plan around pedestrian and transit needs, goods delivery, and auto circulation in commercial corridors, and better implement new programs and plans. This type of investment would likely pay for itself due to increased economic activity, and is supported by the Pratt Center.

12. Energy Costs

The State needs to assist in reducing merchant energy costs and making local retail greener. Connecting local retailers with existing New York State Energy Research and Development Authority (NYSERDA) programs such as energy audits and Smart Loans will help entrepreneurs maintain and sustain their businesses. The Pratt Center supports this suggestion.

13. Business Express Online Portal

The Committee applauds the creation of the NYC Business Express online portal but urges the Department of Small Business Services and state and federal agencies to fully integrate the portal with programs and licenses to truly make it a one stop location for business needs. Various BIDs and retailers support this suggestion.

Appendix

**Information contained here has been downloaded from
New York City and New York State public websites.**

This section contains embedded links.

**To access these links please visit the online version of this report at
<http://www.nysenate.gov/report/report-new-york-retailserving-public>**

New York State Historic Preservation Tax Credits

LAWS OF NEW YORK, 2009 CHAPTER 239

EXPLANATION—Matter in *italics* is new; matter in brackets [] is old law to be omitted.

AN ACT to amend the tax law, in relation to providing a tax credit for rehabilitation of historic properties; to repeal section 5 of chapter 547 of the laws of 2006 amending the tax law and the parks, recreation and historic preservation law, relating to establishing a credit against income tax for the rehabilitation of historic properties, in relation to repealing certain administrative requirements relating thereto; and providing for the repeal of such provisions upon expiration thereof

Became a law July 28, 2009, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (oo) of section 606 of the tax law, as added by chapter 547 of the laws of 2006, is amended to read as follows:

(oo) Credit for rehabilitation of historic properties. (1) For taxable years beginning on or after January first, two thousand ~~seven~~ ten, ~~[a taxpayer]~~ *any person, firm, partnership, limited liability company, corporation or other business entity* shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to ~~[thirty]~~ *one hundred* percent of the amount of credit allowed the taxpayer for the same taxable year with respect to a certified historic structure under subsection (c)~~[(3)]~~(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed ~~[one hundred thousand]~~ *five million* dollars

(2) *Tax credits allowed pursuant to this subsection shall be allowed in the taxable year that the qualified rehabilitation is placed in service under section 167 of the federal internal revenue code.*

(3) If the credit allowed the taxpayer pursuant to ~~[subsection (c)(3) of]~~ section 47 of the internal revenue code *with respect to a qualified rehabilitation* is recaptured pursuant to subsection (a) of section 50 of the internal revenue code, a portion of the credit allowed under this subsection must be added back in the same taxable year *and in the same proportion* as ~~[such recapture equal to thirty percent times the amount of]~~ the federal recapture.

~~[(3)]~~ (4) If the amount of the credit allowable under this subsection for any taxable year shall exceed the taxpayer's tax for such year, the excess may be carried over to the following year or years, and may be [deducted from] *applied against* the taxpayer's tax for such year or years.

(5) To be eligible for the credit allowable under this subsection the rehabilitation project shall be in whole or in part a targeted area residence within the meaning of section 143(j) of the internal revenue code or located within a census tract which is identified as being at or below one hundred percent of the state median family income in the most recent federal census.

§ 2. Subparagraphs (A) and (B) of paragraph 2 and clause (iv) of subparagraph (A) of paragraph 5 of subsection (pp) of section 606 of the tax law, as added by chapter 547 of the laws of 2006, are amended to read as follows:

(A) With respect to any particular residence of a taxpayer, the credit allowed under paragraph one of this subsection shall not exceed ~~[twenty-five]~~ *fifty* thousand dollars. In the case of a husband and wife, the amount of the credit shall be divided between them equally or in such other manner as they may both elect. If a taxpayer incurs qualified rehabilitation expenditures in relation to more than one residence in the same year, the total amount of credit allowed under paragraph one of this subsection for all such expenditures shall not exceed twenty-five thousand dollars.

(B) If the amount of credit allowable under this subsection shall exceed the taxpayer's tax for such year, *and the taxpayer's New York adjusted gross income for such year does not exceed sixty thousand dollars, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest shall be paid thereon. If the taxpayer's New York adjusted gross income for such year exceeds sixty thousand dollars, the excess credit that* may be carried over to the following year or years and may be deducted from the taxpayer's tax for such year or years.

(iv) which is in whole or in part a targeted area residence within the meaning of section 143(j) of the internal revenue code ~~[and located within an area of a city, town or village whose governing body has identified by resolution that such area is in need of community renewal because of deteriorated and/or vacant buildings and, by local law, has adopted a historic preservation and community renewal program to preserve and/or revitalize such area. A historic preservation and community renewal program is a program that coordinates all applicable governmental benefits and programs with the aims of preserving and/or revitalizing neighborhoods, encouraging property owners to complete substantial rehabilitation projects and promoting smart growth economic development. Such local laws shall be filed with the office of parks, recreation and historic preservation. The office of parks, recreation and historic preservation shall assist local governments in developing historic preservation and community renewal programs]~~ or is located within a census tract which is identified as being at or below one hundred percent of the state median family income in the most recent federal census.

§ 3. Subdivision 40 of section 210 of the tax law, as added by chapter 547 of the laws of 2006, is amended to read as follows:

40. Credit for rehabilitation of historic properties. (1) For taxable years beginning on or after January first, two thousand ~~seven~~ ten, ~~a taxpayer~~ *any person, firm, partnership, limited liability company, corporation or other business entity* shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to ~~thirty~~ *one hundred* percent of the amount of credit allowed the taxpayer for the same taxable year with respect to a certified historic structure under subsection (c)~~(3)~~(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed ~~one hundred thousand~~ *five million* dollars.

(2) *Tax credits allowed pursuant to this subdivision shall be allowed in the taxable year that the qualified rehabilitation is placed in service under section 167 of the federal internal revenue code.*

(3) If the credit allowed the taxpayer pursuant to ~~subsection (c)(3) of~~ section 47 of the internal revenue code *with respect to a qualified rehabilitation* is recaptured pursuant to subsection (a) of section 50 of the internal revenue code, a portion of the credit allowed under this subsection must be added back in the same taxable year *and in the same proportion* as ~~such recapture equal to thirty percent times~~ such credit.

~~(3)~~ (4) If the amount of the credit allowable under this subdivision for any taxable year shall exceed the taxpayer's tax for such year, the excess may be carried over to the following year or years, and may be ~~deducted from~~ *applied from* the taxpayer's tax for such year or years.

§ 4. Section 5 of chapter 547 of the laws of 2006, amending the tax law and the parks, recreation and historic preservation law, relating to establishing a credit against income tax for the rehabilitation of historic properties is REPEALED.

§ 5. This act shall take effect immediately and shall apply to taxable years beginning on and after January 1, 2010 and shall expire and be deemed repealed December 31, 2014; provided, however, that the credit shall be applied to any rehabilitation project commenced on or before the date on which that act shall be deemed repealed.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

MALCOLM A. SMITH
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly

New York State Assembly Memorandum in Support of Legislation

Submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A9023

SPONSOR: Hoyt

TITLE OF BILL: An act to amend the tax law, in relation to providing a tax credit for rehabilitation of historic properties; to repeal section 5 of chapter 547 of the laws of 2006 amending the tax law and the parks, recreation and historic preservation law, relating to establishing a credit against income tax for the rehabilitation of historic properties, in relation to repealing certain administrative requirements relating thereto; and providing for the repeal of such provisions upon expiration thereof.

PURPOSE: The purpose of this legislation is to create an economic stimulus program in distressed communities by leveraging the state's existing inventory of vacant, underutilized, and deteriorating historic buildings. This economic stimulus will be accomplished by improving the NYS Rehabilitation Tax Credit programs while limiting program costs and providing cost certainty to New York State.

SUMMARY OF PROVISIONS: This legislation amends section 606 of the tax law by adding two new sections (oo) and (pp).

These changes limit the availability of the commercial credit to distressed areas, increase the percent of qualified rehabilitation costs that can be claimed for the credit, and increase the cap on credit value. Proposed changes also limit revenue impacts to New York State by pushing back the date of program implementation and terminating the program after five years availability.

The commercial program is limited to qualified buildings located in distressed areas, defined as located within a census tract which is identified at or below one hundred percent median family income. The bill increases the rate of credit for these commercial properties from 6 percent to 20 percent, which allows for a higher percentage of qualified rehabilitation costs to be eligible for the program, and increases the credits available for these projects from \$100,000 to \$5 million.

The cap on the residential credit value is increased from \$25,000 to \$50,000. Additionally, the rehabilitation tax credit is also to be offered as a rebate to make the program a stronger financial incentive for home-owners without significant income tax liability. The definition of "distressed areas" is changed to include those residential structures located within a census

tract which is identified at or below one hundred percent of the state median family income in the most recent federal census. This change would allow a greater number of municipalities and neighborhoods to make use of the residential rehabilitation program.

JUSTIFICATION: In 2006, New York State became the 28th state in the nation to enact a tax incentive (Chapter 547 of the laws of 2006) to encourage the rehabilitation of historic commercial and residential properties. While the Legislature's establishment of this program was welcomed, enhancements are required to assure that this program will match the notable economic stimulus impacts and community redevelopment successes achieved by effective programs in other states. These changes target reinvestment in distressed census tracts and incorporate program features designed to curtail program costs and provide cost certainty to New York State. These changes also provide the New York State program with a level of incentive and flexibility to rehabilitate a significant number of properties above and beyond those that will be funded by use of the current state program. Distressed Upstate municipalities will be a particular beneficiary of the program.

FISCAL IMPLICATIONS: No impact in SFY 2009-10;

LEGISLATIVE HISTORY: 2007-2008: A.3000/S.5425

EFFECTIVE DATE: This act shall take effect immediately and shall apply to taxable years beginning on and after January 1, 2010. Scheduled to sunset December 31, 2014, with projects commenced in 2014 eligible for the credit upon completion.

Empire Zones

Benefits for Empire Zone certified companies

- ▶ **Wage Tax Credit:** Available to companies hiring full-time or full-time equivalent employees in the zone. Credits are available for up to five consecutive years. Credits are \$1,500 per employee; for employees in special targeted groups the amount is raised to \$3,000 per employee per year. In investment zones, this credit is increased by \$500 for workers with wages over \$40,000. Unused credits can be forwarded indefinitely and new businesses (those that have been taxable for five years or less) are eligible for a 50% refund of unused credits.
- ▶ **Investment Tax Credit:** Available to companies making an investment in the zone for depreciable property and/or equipment which is principally used in manufacturing, processing, assembly, industrial waste treatment or air pollution-control facilities, R&D or financial institutions. 10% (8% for personal income tax filers) of the eligible investment can be taken for credit. Unused credits can be forwarded indefinitely and new businesses are eligible for a 50% refund of unused credits.
 - ▶ An additional **Employment Incentive Credit** equal to 30% of the investment tax credit is available for each of the three years after the Investment Tax Credit (ITC) is claimed if employment is increased when the investment is made. Unused credits can be forwarded indefinitely and new businesses (personal income tax only) are eligible for a 50% refund of unused credits.
- ▶ **Zone Capital Credits:** A 25% tax credit is available for personal or corporate income tax payers for eligible investments in certified zone businesses, or contributions to approved community development projects. There is a lifetime limit of \$100,000 in zone capital credits per contributor for Community Development Projects and \$100,000 lifetime limit in zone capital credits per investor in a Direct Equity Investment project.
- ▶ **NYS Sales Tax Refund:** A refund of the State portion [4%; 4.375% in the MTA region] of the sales tax is available for the purchase of building materials used in the construction, expansion or rehabilitation of industrial or commercial property located in a zone. Empire Zone certification is not a requirement to receive this benefit; however, the purchaser must be buying for a property in the zone.

Enhanced benefits for Qualified Empire Zone Enterprises (QEZE)

To receive Qualified Empire Zone Enterprise (QEZE) enhanced zone benefits, a business must be zone certified under the requirements outlined in the eligibility and certification section and must pass additional tests based on the business' employment history and operations. Discuss QEZE eligibility with your local zone coordinator.

- ▶ **Sales Tax Benefit:** A credit or refund from the State portion of the sales tax is available for most goods and services used directly and predominantly in the zone. For businesses certified on or after April 1, 2009, the state portion of the sales tax benefit is only available if counties or municipalities that have imposed local sales tax offer a similar

credit or refund of the local sales tax. If a county or municipality offers a similar credit or refund of the local sales tax, such offer would extend to all QEZES regardless of when they were certified. For additional information and instructions on how to claim the QEZE sales tax refund or credit, click on the below link to the NYS Department of Tax and Finance.

- ▶ **Real Property Tax Credit:** A credit for real property taxes paid based on a formula that considers job creation, wages and benefits or investments made in the zone. Further calculations may apply depending on a business' location in either an Investment Zone or Development Zone. This credit is available for 10 years and unused credits may be obtained as a cash refund in the year they were earned.
- ▶ **Tax Reduction Credit:** A credit against tax equal to a percentage of income taxes attributable to the zone enterprise based on its employment growth in the zone. This credit is available for 10 years and can reduce a company's tax liability to zero—eliminating the alternative minimum and fixed dollar minimum tax.

The NYS Department of Tax and Finance (http://www.tax.state.ny.us/sbc/empire_zone.htm) provides more information on Empire Zone tax incentives.

Local Benefits

Municipalities designated as Empire Zones may also offer additional incentives including sales tax refunds, and property tax abatements for real property improvements in the Zone. Many utility companies (including gas, electric and telephone services) also offer rate reductions to certified Empire Zone businesses. Check with the local zone administrator to see what additional reductions are available in your municipality.

NYS Main Street Grants

New York Main Street Program

The Office of Community Renewal (<http://nysdhcr.gov/AboutUs/Offices/CommunityRenewal/>) administers the New York Main Street program. New York Main Street provides financial resources and technical assistance to communities to strengthen the economic vitality of the State's traditional Main Streets and neighborhoods. The NY Main Street grant program provides funds from the New York State Housing Trust Fund Corporation (HTFC) to units of local government, business improvement districts, and other not-for-profit organizations that are committed to revitalizing historic downtowns, mixed-use neighborhood commercial districts, and village centers.

New York's Main Streets are in transition. While many downtown and neighborhood retail districts have seen new life, with significant investment in the development of civic, commercial and residential projects, others have not yet experienced this trend. Many of these communities can once again thrive with proper management and strategic investment of public and private resources.

Main Street grants are revitalizing our downtowns through targeted commercial/residential improvements such as façade renovations, interior residential building upgrades, and streetscape enhancements. Cultural anchors, such as theatres or museums, have also been renovated with Main Street funds. Funds are not available for new construction.

To learn more about how to apply for a New York Main Street grant, visit our Funding page (<http://nysdhcr.gov/Programs/NYMainStreet/Funding.htm>).

Restore New York

Program Description and Goals

The 2006-07 State Budget enacted the Restore New York's Communities Initiative and gave Empire State Development Corporation the responsibility of implementing the \$300 million program for the sole purpose of revitalizing urban areas and stabilizing neighborhoods.

In Round 3, ESDC made awards for up to \$150 million of Restore NY program funds.

Municipalities, defined as cities, towns and villages, are invited to submit a Request for Funding Proposal for projects to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties. Additionally, funds can be used for site development needs related to the project including, but not limited to water, sewer and parking.

Projects should be architecturally consistent with nearby and adjacent properties or in a manner consistent with the municipality's local revitalization or urban development plan. Rehabilitation of municipal buildings and properties for municipal reuse is not eligible for Restore NY funding. Greenfield development is also ineligible.

All projects require no less than 10 percent of the award amount in matching contributions. Cash and in-kind contributions are allowed. Section 7 further explains the match requirements.

The goal of Restore NY is to revitalize urban centers. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base and lessen its dependence on state aid.

Awards will be made to qualified applicants based statutory criteria and, to the fullest extent possible, in a geographically proportionate manner throughout the state. As such, funds may not be awarded to some applications with higher scores.

Strong emphasis will be placed on projects from economically distressed communities as described in the statute. Priority will also be given to projects that leverage other state or federal redevelopment, remediation or planning programs including, but not limited to the Brownfield Opportunity Areas program and Empire Zones. Strong emphasis will also be placed on project feasibility and readiness.

Strong emphasis will also be placed on project feasibility and readiness. Projects will score higher when they demonstrate that a majority of the criteria in Section 4 of the Application have been satisfied. This includes the following: Project Feasibility (e.g. market feasibility, business plan, letters of commitment on financing, etc.); Project Readiness (e.g. conformance with local planning and zoning, federal and state permits, etc.); Transportation and Utility Readiness (e.g. transportation analysis, utility evaluations, etc.); and Environmental Readiness (e.g. SEQR and SHPO consultation, etc.). Applicants that can demonstrate that plans are in place, project financing has been committed, and that the project is expected to start within a year of a Restore NY award will be considered more competitive.

RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND III PROJECT DESCRIPTIONS

CAPITAL REGION

TOTAL GRANT MONIES: \$15,083,996

City of Albany—Arbor Hill Reclamation Project

GRANT TOTAL: \$5,000,000

The Arbor Hill Reclamation Project proposes to redevelop anchor properties along two commercial corridors in the Arbor Hill neighborhood. This includes the rehabilitation of the former St. Joseph’s Academy (41,448 square feet) on North Swan Street into a cultural art center, business incubator and 25 artist apartments. The project also includes the rehabilitation of four residential homes and two mixed use buildings (first floor commercial, second floor apartments) along Henry Johnson Boulevard and Clinton Avenue. All housing units will be offered at affordable rents.

City of Glen Falls—Empire Square Project

GRANT TOTAL: \$500,000

JOBS CREATED: 100

The Empire Square Project involves the rehabilitation of 55,000 square feet of vacant warehouse space into 24 loft-style apartments and 25,000 square feet of retail and Class A office space within the Glens Falls central business district. The building, which covers an entire block along the Warren Street gateway, is targeted for redevelopment under the city’s Master Plan, the Empire Zone program, and an Environmental Protection Agency-funded Brownfield Assessment Program. This project will transform the former “Empire Automotive” sales and warehouse facility into a retail, office and residential center. Restore NY funding will add to New York Main Street funding and bank financing to help create 100 or more jobs within the downtown.

City of Schenectady—ALCO Industrial Site Redevelopment

GRANT TOTAL: \$4,000,000

The ALCO Industrial Site Redevelopment Project site is located at the former 60-acre ALCO manufacturing facility adjacent to downtown Schenectady and the Mohawk River. The project will entail the demolition of existing dilapidated industrial structures, the redevelopment and renovation of vacant and underutilized industrial buildings, significant site infrastructure improvements, the construction of a new mixed use commercial and residential complex and the creation of a waterfront public park.

City of Troy—Proctors Theater Redevelopment

GRANT TOTAL: \$4,000,000

JOBS CREATED: 300

Proctors Theatre, vacant since 1977, together with adjoining structures located immediately to the north of this building, form a critical anchor to the Fourth Street area of Troy’s historic downtown. Through this Restore NY project, the historic Proctors facade will be

restored, abandoned auditorium and office space will be demolished and reconstructed and hazardous materials will be removed. Facade restoration and rehabilitation activities will also be undertaken in a vacant commercial office building located at 70-76 Fourth Street. The project will yield more than 100,000 square feet of retail, office, incubator, and technology space and will utilize the existing dramatic entrance of Proctor's Theatre. The project will create more than 300 new jobs.

Village of Tannersville—Tannersville Theater District Project

GRANT TOTAL: \$1,083,996

The Tannersville Theater District Project involves the rehabilitation of two prominent Main Street buildings in the immediate vicinity of the Orpheum Theater project. The Orpheum, currently undergoing a multi-million dollar renovation, is destined to become a major visitor attraction. To take advantage of that new anchor, the Theater District Project will rehabilitate nearly 14,000 square feet of multi-use space that will provide opportunities for activities supportive and complementary of the theater. These may include restaurants, nightclubs, office space and artist/performer housing. The project will continue an ongoing renaissance on the Tannersville downtown, establishing it as a vibrant attraction in the heart of the Catskill Mountains.

Village of Hudson Falls—First National Bank Building Redevelopment

GRANT TOTAL: \$500,000

The First National Bank Building Project involves the rehabilitation of a vacant three-story, 15,000 square foot former First National Bank building in the Village center at 124-130 Main Street. Renovations will include first floor commercial space and two upper floors of first class office space. The project includes site work on adjacent property to provide needed parking. This is identified as a key project in the Village's current Brownfield Opportunities Area program and plan, is within the Washington County Empire Zone, and would have a significant impact on the economic viability of the downtown and Village.

CENTRAL NEW YORK REGION

TOTAL GRANT MONIES: \$14,987,020

Village of Canastota—Zupan's Auto & Salvage

GRANT TOTAL: \$1,685,000

JOBS CREATED: 80 JOBS WITHIN TWO YEARS

Working along with the Village of Canastota, Zupan's Auto & Salvage proposes a project to will rehabilitate a nine acre site which was once occupied by multiple derelict and fire ravaged buildings. Zupan's Auto & Salvage acquired the property and subsequently remediated the site by demolishing a 200,000 square foot building and leaving a 48,000 square foot building and a 5,600 square foot building to rehabilitate. The project comprises the rehabilitation of both the 48,000 square foot and the 5,600 square foot steel structured buildings. The buildings will be leased to a commercial tenant proposing to create 80 jobs within two years.

Town of Sullivan—The Pottery

GRANT TOTAL: \$900,000

The project will result in the rehabilitation of the historic Chittenango Pottery Company site located at 11-13 Pottery Street, adjacent to the Village of Chittenango on the Erie Canal. The 1.6-acre site is currently in the process of being listed on the State and National Registers of Historic Places and it is located in the Erie Canalway National Heritage Corridor. The buildings are the only remaining structures that reflect the Canal's past industrial heritage in the vicinity of Chittenango. Two large circa 1898 brick buildings at the site are currently vacant and in poor condition. The buildings (approximately 15,800 square feet combined) will be renovated into a mixed-use project of loft-style rental housing and several commercial uses. The proposed mixed use of the property will complement the recreational activities along the Canal and the ongoing public programming at the Chittenango Landing Canal Boat Museum.

City of Oswego—The Stevedore

GRANT TOTAL: \$1,600,000

This project develops the Oswego Stevedore Building, 317 West First Street, a vacant warehouse located on the Erie Canal Heritage Corridor and in the Oswego Empire Zone. The Stevedore building is listed on the national Register of Historic Places as the "Standard Yarn Company Factory." The Stevedore Project developer proposes to transform the vacant warehouse space into a mixed use building, creating 33 market rate residential units and five commercial retail/office spaces in the building. Oswego County nominated this property for the City of Oswego Brownfields Opportunity Area Program. Development of the Oswego Stevedore is consistent with the Oswego 2020 Vision Plan and local waterfront revitalization program addressing the need for market rate housing, job creation and economic development in Oswego's downtown waterfront district.

City of Syracuse—Connective Corridor: Building Upwards

GRANT TOTAL: \$6,300,000

The Connective Corridor is an ongoing community project to connect Syracuse University with cultural institutions and Downtown Syracuse via a comprehensive streetscape and transportation improvement plan. The project seeks to build on this effort by focusing on residential, commercial and retail mixed-development projects along the Downtown component of the Connective Corridor. The overall project consists of five properties, including renovations to four existing buildings and demolition of three adjoining properties to be reconstructed into one new 40,000 square foot facility.

The City of Syracuse recognizes that a successful urban center requires a strong mix of residents, workers and visitors. This project will make a significant impact in achieving this goal.

Village of Liverpool—First Street Redevelopment

GRANT TOTAL: \$883,302

The Village of Liverpool will redevelop First Street, its historic "Main Street." Funding will assist a developer, working with village officials, to complete the rehabilitation of a

strategically situated, historic three-story structure of 11,200 square feet at 401-403 First Street, which is currently vacant and in extremely poor structural condition. The developer has received site plan approval and submitted construction documents for a mixed use building permit (nine apartments and two retail spaces). Completion of this project is essential to the fulfillment of the Village's Comprehensive Plan for revitalization.

Village of Camillus—Downtown Urban Redevelopment Initiative

GRANT TOTAL: \$2,500,000

The project consists of the demolition and rehabilitation/reconstruction of two properties along the main street in the Village of Camillus: (1) the former Camillus Cutlery Building located at 52-54 Genesee Street in the Village Center and (2) 55 Genesee Street, across the street from Camillus Cutlery. The Camillus Cutlery property is situated adjacent to the Nine Mile Creek feeder canal, making it an attractive redevelopment opportunity. This portion of the project consists of the redevelopment of 134,500 square feet of the former Camillus Cutlery multi-building complex situated on four acres. Site restoration will include a multi-use creekside development with a mix of professional/business offices, commercial/retail space, residential units and adjacent green areas. The project will entail hazardous substance remediation, demolition and new renovation/construction. The Kirk Building (55 Genesee Street) portion of the project consists of a partial demolition, remediation of hazardous substances and renovation of the premises to a mixed commercial/retail and residential space. The premises include a two-story, 6,000 square foot building situated on less than half an acre, and is conspicuously located in an existing line of attached historically significant buildings. Camillus Cutlery, which historically represented the Village's life blood, employing hundreds of people that patronized village businesses, now sits vacant. Its closure and dilapidated state has contributed to the deterioration of both the village center and village generally. In the same vein, the 55 Main Street property has been condemned by Village Code Enforcement and represents a dilapidated eyesore surrounded by viable premises. The village's Comprehensive Plan, completed in 2007, recognized the need for rehabilitation, reoccupation and use of the Camillus Cutlery, and vacant and deteriorated Village Center buildings in order to create momentum for the rebirth of the Village of Camillus.

Village of Pulaski—North Jefferson Street Revitalization Project

GRANT TOTAL: \$818,718

The North Jefferson Street Revitalization Project will rehabilitate and renovate three, historically significant buildings located on North Jefferson Street in the Historic District of the Village of Pulaski, along the escarpment of the Salmon River. Renovations will be made to the interior of one and the interior, exterior and site of two buildings to establish a mix of commercial and residential uses. The project will encourage new business enterprises, increase occupancy, add to the tax base, attract new residents and visitors, support a diversity of activity and compliment other restoration and revitalization work currently underway in the village. This project is consistent with the goals and recommendations of the 2009 Town of Richland and Village of Pulaski Comprehensive Plan.

Town of Cortlandville—Cortlandville Cultural Gateway Project

GRANT TOTAL: \$300,000

The project includes renovations to the 23,000 square foot main building of the future home of the Central New York Living History Center. The complex of vacant commercial buildings will house a Brockway Trucks Museum and the collections of Ken Eaton, including 160 years of war and railroad memorabilia. Funding will allow the museum to open in late 2010, improve the gateway to the Town of Cortlandville and establishes a visitor center along the banks of the Tioughnioga River.

Renovations will also be made to the 16,000 square foot vacant, former Grossman's Outlet building as a home for the Cortland Repertory Theater. The site is located directly across Route 11 from the History Center. This regional theater would gain increased space for winter productions, set construction, costume storage and office space. In tandem with the museum, it establishes a gateway in the Town.

Village of Fairport—Parker Street/Southeast Docking/Towpath Park

GRANT TOTAL: \$156,714

Restore NY funds will be used to demolish and remove five buildings (wood frame, metal garages, concrete block) as part of a redevelopment and reuse project of the vacant Department of Public Works site (1.62 acres) along the Erie Canal in the heart of Fairport's business district. A mixed-use development concept has been proposed by a private developer that includes construction of 33 market rate condominiums/apartments and a 5,000 square foot commercial building that will feature a gourmet pizza bar and wines from Casa Larga. The redevelopment and reuse of this parcel is part of the Village's 2007 Comprehensive Plan Land Use and Design Report and received an Environmental Protection Fund Local Waterfront Revitalization Program grant in November 2008 for \$534,000 for a public access component along the waterfront.

City of Rochester—Center City Commercial and Mixed Use Initiative

GRANT TOTAL: \$6,000,000

The market for downtown living has experienced unprecedented growth in the past eight years. Restore NY funds will be used to create 80 new market-rate housing units and the renovation of 220,493 square feet of commercial space in five downtown buildings. These proposed redevelopment projects are in conformance with the Center City Master Plan and they will have significant benefits for the city's tax base.

City of Rochester—Development Site Clearance Project

GRANT TOTAL: \$3,500,000

Two privately-owned sites will utilize Restore NY funds for demolition to create shovel-ready sites: an 8.14 acre deteriorated industrial complex for new housing units and phase I of a 6.4 acre site (formerly occupied by the Genesee Hospital). Restore NY funds will also be used to demolish 96 city-owned residential and commercial buildings as part of the ongoing strategy to right-size the housing stock, assemble sites for development and implement focused demolition of obsolete properties.

Village of Penn Yan—Mixed Use Redevelopment

GRANT TOTAL: \$2,500,000

The Downtown Penn Yan Revitalization project includes the rehabilitation of three buildings totaling 56,470 square feet. These buildings are vacant or substantially vacant and are located in the heart of the village along the Keuka Outlet. They are within the Yates County Empire Zone and part of the recently completed Waterfront Development Plan area.

Upon completion, the former Garrett Winery Building will be used for a restaurant, office and retail space and the Water Street Warehouse Buildings will be used for retail, office and apartments. The Warehouse buildings are included in the State and National Historic District. The successful rehabilitation of these blighted buildings will be truly transformational for Penn Yan, both visually and economically.

Village of Medina—Pearl & Main Revitalization

GRANT TOTAL: \$304,109

The project focuses on four structures in the Pearl Street/Main Street neighborhood near the Village's downtown. This rehabilitation will help to rejuvenate downtown Medina and its historic charm.

Village of Mount Morris—New Family Theater

GRANT TOTAL: \$433,477

The New Family Theater is a circa 1920's Art Deco movie theater that has been abandoned, vacant and deteriorating in downtown Mount Morris for more than 25 years. The village plans to demolish the +/- 4,000 square foot rear auditorium due to its advanced state of decay. The front 1,500 square foot original building and its Main Street facade will be renovated so that it can be marketed to a private developer for new commercial use. The building was the primary focus of a recently completed Downtown Strategic Plan. Renovating the building for new commercial use will significantly further the Village's downtown revitalization efforts.

Village of Seneca Falls—Seneca Falls Canal Corridor Revitalization

GRANT TOTAL: \$2,500,000

The Village of Seneca Falls, in collaboration with the Town of Seneca Falls, will rehabilitate the Seneca Knit Mill and demolish two surrounding structures, providing a safe and spacious facility for the National Women's Hall of Fame. Located adjacent to the Erie Barge Canal in the Village of Seneca Falls, the birthplace of Women's Rights, the Seneca Knit Mill, a 34,456 square foot vacated industrial building, will increase visibility for the Hall of Fame and its more than 15,000 annual visitors. Additionally, the village will demolish two vacated buildings to improve the aesthetic and commercial environment on the south side of the Canal and provide much needed waterfront space. This project will allow the village to implement the integral first phase of redevelopment along the Canal Corridor, immediately encouraging economic investment in this fiscally distressed community.

City of Batavia—Masse Gateway Redevelopment

GRANT TOTAL: \$1,500,000

The project will include demolition and reconstruction within an area that will become a gateway to the Batavia Industrial Center (BIC). The BIC is an underutilized complex of almost one million square feet within the City of Batavia's core industrial area. Batavia's Central Corridor Plan has identified redevelopment of this Empire Zone site as a priority. The project will demolish portions (39,600 square feet) of three interconnected buildings now blocking access into the site from Main Street via Masse Place. The Project will also rehabilitate and reconstruct buildings remaining within the gateway area (120,000 square feet) in order to provide updated, more marketable business incubator and flex-space within a campus setting having direct visual, pedestrian and vehicular connections to Main Street. The \$3.1 million project cost will include related site, utilities, infrastructure, parking and exterior lighting improvements and is anticipated to lead to an additional \$5 million in investments by tenants.

Village of Churchville—Luster Coate Redevelopment

GRANT TOTAL: \$250,000

Luster Coate Brownfield site has old industrial buildings with contaminants. This four-acre site is proposed to be redeveloped by Lotus Green Development, LLC, as mixed-use with green housing units built along Black Creek. The grant request covers the demolition, creekside trail with lighting and site preparation. This demolition/site development project will expedite the housing development located along the water shore of Black Creek in the central part of the village. The village master plan has identified this central area as the village's central district and ideally suited for mixed residential commercial usage. The abandoned industrial site is negatively affecting the neighborhood and future economic development. Some unique features of this sustainable green development are high energy efficiency, LED lighting, geothermal heating, ventilation and air conditioning (HVAC) system, solar panels and onsite shared gardening area. Construction of a public walkway trail, along the creek, will also enhance recreational opportunities at this location.

LONG ISLAND REGION

TOTAL GRANT MONIES: \$10,953,000

Town of Riverhead—East Main Street Revitalization Atlantis Marine World Aquarium

GRANT TOTAL: \$2,400,000

The Atlantis Marine World Aquarium Project encompasses demolition, reconstruction and expansion of anchor buildings in Riverhead's downtown. The project will reconstruct two demolished underutilized properties into a five-story, 101-room Hyatt Place hotel (66,082 square feet) and add a two-story changing exhibit gallery and catering hall (26,901 square feet). The town proposes the enhancement of the existing aquarium to a 6.5-acre site (a New York State Empire Zone), to strategically advance the Town of Riverhead's East Main Street Urban Renewal Plan objectives. The expansion will add approximately 140 permanent employees (107 Part-Time and 33 Full-Time) and 150 construction jobs for approximately 12-18 months. Aquarium affiliated

businesses (marina, restaurant) project an additional 20 jobs. Hotel occupancy projections are 72-74 percent year-round, extending the 4-month tourist season that fuels the Eastern Long Island economy. Improvements will eliminate blight and revitalize this waterfront getaway to attract visitors (projected to increase 20 percent to 480,000 year) from the Tri-state area and beyond.

Town of Hempstead—Elmont Hempstead Turnpike Commercial Renovations

GRANT TOTAL: \$2,412,000

The town will demolish and reconstruct 12 mixed use properties (retail & residential), totaling 59,908 square feet. The project, supported by the Visioning Plan and created with the community's help and input, includes the continued revitalization of Elmont's downtown by demolishing, rehabilitating, and reconstructing deteriorated vacant and abandoned commercial and mixed-use properties located on Hempstead Turnpike, west of the proposed Argo theater project which was the subject of a Restore 2 grant. This project will boost the town's ability to attract a qualified developer for the supermarket (a crucial anchor enterprise) proposed on the Argo theater site.

Furthermore, it will enhance ESDC's plans for the redevelopment of Belmont Park located just west of this proposed project. It will contribute to a coherent and aesthetic downtown, increase local employment opportunities, generate investment, revamp abandoned and underutilized properties and create a positive image and attitude in the community.

Town of Huntington—Plaza Retail Center

GRANT TOTAL: \$1,170,000

The town will demolish a vacant, deteriorated 4,200 square foot auto body shop for construction of a mixed-used building that will foster economic and job growth in Huntington Station. The project is part of the "Take Back the Blocks" initiative. The project site is close proximity to the town's major transportation hub serving 11,000 commuters daily and is a transit oriented development project. The owner will act as developer.

The proposed project will include four one-bedroom residential unites on the second floor and 3,600 square feet of commercial space on the first floor as well as 18 on-site parking spaces.

Town of Patchogue—31 West @ New Village

GRANT TOTAL: \$ 2,471,000

The town proposes the development of a transit oriented urban renewal project consisting of a 9,500 square foot retail and 17,000 square foot office. The building rehabilitation includes; a facade renovation, the reintroduction of the cornice at the top of the building, new storefronts, new office space, a new main entrance and lobby core, and an upgraded elevator, bathrooms and hallways. The project is expected to generate 81 construction and construction-related jobs during the six-month construction period and more than 150 permanent full-time equivalent jobs. The project is registered with the US Green Building Council Building.

Valley Stream—Sun Valley Towers

GRANT TOTAL: \$2,500,000

The project will demolish three under-utilized vacant residential and commercial buildings totaling 20,000 square feet, to reconstruct a 92,000 square foot, five-story residential and

commercial building. The first floor will provide four commercial units, totaling at 80,000 square feet (13,000 square feet for parking/20,000 square feet lower level parking). Floors two through five will provide 64 residential condos. The Valley Stream Long Island Rail Road station market analysis predicts that this development will not only improve area housing stock, but its economic ripple effect will induce greater commercial investment into the district.

MID-HUDSON REGION

TOTAL GRANT MONIES: \$ 17,205,000

City of Yonkers—Yonkers Former Main Street Library

GRANT TOTAL: \$5,434,000

This project will rehabilitate a vacant and surplus library into a retail and office building. Since the City of Yonkers successfully completed its new Riverfront Library in 2002, its former downtown library at 5-7 Main Street has sat vacant in an otherwise healthy central business district know as Getty Square. The city has identified a developer who will purchase this three-story, 45,000 square foot building, completely renovate it and convert it into first floor retail and upper level professional offices. The building will once again be placed on the tax roll and become a productive part of our downtown, which is a designated Empire Zone. The project will revitalize a portion of Yonkers' urban core along its Main Street and induce commercial investment.

Town of Dover—The Knolls of Dover

GRANT TOTAL: \$2,500,000

Dover is seeking Restore NY Funding for demolition of a portion of the former Harlem Valley Psychiatric Center (HVPC). The HVPC consists of 2 million square feet of vacant and contaminated space in 80 buildings on 850 acres. For decades, it housed over 5,000 patients with over 5,000 employees, and it was an integral part of the community. When state operations ceased in 1994, the town lost its major employer and was left with deteriorating buildings which exert a blighting influence on the community. After comprehensive studies, adopting flexible mixed use zoning and securing Empire Zone status for part of the site, a private partner for redevelopment of the HVPC was found. Dover Knolls purchased the state property in 2003 and is proposing to revitalize the site into a Town Center with approximately 250,000 square feet of commercial space.

City of Poughkeepsie—Academy Street Initiative

GRANT TOTAL: \$2,395,000

The City of Poughkeepsie has identified Academy Street, between Main and Cannon Street, as a crucial component to the continued success of the revitalization of the existing Central Business District. This section of Academy Street includes the \$17 million renovation of the historic Luckey Platt Building; a private development consisting of 138 residential units and 25,000 square feet of commercial space. Rental and lease up efforts have been severely hindered by the recent spike in murders and shootings in the target area. To counteract the violent crime issue, the Academy Street Initiative will focus on the rehabilitation and reconstruction of a prominent,

distressed and posted unsafe mixed-use building at 23 Academy Street.

Upon completion, 23 Academy Street Initiative will produce eleven residential units and an adjoining commercial space, all of which will benefit from green technology (sustainable finishes, geothermal and photovoltaic systems).

Village of Monticello—Monticello Downtown Revitalization Project

GRANT TOTAL: \$1,750,000

JOBS CREATED: 70

The project is in the urban core of the Village, Census Tract #9518 and the Sullivan County Empire Zone. The project will include the demolition, rehabilitation and reconstruction of vacant and underutilized structures on Broadway in the heart of the downtown business district. All parcels are within walking distance to each other. The project includes eight buildings, which consist of 33,000 square feet of new retail space and 15,000 square feet of new professional office space, 12,000 square feet of commercial and residential space to be rehabilitated and 48,000 square feet of commercial and mixed use space to be rehabilitated and reconstructed. The total project includes over 98,000 square feet of space to be occupied and will create an estimated 70 jobs after reconstruction. Over 250 linear feet of new building facades will be created. Tenants for many of the new spaces have been identified. Total private sector investment in this project is \$10 million. Planning and zoning approvals to be in-place by May 2009. The project is adjacent to an \$8 million New York State Department of Transportation road reconstruction initiative. The Sullivan County Industrial Development Agency to provide tax incentive assistance and the project is consistent with local Downtown Revitalization Plan and Sullivan County 2020 Strategic Plan.

Village of New Square—Heritage Park Industrial Complex

GRANT TOTAL: \$1,621,000

The Village of New Square will reconstruct a new 26,250 square feet kosher poultry processing facility to be operated by Adir Poultry Inc., at 806 North Main Street—a 7.8 acre lot—near the entrance to the Village of New Square.

Currently, a small kosher poultry plant—measuring 5,000 square feet—operates on 830 North Main Street, adjacent to the proposed site. The Village has recently completed a rezoning process and the lot of the existing poultry plant was rezoned for residential use. This poultry facility will be closed down and, as it will not be serviceable in a residential area, it will be deemed surplus and no longer usable. ZD Realty, the owner of both lots, will donate the adjacent commercially zoned lot at 806 North Main Street to construct the new facility in order to ensure that the economic and social benefits of this local enterprise remain within the municipality.

City of Yonkers—Yonkers Philipse Manor Historic District Rehabilitation

GRANT TOTAL: 3,505,000

This project will transform a block of 13 deteriorated, predominantly vacant, late 19th century buildings into nineteen residential units and approximately 16,000 square feet of retail space in Yonkers' downtown. A portion of the project is owned by Greyston Foundation and includes the demolition of the rear portion of six vacant buildings, while restoring the historic facades and rehabilitating the buildings' front portions into nine residential units

and 4,000 square feet of retail. Greyston's project also includes the new construction of approximately 100 additional housing units behind this site on vacant land. The remaining seven properties will be rehabilitated with the facades restored resulting in ten new residential units and 12,000 square feet of retail. This project will revitalize Yonkers' urban core, induce commercial investment and improve the housing stock.

MOHAWK VALLEY REGION

TOTAL GRANT MONIES: \$12,475,255

City of Oneonta—Bresee Block Redevelopment Project

GRANT TOTAL: \$2,200,000

The City of Oneonta proposes to comprehensively revitalize the heart of the downtown area by implementing the Bresee Block Redevelopment project. This project includes the demolition of over 50,000 square feet of vacant, dilapidated buildings; restoration of the vacant, historic Bresee's Building to 1906 vintage; rehabilitation of two adjacent mostly vacant mixed use buildings; and development of supporting access and parking facilities. Project funding includes state City-by-City, state Capital Assistance Program and Community Development Block grants; city funds and in-kind services; and private financing. The project will create 11,800 square feet of new retail and commercial space; 27 new housing units; and parking for 75 cars. The project will support the recently completed Water Street Revitalization and Clarion Hotel and Conference Center projects, as well as the Foothills Performing Arts Center scheduled for completion this summer.

City of Gloversville—Estee School Condominium Project

GRANT TOTAL: \$2,500,000

The Estee School is a very prominent building at the north end of the downtown Main Street district in the City of Gloversville. The building was vacated by the Gloversville School District approximately 12 years ago. The east wing of the school was rehabilitated as upscale apartments 2 years ago by the Crossroads Incubator Corporation, a subsidiary of the Fulton County Economic Development Corporation, and has been very successful, with an occupancy rate over 90 percent. The proposed project to be assisted with Restore NY funds would rehabilitate the remainder of the school, into condominiums. The project would result in a multi-million dollar investment in downtown Gloversville, put a prominent vacant building back into productive use, make a substantial contribution to the City's tax base and bring residents back into downtown. This project will involve the rehabilitation of the former Estee School on Main Street in Gloversville into 25 condominiums and entails rehab of a total of 46,312 square feet of space.

City of Johnstown—Collingwood Ave and North Perry Housing Project

GRANT TOTAL: \$420,000

The city has demolished two old commercial and industrial buildings on a 1.1 acre, 3 parcel site near the city center. The city will transfer ownership to a private developer who plans to construct three duplex townhouses. Each of the six housing units is approximately 1,355 square feet for a total of 8,130 square feet. These homes will be constructed to conform to

the current market and neighborhood needs. Access to two of the duplex townhouses will be off of Collingwood Avenue and the third townhouse will be off of North Perry St. This project fulfills the objectives and needs identified in the city’s “Comprehensive Plan.” This project will also leverage the City’s Brownfields Opportunity Area program.

Village of Cherry Valley—29 Main Street Cherry Valley

GRANT TOTAL: \$225,000

The project involves the renovation and restoration of the only vacant and abandoned mixed use building located on Main Street, in the historic Village of Cherry Valley. The building was erected circa 1856 and is approximately 6,400 square feet, including three floors and a basement. The goal is to return the structure to working form to offer space to businesses with local interests, thereby providing a much needed economic boost to the village. The project will provide commercial space on the first floor, two as well as housing units for local residents on the second floor. The building will have parking facilities.. The exterior facade of the building will be restored in keeping with the surrounding architecture. The intention is to employ local businesses for the project. Local contractors will be employed for project construction.

Town of Richmondville—Maranatha Family Center

GRANT TOTAL: \$2,314,600

The Maranatha Family Center project will demolish existing, vacant and unsafe barn space and rehabilitate the historic Dutch barn for future use. After demolition and rehabilitation, the reconstruction of a recreational/medical/fitness complex will commence. Phase I of the re-use of this building will entail a mix of office spaces and other types of facilities. At the project’s completion, it will comprise the currently existing Maranatha Physical Therapy and Maranatha Fit-for-Life Fitness Center; leasable office space; meeting rooms; and a children’s activity center. This multi-faceted complex will provide a much-needed recreational venue for the region. Additionally, it will offer leased business space to complimentary businesses, thus generating economic growth. The project is commensurate with several objectives in the Town of Richmondville Comprehensive Plan, as well as in the Schoharie Long Range Economic Development Strategy.

City of Rome—From Brown to Green Rome BOA Implementation Strategy

GRANT TOTAL: \$1,690,000

This catalyst project, identified in Rome’s Brownfield Opportunity Area (BOA) will rehabilitate three critical properties in Rome’s downtown, bringing them from negative value to extremely marketable conditions. The Old City Hall building, located in the Bellamy-Gansevoort Historic District, will undergo exterior historic preservation, interior rehabilitation, and LEED certification, for future commercial uses. The Grand Hotel will undergo gut rehabilitation and energy-star rehabilitation to create modern residential and commercial space. The Nolan Building will undergo deconstruction, gut rehabilitation and reconstruction activities to provide flexible, energy-efficient commercial space. Supported by the City’s comprehensive master plan, urban design plan, Main Street Development Assessment and the BOA nomination study this Restore NY initiative will energize our local tax base, leverage private investment and position Rome for prosperity in the new economy.

City of Utica—Genesee Street West Project

GRANT TOTAL: \$2,125,655

The West side of Genesee Street in downtown Utica is in the heart of our targeted business district revitalization target area. The Genesee Street Corridor Improvement Project will assist (3) properties all located in the 100 and 200 block of Genesee Street. Genesee Street is the City of Utica's "Main Street" as it runs through the heart of the downtown and connects the residential area and the Utica Thruway exit of North Utica to the residential neighborhood in South Utica.

The City proposes to rehab three buildings that are all more than 50% vacant and unimproved. These include: the Winston Building rehabilitation of 3 floors of professional office space and 2 floors of loft-style residential space, 170-172 Genesee Street rehabilitation for the expansion of an existing software development company, and 180 Genesee Street rehabilitation for future commercial space.

Village of Sharon Springs—The Imperial Spa by Sharon Springs, Inc.

GRANT TOTAL: \$1,000,000

JOBS CREATED: 100 JOBS

The project aims to rehabilitate the historic Imperial Bathhouse (circa 1927) into a modern luxury spa, which will re-establish Sharon Springs as a spa destination. The Village of Sharon Springs has a rich history as a health spa destination that can count former presidents and captains of industry as guests, due to its unparalleled natural mineral waters. The rehabilitation will create spa and therapy areas of 41,200 square feet and 6,400 square feet for outdoor bathing facilities. The total renovated square footage, including all amenities such as restaurants and gift shops, will be 50,000 square feet. In conjunction with numerous nearby tourist attractions in Schoharie and Otsego Counties, the Imperial expects 40,000 day-trippers annually. In addition, with its exclusive relationship with DongBu Tour and Travel, the largest Korean travel agency on the east coast, the Imperial will, yearly, attract over 80,000 visitors. Based on the estimated revenue of \$190 per square foot for a luxury spa (International Spa Association in 2007), gross revenues for the Imperial Baths for the first full year of operation will be \$10.3 million and will create over 100 new jobs.

NEW YORK CITY REGION

TOTAL GRANT MONIES: \$10,000,000

New York City –Bush Terminal Site 39/40, 45

GRANT TOTAL: \$10,000,000

Bush Terminal campus includes the demolition and reconstruction of the surplus municipal building. Currently 37,100 square feet of industrial buildings are situated on a 130,000 square foot site zoned to accommodate 260,000 square feet. The site is located in an Empire Zone, a Brownfields Opportunity Area study area, NYC industrial Business Zone and a new market tax credit eligible area. EDC would prepare the site for a new building to be constructed and/or used by private sector. Restore NY funds will be used for demolition, asbestos removal, utility upgrades and new construction. EDC is in discussions with interested industrial owner operators. A redeveloped site will generate private investment, jobs and taxes.

NORTH COUNTRY REGION

TOTAL GRANT MONIES: \$12,611,002

City of Watertown—Woolworth Hotel

GRANT TOTAL: \$2,500,000

The historic Woolworth Building sits at the top of Public Square in downtown Watertown. The building will be rehabilitated to create a boutique hotel with 100 guest rooms on the 2nd through 6th floors, meeting rooms, restaurant and retail spaces on the ground floor and a new pool and fitness center in the basement and includes 72,850 square feet. This building, located in the center of downtown, has been abandoned for several years and is located in an Empire Zone. A multi-story parking garage will be built opposite the hotel on vacant property where deteriorated structures were recently demolished by the city.

Village of Malone—Flanagan Hotel

GRANT TOTAL: \$2,164,751

The project includes the rehabilitation of the currently vacant Flanagan Hotel building located on Main Street in Downtown Malone into a 101 room hotel with street level commercial space. The building is located in an Empire Zone, is six stories tall and totals 93,100 square feet of space. The hotel first opened in 1914 in Downtown Malone, and since that time has served as an icon for the community. The Hotel suffered a fire in 1997 and has been vacant since that time. The community has identified downtown revitalization as a priority economic development strategy and the hotel's high visibility and connection to local history make it a key component to the success of downtown.

Heuvelton—Pickens Hall Phase IV

GRANT TOTAL: \$490,000

This project includes funding for the restoration of the third floor of Pickens Hall, the Opera House Auditorium, which will provide performance space and rooms for the Heuvelton Historical Association's museum. This will complete the restoration of this historic jewel which serves as an anchor to the Heuvelton community.

City of Plattsburgh—Imperial Industrial Park—New Homes For Business

GRANT TOTAL: \$2,500,000

The Imperial Park, site of the former Imperial Wallcoverings factory, which in the 1990's employed about 600 workers, is located on 46 acres in the City of Plattsburgh's Empire Zone. There is approximately 550,000 square feet of floor space under 10 acres of roof. The facility's current tenant occupancy is 35.2 percent. The Restore NY Grant will be used to rehabilitate the existing site, including replacing and insulating an approximately 200,000 square foot roof; restoring two rail spurs to the facility, constructing demising walls and installing energy efficient lighting to create smaller, more efficient manufacturing and warehouse spaces for new tenants. There has been communication with several possible tenants, including vendors for Bombardier and Nova Bus, which are very interested in locating to the facility if their facility needs can be met. This will potentially add hundreds of new jobs to the Plattsburgh area. This project is "Shovel Ready."

Keeseville—Ausable Horse Nail Co. Complex

GRANT TOTAL: \$630,000

This project will revitalize the vacant but historic former Ausable Horse Nail Company complex along the Ausable River through an initiative by Adirondack Architectural heritage (AARCH), the private nonprofit historic preservation organization for the Adirondack region. The project will result in the creation of an architectural heritage center, rental office and apartment spaces, as well as four studio/living spaces for working artists. The revitalization of the mill has been a high priority community revitalization project in the village for the past decade.

Village of Carthage—Medical Office Complex

GRANT TOTAL: \$579,136

This project includes construction on vacant land in the center of downtown Carthage, a 6,400 square foot two-story brick facade commercial medical office building for lease to Pediatrics and Family Primary Care Practices. The project will be constructed on, and adjacent to, the Carthage fire site (site of a five building fire in 2001). Two dilapidated buildings were demolished in February 2009 adjacent to the fire site to make room for this project. The project will result in the creation of 12 high paying jobs. The facility will generate more than 8,000 patient visits per year to downtown, which is critical to the sustainability of downtown businesses. The Carthage Area Hospital will be able to address expanded healthcare needs of the region associated with Fort Drum so that the area may remain economically competitive. This project will continue efforts recommended in the 2001 Carthage/West Carthage Downtown Revitalization Plan

Village of Cape Vincent—Roxy Hotel

GRANT TOTAL: \$1,532,286

The Roxy Hotel (Roxy's), built in 1894, is literally the cornerstone of the business district in the Village of Cape Vincent. Listed on the New York State Historic Register, Roxy's is a three-story brick building located at the corners of Broadway (Main) and Market streets. The rear top two floors of the 15,000 square foot building overlook the beautiful St. Lawrence River, but are in the process of being condemned. The building is part of the downtown revitalization plan which was developed with the assistance of a 2006 New York State Strategic Planning Technical Assistance Grant and has been included for facade renovation in the New York State Main Street Grant which the Cape Vincent Improvement League and Cape Vincent LDC received in 2007. The rehabilitated building will be a mixed-use facility with the majority of space dedicated to commercial use. An attached motel unit will be demolished and replaced with 4-6 apartments.

Village of Harrisville—Riverside Neighborhood

GRANT TOTAL: \$276,475

Dooley's Drug Store on Main Street is located in the center of the downtown commercial district of Harrisville and is in the Lewis County Empire Zone and the Housing and Urban Development (HUD) Riverside Targeted Area. The vacant drug store was condemned by Lewis County Code Enforcement on February 20, 2009 (7,460 square feet) and will be restored to contain commercial space on the ground floor and two apartments on the second floor.

Village of Sackets—Historic Madison Barracks

GRANT TOTAL: \$735,000

The subject of the Village of Sackets Harbor's Restore NY grant application is the Historic Madison Barracks Rehabilitation Project. This project proposes to restore an architecturally and historically significant abandoned, dilapidated vacant building that is not currently on the tax rolls. The former administration building is listed on the National Register of Historic places and is located in the community's locally targeted Madison Barracks Historic Planned Development District. The site will be rehabilitated into a hotel. The project will require new infrastructure which should stimulate further development in the area.

Village of Clayton—Riverwalk District Revitalization

GRANT TOTAL: \$1,203,354

Building 1, located at 419 Riverside Drive, has been cleared and is now ready for development. Planned is a three story mixed used building including retail, office and living space. Building 2, located at 690 Riverside Drive, is an underused building that with renovations would result in office space and expanded marine repair facility. Both sites reach from the main street to the St. Lawrence River. Both sites are in the Riverwalk District and will encompass the intended Riverwalk and comply with the community's Comprehensive Plan, as well as its Local Waterfront Revitalization Plan. Both plans will result in job creation. Building 1 at 419 Riverside Dr. is the preferred project, should a reduction in the grant be necessary.

SOUTHERN TIER REGION

TOTAL GRANT MONIES: \$15,901,598

City of Hornell—Federation Building Renovation Project

GRANT TOTAL: \$1,500,000

The renovation of the Federation Building (29,000 square feet), located in the central commercial/downtown district is proposed to include the construction of 18 market rate residential units overlooking the city, as well as renovation to the first floor to accommodate mixed-use retail/business uses. Renovations specifically include repair of exterior masonry, installation of structural floor system in existing auditorium, window replacement, new exit stairs for code compliance, upgraded elevator for compliance with the Americans with Disabilities Act, installation of fire protection system, replacement of heating, ventilating, and air conditioning (HVAC), plumbing and electrical systems, and general architectural improvements and fit out to construct the apartment units. Asbestos and lead paint surveys will be conducted and all construction will be required to meet the approval of Office of Parks, Recreation, and Historic Preservation (OPRHP) review.

City of Binghamton—Neighborhood Impact Program

GRANT TOTAL: \$2,220,000

Restore NY funds will be used to continue the strategic implementation of the Binghamton Healthy Neighborhood Initiative which concentrates on resources, partnerships and investments in developing livable, marketable and sustainable neighborhoods over the long-term. Building upon

its Restore 1 and 2 projects, the City of Binghamton will continue its citywide collaborative effort to eliminate and redevelop blighted properties, especially in transitional neighborhoods. Activities will include demolition, reconstruction, rehabilitation and or deconstruction of 48 vacant, distressed and or condemned residential structures. Reuse activities will be identified based on neighborhood density, character, marketability, and potential impact on future investment. Reuse activities may include green space development, new construction at demolition sites, and rehabilitation. The city will continue building upon its collaborations with Broome County, local and regional housing development agencies, and residents in meeting its development goals. The city will strive to meet energy efficiency and universal design standards to the highest extent possible.

City of Binghamton—Targeted Commercial Catalysts

GRANT TOTAL: \$1,275,510

Restore III funds will be used to redevelop commercial sites that strategically build on earlier Restore funding and will catalyze investment in the targeted downtown and north side neighborhoods.

Village of Corning—East End Redevelopment Project

GRANT TOTAL: \$1,470,000

The East End Redevelopment Project involves the total rehabilitation of 25,700 square feet of commercial space in two historic anchor buildings located within a two-block area. They form the bookends of a major redevelopment effort in Corning's downtown Business Improvement District (Corning Gaffer District). The project is a joint redevelopment effort being undertaken by the city, the BID, Restore NY and New York Main Street funding and private developer investment. The Project involves the rehabilitation of 12,500 square feet of poor quality and undeveloped space in the 3-story mixed-use building located at 54-58 East Market Street. The Project is located in a designated Historic District and an Empire Zone. It will result in the retention of an anchor retail tenants and 11-13 new commercial businesses.

City of Ithaca—Downtown Commons Upper Story Housing

GRANT TOTAL: \$1,150,000

The Downtown Commons Upper Story Housing project involves the redevelopment of vacant, downtown buildings located on "The Commons" for retail/housing and mixed use. The project implements the Downtown Ithaca Development Strategy and is located within the Empire Zone.

Village of Whitney Point—Downtown Building Renovation Project

GRANT TOTAL: \$410,000

The proposed project includes the renovation of three vacant mixed use buildings on the same block in downtown Whitney Point. The three-story brick Oakland Hotel (+/- 8,000 square feet) will be redeveloped to house a restaurant and commercial space on the first floor and commercial space and an Inn on the upper floors. The nearby Johnson building is a two-story, 3,000 square foot brick structure that will be renovated for commercial use on the first floor and market rate residential housing on the upper floor. The former Reporter Building will be renovated and a new addition will be constructed to house a new primary care facility for Lourdes Hospital. The Village completed a Downtown Strategic Plan in

2008. The creation of new commercial space, market rate housing and the renovation of the Oakland Hotel were important strategies in this plan.

Village of Johnson City—JC BOA Redevelopment & Revitalization

GRANT TOTAL: \$914,000

The Village of Johnson City's Restore NY project will involve the demolition of deteriorated commercial and mixed use buildings and be the catalyst for the redevelopment and stabilization of priority sites within the Endicott Johnson Industrial Spine Brownfield Opportunity Area. The project will involve the demolition of a mixed use building of 8,500 square feet, stabilization and rehabilitation of the vacant National Register listed Goodwill Theatre of approximately 25,000 square feet along with the rehabilitation and redevelopment of vacant industrial buildings. The project is located within the Triple Cities Empire Zone and is adjacent to the Central Business District of the Village.

Village of Montour Falls—Rural Urban Center

GRANT TOTAL: \$766,500

Funding will be used to renovate and rehabilitate the former Rural Urban Center at 208 West Broadway Street into three professional/commercial spaces and 10 residential units. The Rural Urban Center, a 15,000 square foot former school building currently owned by Schuyler County, was most recently used by the County as an office building and is currently vacant and surplus. It is immediately adjacent to the Route 14/Catherine Street commercial corridor and the West Main Street commercial and historic district. Renovation will be done by the Nelson Development Group who will take title, develop the project, returning the property to the tax rolls and adding an important component to the Village's revitalization by providing much-needed professional/commercial office space and market housing. The developer will provide the project match required by Restore NY.

City of Elmira—Federal Building Redevelopment

GRANT TOTAL: \$1,250,000

The City of Elmira currently owns what is being referred to as the Federal Building, which is vacant, surplus property that once served as a United States Post Office and Court House. The property located at 200 East Church Street is in the heart of the city's Central Business District on the corner of Church Street and Clemens Center Parkway. The building is located on 2.13 acres which includes a vacant lot for additional parking needs. Built in 1902, the building is listed on the National Register of Historic Places. There is approx. 59,492 square feet of gross building area including the basement, and approx. 43,000 square feet of rentable space. The city has entered into a Development and Option Agreement with a developer to rehabilitate this commercial property to accommodate a mix of retail and office space.

Town of Stamford—Main Street Revitalization

GRANT TOTAL: \$865,512

The Main Street Revitalization project involves the rehabilitation of two vacant properties on historically significant Main Streets in the villages of Hobart and Stamford in the Town

of Stamford. Building A was and will be mixed use commercial; Building B was and will be commercial. Local revitalization plans call for the rehabilitation and reuse of these historically important structures in NY Main Street and Community Development Block Grant (CDBG) Target Areas. Building A is a vacant four-story Queen Anne Victorian with 13,750 square feet to be rehabilitated into 1st floor retail, 2nd floor offices and 3rd floor apartments for tenants in the Village of Stamford. Retail client is in place. Building B is 5,200 feet and will be rehabbed as a bookstore and book warehouse as part of the Book Village of the Catskills revitalization; the building will be occupied and operated by an established bookseller.

Village of Horseheads—South Avenue Redevelopment Project

GRANT TOTAL: \$380,576

The South Avenue Redevelopment Project involves the demolition of a 71,000 square foot surplus, vacant industrial building. The building is located in the center of a residential area and within a half mile of the newly constructed I86 project in the Village. This demolition will allow the lands to be utilized for a mixed use of neighborhood commercial and residential uses.

Village of Owego—Historic Central Business Restoration

GRANT TOTAL: \$969,500

The project entails rehabilitation of mixed use structures within the central business historic district. Currently all of the structures have either the second or third floors vacant. Some of these have first floor commercial space vacant as well. By creating more residential units and rehabilitating the first floor commercial space in the mixed-use structures, the central business historic district will see a more pronounced vitality and a greater economic stimulus.

Village of Watkins Glen—Magee Point Landing

GRANT TOTAL: \$1,190,000

The Magee Point Landing project will rehabilitate the former public works building at 65 Salt Point Road in the Village of Watkins Glen, a property declared surplus by the Village. The project will convert the existing 11,500 square foot four-level brick building into eight apartments and a lakeside restaurant while enhancing the historic character of the building. The Seneca Lake site is close to the central business district, allowing residents and restaurant patrons to shop and support commercial investments in downtown Watkins Glen. The restaurant will offer indoor dining, lakeside dining, and dockside service for the hundreds of boaters on Seneca Lake serving the local community as well as the visiting tourist trade. The project will encourage further development of lakeside properties enhancing the tourist industry which is crucial to the local economy.

City of Norwich—Norwich Frames Unlimited Building Rehabilitation

GRANT TOTAL: \$200,000

The City of Norwich proposes to rehabilitate a vacant mixed use building, most recently used as a picture frame shop and rooming house, located at 24 East Main Street in the city's central business district. The two-story, wood-frame building, measuring approximately 3,300 square feet in floor area, will receive extensive exterior and interior rehabilitation to reestablish a new commercial/retail space on the first floor and residential use of the second

floor, most likely two one bedroom apartments. Upon completion of the project, the city will sell the property to a private party through a bid or other lawful process. The proposed project is consistent with the city's Comprehensive Plan, adopted in December 2003, as well as the program objectives of the Norwich Business Improvement District.

Village of Bath—Masonic Temple Restoration

GRANT TOTAL: \$1,180,000

The Village of Bath, in collaboration with Johnson-Schmidt & Associates Architects, will conduct a restoration project of the Masonic Temple building in the Village of Bath. Built in 1832, the building is in a rapid state of deterioration and is in need of structural repairs. Funds will be used to make structural repairs and to renovate the building's 14,200 square feet in an effort to reuse the structure with a mix of commercial and residential tenancy. The building is located in the heart of the downtown area of the Village and its restoration is in line with the Village Comprehensive Plan strategies of improving community appearance (while maintaining historic character) and encouraging economic development. This project will allow the Village to increase its tax base, thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base, lessening its dependence on state aid.

Town of New Berlin—Downtown Revitalization Project

GRANT TOTAL: \$160,000

The Village proposes demolition of a three-story brick building at 2-10 Main Street, at the main intersection of the New Berlin Business District. On one corner is a three-story brick building at 2-10 Main St, which is currently vacant. The building is falling into itself, causing a public safety concern to pedestrian and vehicular traffic and neighboring buildings.

WESTERN NEW YORK REGION

TOTAL GRANT MONIES: \$27,243,000

City of Dunkirk—Alumax/Roblin/Edgewood Brownfield Redevelopment

GRANT TOTAL: \$2,500,000

This site, commonly referred to as "Progress Park," encompasses approximately 27.14 acres over three contiguous brownfield sites located along the eastern side of Roberts Road. The proposed development would include two structures that will encompass in excess of 200,000 square feet of new manufacturing and warehousing facilities. This project will include the leveraging of federal funds to construct a new road through this site, connecting the primary industrial corridor of the City of Dunkirk to the manufacturing center of the Town of Dunkirk. Primary objectives of this plan are: to provide new and expanded manufacturing and commercial facilities that are complimentary to and compatible with existing local businesses, thus retaining and creating jobs and increasing the commercial and residential tax base; to convert a blighted and underutilized brownfield property to a productive use; and to coordinate the redevelopment with the construction of "Millennium Parkway," serving the transportation needs of existing and new businesses.

City of Niagara Falls—Niagara Lofts

GRANT TOTAL: \$5,000,000

The project involves the green rehabilitation of the vacant, historic, blighted former South Junior High School into Niagara City Lofts, 52 market rate live/work and commercial spaces located in the heart of the city amid the Niagara Falls Memorial Medical Center, Niagara Arts & Cultural Center and Seneca Niagara Casino. This project will restore the core of the city's sustainability, revitalize the Memorial Park neighborhood in accordance with its residents' plan and attract new people associated with the hospital, the NACC and the Casino to downtown. Restore NY funds are crucial to fill the gap between the costs of asbestos cleanup and rehabilitation and income from rental rates. These funds will complement private investment from developer and historic rehabilitation tax credits equity and a mortgage. Design, financing and construction can occur in 18 months. The project will provide more than 100 construction jobs during that time frame.

City of Buffalo –Neighborhood Revitalization

GRANT TOTAL: \$7,635,526

Buffalo has developed a comprehensive plan to address the revitalization of its neighborhoods. The plan includes housing rehabilitation and strategic demolition of blighted properties. Strategic demolitions enable the city to redevelop the property or landbank for future use. Demolitions will closely follow Mayor Brown's 2007 5 in 5 program that seeks to lower Buffalo's structural vacancy rate to five percent within five years. Within the past two Restore grant cycles, the City has invested over \$24 million of its own funds in this program, proving our commitment and the importance of this program. The requested funding will be used for vacant structures, which pose a threat to public safety or are in proximity to schools, as well as in areas where the most substantial economic impact can be made. A swift demolition process is key for successful neighborhood revitalization in Buffalo.

City of Jamestown—Jamestown Connector Stabilization Project

GRANT TOTAL: \$1,000,000

The Project will encompass the deconstruction of a number of blighted and vacant multi-story manufacturing buildings, one of which is in imminent danger of collapsing into the Chadakoin River and causing flooding in the City's industrial corridor. This blight and threat has been a deterrent to redevelopment of an approximate eight acre site formally occupied by Dahlstrom Manufacturing. Once cleared, this site will offer potential for new development to occur and become part of the Jamestown Urban Connector System.

City of Buffalo—Commercial & Mixed Use Urban Center

GRANT TOTAL: \$6,684,474

The City of Buffalo's application for commercial and mixed use projects will focus on the renovation of historic properties and adaptive reuse opportunities within Buffalo's legacy-built environment per plans and strategies that have identified redevelopment priorities. The urban center will be revitalized to support cultural tourism and mixed use development. The City will partner with community development organizations and private developers to redevelop six critical commercial properties and several residential units.

City of Tonawanda—Spaulding Fibre Site Demolition

GRANT TOTAL: \$663,000

ESD provided a \$2.5 million RESTORE II grant for the demolition of 580,000 square feet of vacant above-ground structures at this Brownfield, which once housed the 860,000 square foot manufacturing operation of the now-liquidated Spaulding Fibre Company. During the RESTORE II demolition process, which was completed in 2008, below-grade concrete structures & slabs were discovered that will need to be demolished and removed so Tonawanda can complete site remediation and prepare this 47 acre site for future commercial re-use. Whatever amount we can give them will help move them toward final clean-up. At this time, the City does not have any additional funding to complete the final phase of the project.

City of Niagara Falls—Redevelopment of City Buildings

GRANT TOTAL: \$1,300,000

The former 39th Street School is located at 555 39th Street in the City of Niagara Falls. The project consists of a one story brick building built in 1954. The school closed in 1984 and a child clothing manufacturer leased the space for a few years. It has been abandoned and the target of vandals for 20 years. The building will be converted to 35 to 40 patio-style apartments for an aging population. This solid, middle class neighborhood of empty nester and snow birds are looking to downsize from multi-story homes to single-story apartments. Providing this style living accommodations will free up the housing market in the area for a younger population. Building will be mixed use and include residential and commercial space. Funds will be used for asbestos abatement, remediation of the leaking bunker oil tank, stabilization of the roof, trash and debris removal.

The former Municipal Building, at 520 Hyde Park Boulevard, was built in 1961. The existing building is a three story, 63,937 square foot structure and sits on 4.4 acres in the city. The 3rd floor is used exclusively for mechanicals. The current use of the property is for the local police station and State Court Building. The property was scheduled to be vacated in the spring of 2009. The building will be mixed use and include the operation of an assisted living facility and commercial space. Restore NY funds will be used for asbestos abatement along with the removal of all affected mechanicals. The radio tower on the building will remain. The site needs to be prepared for project redevelopment.

Village of Gowanda—Historic Hollywood Theater

GRANT TOTAL: \$660,000

Located in the center of Gowanda's Historic District, the Hollywood Theater stands vacant. It is on both the State and National registers of historic places. All economic and feasibility studies independently confirm that Gowanda's Historic Hollywood Theater is a key catalyst for economic redevelopment in Gowanda's main business district. Restoration could spur complementary efforts to capitalize on the Village's history and architecture and encourage new business development. We propose to rehabilitate and restore this historic property. A Schematic Design Report for the 12,600 square foot building has been completed with New York State Historic Preservation Office approval. The goal is to reopen the Hollywood Theater as a regional Center for the visual and performing arts.

Town of Grand Island—Grand Island Gateway Center

GRANT TOTAL: \$1,000,000

The Town of Grand Island, in collaboration with private developers, will rehabilitate the currently vacant Dunlop Building, a commercial building complex of 74,000 square feet and immediately adjacent to the I-190 thruway, a high traffic area connecting the cities of Buffalo and Niagara Falls. To ensure that the Dunlop Building is safely available for reuse, the town will conduct asbestos abatement throughout the entire structure, replace all windows, renovate the building exterior and install sanitary sewers to the project site. As a result, a long vacant, blighted building will be returned to market ready status, attracting new business to Grand Island.

City of Lackawanna—City of Lackawanna Redevelopment Plan

GRANT TOTAL: \$800,000

The City of Lackawanna is requesting funding for a comprehensive revitalization project that will fulfill the goals of its citywide redevelopment plan. All actions are integral to the redevelopment of business and housing sites at the most visible locations within the City. Efforts to immediately improve commercial and residential property include: Asbestos abatement of the 96,100 square foot vacant Bethlehem Steel office building which will be evaluated for potential re-use. In addition, assistance to Catholic Health Systems for the Our Lady of Victory (OLV) Senior Complex will enable them to complete the final and most visible phase of construction, a new entrance and commercial space.

Business Improvement Districts (BID)

New York City is home to the nation's largest, most comprehensive network of Business Improvement Districts (BIDs) in the country. The City's 64 BIDs annually contribute close to \$100 million worth of services in neighborhoods across the five boroughs.

A Business Improvement District is a formal organization made up of property owners and commercial tenants who are dedicated to promoting business development and improving an area's quality of life. BIDs deliver supplemental services such as sanitation and maintenance, public safety and visitor services, marketing and promotional programs, capital improvements, and beautification for the area—all funded by a special assessment paid by property owners within the district. Since its inception over twenty years ago, the City's BID program has contributed over \$930 million in supplemental services to invigorate our neighborhoods.

To learn more about the BID Program, see the Fiscal Year 2008 BID Annual Report Summary and Profile Book.

New York City's 64 Business Improvement Districts

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🌐 www.forestavenuebid.com

Any commercial, retail, or industrial area in New York City may apply for BID status through a local sponsor. BIDs must be approved by the local Community Board, the City Planning Commission, the City Council, and the Mayor. SBS works with commercial property owners and businesses to assist them in forming BIDs and managing BID services on an ongoing basis. To learn more about forming and managing a BID, download the following resources:

- ▶ Starting a Business Improvement District: A Step by Step Guide
http://www.nyc.gov/html/sbs/downloads/pdf/bid_guide_complete.pdf
- ▶ BID Brochure
http://www.nyc.gov/html/sbs/downloads/pdf/bid_needs_survey.pdf
- ▶ BID Needs Survey
http://www.nyc.gov/html/sbs/downloads/pdf/bid_project_plan.pdf
- ▶ BID Project Plan
http://www.nyc.gov/html/sbs/downloads/pdf/bid_project_plan.pdf

Industrial Commercial Assistance Program (ICAP)

Note: Certificates of Continuing Use (CCUs) will not be required for the 2009/2010 Tax Year.

The ICIP program has been replaced by the ICAP program, signed into state law by Governor Paterson on June 30th, 2008 and signed into local law by Mayor Bloomberg on October 10th, 2008. The new state law (<http://www.nyc.gov/html/dof/html/pdf/08pdf/icapstatelaw.pdf>) is effective as of July 1, 2008.

For details as to eligibility for the old ICIP program for projects for which ICIP applications were made prior to July 1, 2008, see the state legislation that addresses these projects. Download Transition Legislation A11755/S8705 (<http://www.nyc.gov/html/dof/html/pdf/08pdf/icaptransitionbill.pdf>).

The ICAP program provides abatements of real property taxes for varying periods up to 25 years for eligible industrial and commercial buildings that are built, modernized, rehabilitated, expanded, or otherwise physically improved.

Eligibility

Location

To be eligible for benefits for commercial new construction, applicant may build anywhere in New York City except in Manhattan, south of the centerline of 96th Street and north of Murray, Frankfort, and Dover Streets.

To be eligible for benefits for commercial renovation, applicant may be expanding, modernizing, or otherwise improving an existing structure anywhere in the City except in Manhattan, between the centerline of 59th Street and the centerline of 96th Street. In Manhattan, benefits are available for renovation in three areas, although the benefits available depend on the area in which the project is located: the Garment Center District; an area in lower Manhattan bounded generally by Murray Street, South Street, Battery Place and West Street; and the remainder of Manhattan below 59th Street.

Expenditures

Applicants must make a minimum required expenditure (MRE) equal to at least 30 percent of the taxable assessed value of the project in the year of the issuance of the building permit or, if no permit is required, the start of construction. The MRE must be made no later than four years from the date of the issuance of the first building permit for the project, or, if no permit is required from the start of construction. ICAP also provides an additional tax abatement benefit for industrial construction projects that meet a higher MRE (40 percent).

Filing Requirements

- ▶ Applicant must submit two ICAP applications—a Preliminary Application for Certificate of Eligibility and a Final one.

- ▶ Applicant must first submit Preliminary Application before obtaining a building permit, or, if no building permit is required for the construction, applicant must submit a notarized letter from the project’s architect or engineer notifying the department of this fact within thirty calendar days of the commencement of construction. Please note that if you get your permit **before** you file your ICAP application you will get **no** benefits.
- ▶ Applicant must file a final application for benefits no later than one year from the date of issuance of the first building permit for construction work, or, where construction work does not require a building permit, no later than one year from the date of commencement of construction.
- ▶ Applicant must file all income and expense statements for the property that are required by law.
- ▶ Interim construction reports must be submitted to Finance semi-annually throughout the duration of the construction or renovation.

Limitations on Eligibility for Certain Types of Property

- ▶ **Utilities:** No benefits are permitted for utility property, which includes all property used by a utility in the ordinary course of business, as well as land and buildings owned by a utility.
- ▶ **Retail:** A property may be subject to varying abatement schedules, depending on the percentage of the property that is dedicated to retail purposes.

Calculation of Abatement

Amount of the Abatement Base

The amount of the abatement base is generally the difference in tax liability imposed on the building or structure between two points in time, if the second tax liability exceeds the first tax liability by more than 15 percent.

The initial tax liability (point 1) is the liability for the building or structure on the tax roll with a taxable status date preceding the first building permit or commencement of construction if no permit is required. The post-completion tax (point 2) is the tax liability for the building or structure on the tax roll with a taxable status date immediately following the earlier of:

- ▶ Completion of construction; or
- ▶ Four years from the date of issuance of the first building permit or commencement of construction, if no building permit was required.

The abatement is equal to the amount by which the post-completion tax exceeds 115 percent of the initial tax. At no time during the benefit period may the abatement reduce the initial tax liability imposed on the building or structure nor may it reduce the amount of taxes imposed on the land portion of the assessment.

Projects that consist of industrial construction work or commercial construction work in areas designated as special commercial abatement areas may also be entitled to additional benefits during years two through thirteen of the benefit period (so-called “inflation protection”). Unlike the previous ICIP, the “inflation protection” is more generous for industrial construction work than otherwise qualifying commercial construction work. For work other than the industrial work, inflation protection is limited to increases that are above 5%. However, in both cases, the abatement base will not be increased by inflation protection if the taxable assessed value in any year increases by more than five percent as a result of a

physical change (construction or alterations).

A more detailed description of the benefit calculation will be available shortly in a Finance Memorandum that will be posted on this website with a link from this page.

Additional Industrial Abatement

Notwithstanding the statutory provision that the abatement may not reduce the amount of the initial tax, industrial projects that meet a higher minimum required expenditure (40 percent rather than 30 percent) are also eligible for an additional abatement based on the initial tax. There is an abatement schedule of 12 years that coincides with the schedule for the abatement base described above that provides a maximum abatement of 50 percent of the initial tax in the first four years, declining every two years by 10 percentage points. These amounts are not subject to “inflation protection.”

Abatement Schedules

▶ **Industrial:** As noted immediately above, the additional industrial abatement based on the initial tax is granted for a 12-year period. There is a 25-year abatement schedule for industrial construction work and commercial construction work in special commercial construction areas, provided no more than 10 percent of the building or structure is used for retail purposes. In those cases where retail use exceeds ten percent, the excess retail space is subject to a 15-year benefit schedule.

Other Schedules

- ▶ For **commercial construction** outside a special commercial construction area, there is a 15-year abatement schedule.
- ▶ **Renovation:** There are two schedules for renovation work in Renovation areas of Manhattan: (a) in Lower Manhattan and the Garment District, there is a 12-year schedule; (b) for the Renovation area south of 59th Street, excluding the Lower Manhattan and Garment District areas, the schedule is ten years. The final schedule is an eight-year benefit period for commercial construction work on new buildings or structures that meet certain statutory requirements in Lower Manhattan.

Benefit Schedules

- ▶ ICAP Benefit Schedule (18k) (http://www.nyc.gov/html/dof/html/pdf/icap/icap_benefit_schedule.pdf)
- ▶ ICIP Current Schedule (36k) (http://www.nyc.gov/html/dof/html/pdf/icap/current_icip_abatement_schedule.pdf)

Deadlines

The Preliminary Application must be filed before obtaining a building permit, or, if no permit is required, before starting construction. Under the law, ICAP applications filed after construction commencement or building permit issuance must automatically be denied.

The Final Application is filed within one year after the building permit is received.

Forms & Applications

Preliminary Industrial and Commercial Abatement Program

Preliminary ICAP Application and Instructions

- ▶ Download Application (78k)
(http://www.nyc.gov/html/dof/html/pdf/icap/icap_prelim_app.pdf)

Final ICIP/ICAP Application

- ▶ Download Application (63k)
(http://www.nyc.gov/html/dof/html/pdf/03pdf/icip_final.pdf)

2009/2010 ICIP Exempt Properties

(Descriptive Data as of Final Roll 09/10)

(Building Class Data as of Final Roll 09/10)

	Adobe PDF	MS Excel
Manhattan	51k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_manhattan_icip.pdf)	152k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_manhattan_icip.xls)
Bronx	63k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_bronx_icip.pdf)	191k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_bronx_icip.xls)
Brooklyn	137k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_brooklyn_icip.pdf)	459k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_brooklyn_icip.xls)
Queens	132k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_queens_icip.pdf)	459k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_queens_icip.xls)
Staten Island	48k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_statenisland_icip.pdf)	143k (http://www.nyc.gov/html/dof/html/pdf/icap/icip/tent0910_statenisland_icip.xls)

Contact Information

- ▶ For program policy and eligibility questions, contact ICAP Program
(http://www.nyc.gov/html/dof/html/contact/contact_email taxpolicy.shtml)
- ▶ For application status, contact ICAP Program
(http://www.nyc.gov/html/dof/html/contact/contact_email commexemp.shtml)

Additional Information

- ▶ Frequently Asked Questions (FAQ's)
(http://www.nyc.gov/html/dof/html/pdf/icap/faq_icap.pdf)
- ▶ Transition from ICIP to the New ICAP Program
(http://www.nyc.gov/html/dof/html/pdf/icap/icip_icap_transition.pdf)

Other Resources

- ▶ NYC Economic Development Corporation
(<http://www.nycedc.com/>)
- ▶ NYC Department of Small Business Services
(<http://www.nyc.gov/html/sbs/home.html>)

Avenue New York City Program

While many of the City's neighborhood development programs focus on housing and social services, the **Avenue NYC** program targets the economic base of the neighborhood—the local commercial corridor.

Avenue NYC provides funding for non-profit economic development organizations (local development corporations, merchants associations, BIDs) in all five boroughs to carry out commercial revitalization activities in the districts they serve.

The goal of the program is to create the conditions under which businesses thrive and residents enjoy access to a vibrant mix of goods and services.

Learn more about the City's investments in commercial districts in the FY2009 Avenue NYC Annual Report (<http://www.nyc.gov/html/sbs/downloads/pdf/fy2009avenuenycannualreport.pdf>).

The FY2010 Avenue NYC Application Period is currently closed. The deadline for submitting applications was Friday, April 10, 2009. Applications for FY2011 will be available in Spring 2010.

Below is information on the application process and eligibility requirements:

In FY2010, SBS is funding non-profit economic development organizations to carry out one or more initiatives under Avenue NYC's eight project categories:

- ▶ Business Attraction
- ▶ Business Improvement District (BID) Formation/Expansion
- ▶ Facade Improvement Management Program
- ▶ Merchant Organizing
- ▶ Neighborhood Economic Development Planning
- ▶ Placemaking
- ▶ Special Commercial Revitalization Initiatives
- ▶ Website Development

Am I Eligible to Apply?

Avenue NYC provides funding for non-profit economic development organizations (local development corporations, merchants associations and other organizations) throughout the five boroughs to carry out commercial revitalization activities in the districts they serve.

Applicants must be:

- ▶ Nonprofit economic development organizations operating in any of the five boroughs of New York City;
- ▶ Incorporated as a nonprofit in New York State;
- ▶ Compliant with annual State and Federal filing requirements that are pertinent for their type of organization, including New York State Charities Bureau filings.

Proposed commercial revitalization projects must:

- ▶ Operate within defined geographic boundaries;

- ▶ Target commercial corridors as a whole and cannot provide individual business assistance, such as one-on-one business plan development assistance;
- ▶ Consider the needs of small- and medium-sized businesses operating in the geographic area.

Income Eligibility Criteria

Organizations applying for projects other than BID Formation/Expansion and Neighborhood Economic Development Planning must target areas that are designated by the United States Department of Housing and Urban Development (HUD) to be low- or moderate-income neighborhoods. Designation prescribes that at least 51% of the residents in the census tracts included in the commercial area must be low- and moderate-income persons living in households with incomes below 80% of the median household income (\$47,100 for a 4-person household in 2000). To determine your census tract, visit the New York City Census FactFinder: <http://gis.nyc.gov/dcp/pa/address.jsp>

To learn more about Community Development Block Grant (CDBG) eligibility and to view the City's census tracts that are CDBG eligible, visit the Department of City Planning's (DCP online Census Report: <http://www.nyc.gov/html/dcp/html/resource/censustractreport.shtml>.

What are the Evaluation Criteria?

All organizations applying for the FY2009 Avenue NYC program are evaluated on three criteria and rated on the corresponding points scale:

1. Existing organizational capacity (40 points)
2. Strength of Avenue NYC project proposal (50 points)
3. Viability of proposed Avenue NYC budget (10 points)

Details on each of these criteria are included in the Avenue NYC Proposal Guidelines.

How Do I Apply?

The FY2010 Application Period is currently closed. If you would like more information about the Program, please download the Avenue NYC Proposal Guidelines.

Organizations with questions about the application should direct their inquiries to SBS via email at avenuenyc@sbs.nyc.gov.

New York City Clean Streets

For more than two decades, SBS has worked with local economic development organizations throughout the five boroughs to create vibrant commercial corridors.

NYC Clean Streets helps to build healthier business districts and stronger economic development corporations by providing supplemental sanitation services to targeted commercial corridors and offering capacity building resources to the neighborhood-based economic development organizations that represent them. Through this initiative, NYC Clean Streets makes neighborhood commercial districts cleaner, more attractive places to do business.

Under the program, the cost for supplemental sanitation services is provided entirely by the City in the first year and on a matching basis in the second, with the City contributing 75% of the sanitation program costs and selected organizations contributing 25%. Over the course of the second year of the program, selected organizations are required to raise enough funds to continue the services on their own at the close of the initiative. SBS provides training and support throughout the program so that organizations are capable of independently financing and managing the supplemental sanitation services after two years.

Currently SBS is not accepting new applications for the NYC Clean Streets program. If you are interested in learning more about the program, please download the NYC Clean Streets Program Information Sheet available [here](#).

New York City Business Express

NYC Business Express can help you start a business in New York City.

Apply online for new licenses, permits, and certificates through NYC Business Express. Sign in to your account and then click the My Account Information link to access status information for your business.

Use the Wizard to obtain a customized list of typical City, State, and Federal requirements for your business. Use the Incentives Estimator to obtain a customized list of incentives for which your business might be eligible.

Find regulatory information using the Index or Keyword Search.

<http://www.nyc.gov/portal/site/businessexpress/>

NYC Business Express is offered to assist you with obtaining general license, permit, tax, incentive, and other useful information online. NYC Business Express will be adding additional sectors and functionality over the next year; while it is being developed, information contained on this website may not be comprehensive, and service disruptions may occur.

The City has made every effort to provide accurate and timely information on this website, however, the information provided is dependent on the accuracy and comprehensiveness of the information you provide. In addition, NYC Business Express does not provide a comprehensive source of all information needed to start and run a business, nor does it provide comprehensive information about State or Federal requirements. Use these links to search for New York City (<http://www.nyc.gov/business>), State (<http://www.nys-permits.org>), and Federal (http://www.firstgov.gov/Business/Business_Gateway.shtml) information not currently included on NYC Business Express.

For additional support starting and operating a business, call 311 or visit NYC Business Solutions (<http://www.nyc.gov/html/sbs/nycbiz/html/home/home.shtml>). For assistance using NYC Business Express, visit our Help page, email us, or call 311 and ask for NYC Business Express. Visit our FAQ page to learn which business sectors are currently included on NYC Business Express.

New York City Business Solutions

NYC Business Solutions helps businesses start, operate, and expand in New York City. Our services are provided at no cost, regardless of the size or stage of your businesses.

NYC Business Solutions services include:

- ▶ **Business Courses** to teach you skills to reach your business goals, including FastTrac
http://www.nyc.gov/html/sbs/nycbiz/html/business_courses/business_courses.shtml
- ▶ **Legal Review of Contracts and Leases** with our network of lawyers offering pro-bono services
http://www.nyc.gov/html/sbs/nycbiz/html/business_planning/legal_matters.shtml
- ▶ **Financing Assistance** to help you identify lenders, package your loan application, and increase your chance of receiving a loan
<http://www.nyc.gov/html/sbs/nycbiz/html/financing/financing.shtml>
- ▶ **Incentives** to save you money as your business relocates, expands or makes capital improvements
http://www.nyc.gov/html/sbs/nycbiz/html/incentives/incentives_main_new.shtml
- ▶ **Navigating Government** to help you understand regulations and meet requirements for your business
<http://www.nyc.gov/html/sbs/nycbiz/html/navigating/navigating.shtml>
- ▶ **Recruiting Employees** to provide you access to a ready pool of screened job candidates
<http://www.nyc.gov/html/sbs/nycbiz/html/hiring/hiring.shtml>
- ▶ **Training Employees** to improve the skills of entry-level employees and increase the quality of your business operations
<http://www.nyc.gov/html/sbs/nycbiz/html/training/training.shtml>
- ▶ **Selling to Government** services that can help you access government contracts
http://www.nyc.gov/html/sbs/nycbiz/html/selling_to_government/selling_to_government.shtml

Lower Manhattan Small Firm Assistance Program

The Small Firm Assistance Program (the “Program”) has been established by the Lower Manhattan Development Corporation (LMDC), in cooperation with the New York City Department of Small Business Services (SBS) and the New York City Economic Development Corporation (EDC), to promote economic development by assisting small firms that have suffered business disruption as a result of publicly-funded construction projects during the Program eligibility period. The Program seeks to assist eligible businesses affected by the temporary closure of streets or sidewalks, and to address the potential for blight during the Program eligibility period. Grant awards will mitigate documented adverse effects and contribute to a firm’s working capital.

Program Guidelines (Amended 07/2009)

Program eligibility begins with street closures starting from July 1, 2007 and will continue until the earlier of the date when all funds are disbursed or December 31, 2010. In order to be eligible for the Program, firms must be located on an Eligible Street. An Eligible Street shall mean the one-block segment of any street within which all or a portion of such street or sidewalk has been closed or partially closed for at least fifteen days within any thirty consecutive day period due to a publicly-funded construction project. In recognition of the impact Eligible Street closures have on surrounding streets, the term “Eligible Street” shall be deemed to include (i) the additional one-block segments of streets that form the border around the city block(s) fronting the Eligible Street on which the closure exists and (ii) an additional one-block segment of street adjacent to either end of the Eligible Street on which the closure exists. Please click on the link below to see a more detailed description of the Program, including information on eligibility.

- ▶ Program Guidelines (<http://www.renewnyc.com/content/pdfs/SmallFirmsGuidelines.pdf>)

Application

Eligible firms must submit a complete application to receive Program assistance. Please click on the link below to access the Program application and required documents.

- ▶ Application (<http://www.renewnyc.com/content/pdfs/SmallFirmsApplication.pdf>)

List of Street Closures

To be eligible for a grant under this program, a firm must be located on an Eligible Street. Please click on the link below to access a current list of Eligible Streets. If you have any questions concerning this list, please contact LMDC, http://www.renewnyc.com/frm_contactus.asp

- ▶ List of Eligible Blocks (<http://www.renewnyc.com/content/ExpandedEligibleStreetsActiveJan10.xls>)

Pratt Center for Community Development

Link to the Pratt Centers research on retail:

http://prattcenter.net/sites/default/files/publications/PrattCenter_SavingIndependentRetail.pdf

the 1990s, the number of people in the world who are blind has increased by 100 million (World Health Organization 2002). The number of people who are blind in the United States is estimated to be 10 million (American Council on Education 2002).

Blindness is a complex phenomenon that is caused by a variety of factors. The most common causes of blindness are cataracts, glaucoma, and macular degeneration (World Health Organization 2002).

Blindness is a significant barrier to education and employment. People who are blind often face discrimination and are often excluded from mainstream society (World Health Organization 2002).

There are a number of organizations that provide support and services to people who are blind. The American Council on Education (ACE) is one of the largest and most well-known of these organizations (ACE 2002).

ACE provides a wide range of services, including advocacy, research, and training. ACE also provides financial assistance to people who are blind (ACE 2002).

ACE is committed to the goal of ensuring that all people, regardless of their physical abilities, have the opportunity to succeed in education and employment (ACE 2002).

ACE is a non-profit organization that is dedicated to the advancement of people who are blind (ACE 2002).

ACE is a leader in the field of blindness and is committed to providing the highest quality of services to people who are blind (ACE 2002).

ACE is a member of the International Council for Education of the Handicapped (ICEH) and is committed to working with other organizations to improve the lives of people who are blind (ACE 2002).

ACE is a proud member of the United Way and is committed to providing support and services to people who are blind (ACE 2002).

ACE is a leader in the field of blindness and is committed to providing the highest quality of services to people who are blind (ACE 2002).

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