

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

Application for Assistance

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

Prior to application submission, this project was reviewed with _____ of the Niagara County Industrial Development Agency and assigned Project Number _____.

I. Company Data

A. Company Name: SURJIT SINGH, AS AGENT, COMPANY TO BE FORMED
Address: 116 7TH ST.
NIAGARA FALLS, NY 14304

Telephone: 716-930-9728 Fax: NA
Email: _____ Website: NA
IRS Identification No.: TO BE OBTAINED

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

Name: SURJIT SINGH Title: MANAGING MEMBER

B. Company Owners, Officers, Directors and Partners: List name and home address, title and other principal business affiliations.

C. Legal Counsel: W. MAXWELL COYKENDALL, ESQ.
Address: 800 MAIN ST., NIAGARA FALLS, NY 14301
Telephone: 716-285-3525 Fax: 716-285-8574
Email: MAXLAW65@HOTMAIL.COM

D. Accountant (Firm): SINGH ACCOUNTING & TAX SERVICES
Address: 638 72ND ST., NIAGARA FALLS, NY 14304
Telephone: 716-283-6161 Fax: 716-304-1999
Email: NA

E. Principal Bank of Account: FIRST NIAGARA BANK (TO BE OPENED)

F. Type of Business Corporation Sub Chapter S Partnership
 Sole Proprietorship Other LIMITED LIABILITY COMPANY TO BE FORMED

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

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

<u>Name</u>	<u>Address</u>	<u>% of Holding</u>
<u>SURJIT SINGH</u>	<u>116 77TH ST.</u> <u>NIAGARA FALLS, NY</u>	<u>100%</u>
_____	_____	_____
_____	_____	_____

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

NONE

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

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

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

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

Comment [MM1]: This Sentence Revised.

K. Identify the assistance being requested of the Agency:

- (1) Bond financing for new project; estimated amount \$ _____
- (2) Bond/project refinancing; estimated amount \$ _____
- (3) Lease/sale back
- (4) Assignment of lease
- (5) Exemption from Sales Tax; estimated benefit \$ 30,000
- (6) Exemption from Mortgage Tax; estimated benefit \$ 5,250
- (7) Exemption from Real Property Tax; estimated benefit \$ 90,000

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

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

II. Business Data

A. Company Background

1. Describe when and where was the company established?
THE COMPANY IS A NEW YORK CORPORATION IN FORMATION
2. Describe the type of business
THE COMPANY WILL RENOVATE AND EXPAND A CLOSED GASOLINE STATION AND AUTO REPAIR FACILITY INTO A GULF BRANDED GASOLINE STATION AND CONVENIENCE STORE, AND FRANCHISED RESTAURANT
3. Description of Present Facilities:
Lot size: 161.7' x 93.0' Number of buildings: ONE
Square footage of facilities: 2,060 SF (EXISTING BUILDING)*
 Owns **OR** Rents present facilities

* ADDITION IS 2,675 SF FOR A TOTAL BUILDING, ON COMPLETION, OF 4,735 SF
5

4. What is the present employment of the company?

Full Time 0 # Part Time 0

Estimated annual payroll: \$ 0

5. Approximate annual sales: \$ 0

6. Describe primary markets.

ON COMMENCEMENT OF BUSINESS THE COMPANY WILL SERVE AREA RESIDENTS AND TOURISTS, AND BUSINESS TRAVELLERS

7. Provide a brief description of the company and its history.

THE COMPANY IS A NEW YORK LIMITED LIABILITY ENTITY FORMED FOR THE SOLE PURPOSE OF DEVELOPING, CONSTRUCTING AND OPERATING A GULF BRANDED GAS STATION, CONVENIENCE STORE AND FRANCHISED RESTAURANT

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

	Square Feet
Manufacturing/Processing	
Warehousing	
Research & Development	
Commercial	
Retail*	4,735*
Office	
Other (specify)	

* ON COMPLETION OF ADDITION

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

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

RETAIL SALE OF GASOLINE, BEVERAGES, GROCERIES, PREPARED FOOD, TOBACCO PRODUCTS AND OTHER SUNDRY ITEMS WITH A PORTION OF THE FACILITY LEASED TO A FRANCHISED RESTAURANT

III. Project Data

A. Location of Proposed Project:

1. Physical Address of proposed Project Site:

Address: 710 NIAGARA ST.
City, Town, Village: NIAGARA FALLS
County: NIAGARA

2. New York State Empire Zone Tax Incentives.

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

Is the proposed Project Site located in an Empire Zone?

Yes No Unsure

3. **New York State Brownfield Cleanup Program Tax Incentives**

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

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

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

Yes No Unsure

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

Yes No Unsure

Have any other studies or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

Yes No Unsure

B. Existing Project Facilities:

1. Parcel Size: 0.3452 Acres OR 161.7 ft. x 93.0 ft.

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

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

Building Description	Size
ONE STORY, MASONRY - EXISTING	2,060 SF
ONE STORY, STEEL & MASONRY - ADDITION	2,675
ON COMPLETION	4,735 SF

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

Building	Use

c. Are the existing buildings abandoned? Yes ; No . About to be abandoned? Yes ; No . If yes, describe:
THE BUILDING HAS BEE CLOSED SINCE EARLY 2011

d. Attach photograph of present buildings.

3. Identify present landowner. SURJIT SINGH

4. Present zoning of site: D13 - DOWNTOWN DISTRICT

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

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

5. Provide Tax Map (section/block/lot) number(s):
159.30-2-14, 159.30-2-15, 159.30-2-16
THE COMPANY IS IN THE PROCESS OF FILING CONSOLIDATION SUBDIVISION MAP

6. List current assessed value: \$ 80,800
List current annual property tax payment: \$ 4,302

7. Identify school district pertaining to Proposed Project location:
NIAGARA FALLS (291100)

C. Proposed Project Facility and Equipment

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

If yes, indicate number and size of new buildings:

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

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

THE EXISTING BUILDING WILL EXPANDED WITH AN
ADDITION OF 2,675 SF.

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

SEE ATTACHED

4. Will machinery and equipment be acquired and installed?

New: No Yes

Type HVAC, FUEL SYSTEM & REFRIGERATION

Used: No Yes

Type _____

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

HEATING & COOLING OF THE BUILDING, NEW FUEL
SYSTEM INCLUDING UNDERGROUND TANKS, LINES,
PUMPS AND FUEL DISPENSERS, AND WALK-IN
COOLERS FOR BEVERAGES AND FOOD

5. Project Use

- a. What are the principal products to be produced at the Project?
RETAIL SALE OF GASOLINE AND CONVENIENCE
STORE ITEMS, AND THE PRODUCTS OF A
FRANCHISE RESTAURANT

6. Project Use

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

	%		%
Warehousing		Manufacturing	
Processing		Pollution control	
Office		Research & Development	
Retail*	100%	Commercial	
Recreational		Other:	

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

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

If yes, please see Addendum A attached hereto.

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

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

If yes, please provide detail:

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

- (1) Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes No

If yes, please provide detail:

WITHOUT THE ABILITY TO REMOVE THE EXISTING FUEL SYSTEM, REMEDIATE THE SITE, AND CONVERT FROM ITS CURRENT VACANT STATUS, THE PROPERTY WILL REMAIN IN ITS CURRENT CONDITION.

- 2) Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes No

If yes, please provide detail:

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

Phase I Activities: RENOVATION, CONSTRUCTION OF ADDITION AND INSTALLATION OF THE FUEL SYSTEM

Phase II Activities: NONE

Phase III Activities: NONE

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

Gas: <u>AT SITE</u>	Size: <u>TO BE PROVIDED *</u>
Electric: <u>NATIONAL GRID</u>	Power: <u>" "</u>
Water: <u>C/O NIAGARA FALLS</u>	Size: <u>" "</u>
Sewer: <u>C/O NIAGARA FALLS</u>	Size: <u>" "</u>
Other (specify):	<u>* BASED ON PROPOSED USE</u>

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

1. Start date: acquisition or construction of facilities: MARCH-APRIL 2012
2. Completion of project facilities: AUGUST 2012
3. Project occupancy – starting date of operations: AUGUST-SEPT. 2012

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

If yes, please provide detail:

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

If yes, please provide detail:

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

Action	Issuing Agency	Date of Issuance
BUILDING PERMIT	CITY OF NIAGARA FALLS	TO BE ISSUED
VARIANCE*	" " "	" " "
UST REGISTRATION	NY DEC	" " "

* DRIVE-UP WINDOW

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

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

Sublessee name: FRANCHISED QUICK SERVICE RESTAURANT
 Present Address: FRANCHISE TO BE DETERMINED
 Address: _____
 Employer's ID No.: _____

Sublessee is: Corporation Partnership Sole Proprietorship TO BE DETERMINED

Relationship to Company: NONE

Percentage of Project to be leased or subleased: % TO BE DETERMINED

Use of Project intended by Sublessee:
QUICK SERVICE RESTAURANT (FRANCHISE)

Date of lease or sublease to Sublessee: TO BE DETERMINED

Term of lease or sublease to Sublessee: TO BE DETERMINED

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

Yes No

If yes, please provide on a separate attachment: (a) details, and (b) the answers to questions III(D)(6)(c) through (f) with respect to each such sublessee.

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

ENABLE THE REMEDIATION OF THE PROPERTY AND
RETURN IT TO AN INCOME AND JOB PRODUCING ASSET.

IV. Employment Impact

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

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

Niagara County: 10-15 Erie County , Other Areas 3 ,

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

TYPE OF EMPLOYMENT				
	PROFESSIONAL OR MANAGERIAL	SKILLED OR SEMI- SKILLED	UNSKILLED	TOTALS
Present Full Time	NA	NA	NA	NA
Present Part Time	NA	NA	NA	NA
Present Seasonal	NA	NA	NA	NA
First Year Full Time				6
First Year Part Time				11
First Year Seasonal	NA	NA	NA	NA
Second Year Full Time				6
Second Year Part Time				11
Second Year Seasonal	NA	NA	NA	NA

V. Project Cost Data

- A. Give breakdown of project costs:

Land	\$ 20,000	\$
Buildings: Acquisition	180,000	\$
Renovation	227,147	\$
New Construction		\$
Demolition REMEDIATION	75,000	\$
Utilities and Road	0	\$
Site work and preparation	0	\$
Acquisition of machinery & equipment		\$
Installation	10,000	\$
Architectural and engineering fees	10,000	\$
Legal fees	15,000	\$
Interest during construction	10,000	\$
Other FUEL SYSTEM	250,106	\$
TOTAL	797,253	\$

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

B. Summary of Financing

Total Project Costs	797,253	\$
Amount of Bond or Leaseback financing	0	\$
Amount of Conventional financing	597,253	\$
Equity	200,000	\$

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

Item	PROPERTY ACQUISITION	\$200,000

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

Program	Amount	Status
NFC DEVELOPMENT CORP		APPLICATION IN PROCESS
NIAGARA FALLS DEPT. OF COMMUNITY DEVELOPMENT		APPROVED SUBJECT TO SHPO REVIEW

E. Have financial institutions or potential bond purchasers been approached? No Yes

If yes, please provide detail:

FIRST NIAGARA BANK (FIRST NIAGARA FUNDING, INC)

F. List capital expenditures of the company:

	Past 3 years	Next 3 years
Real Property	\$ 0	SEE PROJECT \$
Buildings	\$ 0	COST, P. 15 \$
Equipment	\$ 0	\$

VI. Financial Assistance Expected From the Agency

A. Tax Benefits.

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

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

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

If yes, what is the approximate amount of financing to be secured by mortgages?
\$ 525,000

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

If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ 375,000

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

a.	N.Y.S. Sales and Compensating Use Taxes:	\$ <u>30,000</u>
b.	Mortgage Recording Taxes:	\$ <u>5,250</u>
c.	Real Property Tax Exemptions:	\$ <u>90,000</u>
d.	Other (please specify):	\$ _____
	_____	\$ _____

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

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

VII. Representations by The Applicant

The applicant understands and agrees with the Agency as follows:

- A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.

- B. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

- C. Annual Sales Tax Filings: In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

- D. Annual Employment Reports: The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

- E. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

NONE

CERTIFICATION

(to be executed by the principal of the applicant and acknowledged by a notary public)

- I. SURJIT SINGH (name of chief executive officer or other authorized representative of applicant) deposes and says that he/she is the MANAGING MEMBER (title) of _____ (name of corporation or other entity) named in the attached Application (the "Applicant"); that he/she has read the foregoing Application and knows the contents thereof, and that the same is true to his/her knowledge.
- II. The grounds for deponent's belief relative to all matters in the Application which are not stated upon his/her own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of the Application, as well as information acquired by deponent in the course of his/her duties as an officer of and from the books and papers of said corporation or other entity.
- III. As an officer of the Applicant deponent acknowledges and agrees that the Applicant shall be and is responsible for all costs incurred by the Agency and all legal counsel for the Agency, including its general counsel and/or bond/transaction counsel, whether or not the Application, the proposed project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the proposed project described herein and (C) any further action taken by the Agency with respect to the proposed project; including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing.
- IV. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:
- (a) The sum of **\$1000.00** as a non-refundable processing fee; and
 - (b) The Agency fee of an amount equal to **1 3/4%** of the total project costs to be paid at transaction closing;

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

Surjit Singh

(name of corporation or entity)

SURJIT SINGH

(name of officer)

(title)

NOTARY

Sworn to before me this 6th day of Jan, 20 12

Deborah Mann

(Signature)

DEBORAH MANN
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires Nov. 30, 2012

PROJECT ID NUMBER

617.20

SEQR

APPENDIX C

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

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

1. APPLICANT / SPONSOR <i>SURJIT SINGH, AS AGENT</i>	2. PROJECT NAME
3. PROJECT LOCATION: Niagara Falls Municipality	Niagara County
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc -or provide map 710 Niagara St.	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: Conversion of a former, and currently closed, gasoline station and automotive repair facility into Gulf branded gasoline station, convenience store and franchised restaurant, including the renovation and expansion of the existing building for the convenience store and franchised restaurant, and the installation of new underground storage tanks, lines, pumps, and new fuel dispensers.	
7. AMOUNT OF LAND AFFECTED: Initially 0.345 acres Ultimately 0.345 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park / Forest / Open Space <input type="checkbox"/> Other (describe)	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal, State or Local) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit / approval: City of Niagara Falls Building Dept. and Dept. of Community Development, NFC Development Corp.	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant / Sponsor Name <i>SURJIT SINGH, AS AGENT</i> Date: <i>01/05/12</i> Signature <i>Surjit Singh</i>	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)