



County of Chautauqua Industrial Development Agency

APPLICATION FOR FINANCIAL ASSISTANCE

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate: filling in blanks; checking the applicable term(s); attaching additional text (with appropriate notations, such as "see Schedule 2(A), etc."); or writing "N.A.", signifying "not applicable".

The following amounts are payable to the County of Chautauqua Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); and (ii) a \$1,000 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit, to defray the cost of Transaction/Bond Counsel fees and expenses with respect to the Project. In the event that the subject transaction closes, the Counsel Fee Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

- Please contact the CCIDA Main Office @ (716) 661-8900 with any questions relative to the application content and/or process.

PART I: APPLICANT

Name: Wicked Jimmy LLC
Address: 12 Towne Square Dr
Lancaster, NY 14086
Phone: 716-609-1332
NY State Dept. of Labor Reg #: No Employees
Federal Employer ID #: 87-3159903
NAICS Code #: 531120
NAICS Sector: 531190
NAICS Industry: Real Estate
Website: N/A

Nature of business (goods to be sold, manufactured, assembled or processed, services rendered):
Property Management Company

Contact Name: Robert Roth
Title: President
Phone Number: 716-609-1332
E-Mail: iamroth@aol.com

Business Type:

- ☐ Sole Proprietorship
☐ General Partnership
☐ Limited Partnership
☒ Limited Liability Company
☐ Privately Held Corporation
☐ Publicly Held Corporation
☐ Not-for-Profit Corporation

State/Year of Incorporation/Organization: NY 2021
Qualified to do Business in New York
(Yes or No): Yes

Owners of 20% or more of Applicant:

Name %
Robert Roth 19.19%
No owners 20% or more ownership.

PART II: PROJECT

Address of proposed project facility: 115-121 West 3rd St
Jamestown, NY 14701
Tax Map Parcel Number(s): 387.40-3-8
City/Town/Village(s): Jamestown
School District(s): Jamestown
Current Legal Owner: G.Pattl Enterprises, Inc
Contract to purchase (Yes or No): Yes
Date of purchase: ASAP
Purchase price: \$ 1,750,000

Present use of the Project site: Brewery & Brew Pub

What are current real estate taxes on the Project site?

County/Town: \$ 11,310
City/Village: \$ 30,784
School: \$ 16,736

Are tax cert. proceedings currently pending with respect to the Project real property?

YES ☐ NO ☒

Proposed User(s)/Tenant(s) of the Facility
(Complete for each User/Tenant for additional User/Tenants of the Company, use space at the end of this section)

Company Name: Wicked Warren's, LLC
Address: 330 Pennsylvania Ave. W
City/State/Zip: Warren, PA 16365
Tax ID No.: 84-4273419
Contact Name: Rob Roth
Title: President
Phone Number: 716-609-1332
E-Mail: iamroth@aol.com

% of facility to be occupied by User/Tenant:
100

Relationship to the Applicant:

same ownership

OFFICERS OF APPLICANT

Name: _____ Title: _____

Robert Roth _____ President _____

Drew Erlandson _____ Vice President _____

David Weigel _____ Secretary/Treasurer _____

Owners of 20% or more of User/Tenant:

Name % Corporate Title

Robert Roth 18.18 President _____

NO Ownership of 20% or more . _____

APPLICANT'S LEGAL COUNSEL:

Firm name: Mark Aquino _____

Address: 32 Central, Lancaster, NY 14086 _____

Contact: Mark Aquino _____

Phone: 716-681-1450 _____

Fax: _____

E-Mail: aquinolaw@gmail.com _____

Type of Proposed Project (check all that apply):

- ☐ New Construction of a Facility
Square footage: _____
- ☒ Addition to Existing Facility
Square footage of existing facility: 33,900 _____
Square footage of addition: Decks and Roof Top (700 SF) _____
- ☒ Renovation of Existing Facility
Square footage of area renovated: Speak Easy 670, Bridal Suite 450, Brewery Buildout 360 (1,480SF) _____
Square footage of existing facility: 33,900 _____
- ☒ Acquisition of Land/Building
Acreage/square footage of land: .58 _____
Square footage of building: 33,900 _____
- ☒ Acquisition of Furniture/Machinery/Equipment
List principal items or categories:
Kitchen Equip., Brewery Equipment, Furniture & Fixtures _____

- ☐ Other (specify): _____

Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

Successful Brewery plans to expand to new location. The expansion into Jamestown is a natural progression of an operation whose goal is to continue throughout the state. Without the Pilot Program

This project would be economically not feasible without tax assistance. The tax relief means all the difference for us to take on the project. Without it we would not take on such a large project.

Please list Affiliates/Parents/Subsidiary Entities to Applicant (attach organization chart if necessary)

Wicked Warren's LLC - Same owners. This entity will be leasing the building and running the brewery.

PART III. CAPITAL COSTS OF THE PROJECT

A. Provide an estimate of Project Costs of all items listed below:

	Item	Cost
1.	Land and/or Building Acquisition:	1750000
2.	Building Demolition:	_____
3.	Construction/Reconstruction/Renovation:	159000
4.	Site Work:	_____
5.	Infrastructure Work:	_____
6.	Furniture, Equipment, Machinery:	294999
7.	Architectural/Engineering Fees:	5000
8.	Applicant's Legal Fees:	35000
9.	Financial Fees:	_____
10.	Other Professional Fees:	_____
11.	Other Soft Costs (describe):	93000
12.	Other (describe):	8000
	Total Project Costs:	\$ 2344999

	Estimated Sources of Funds for Project Costs:	Source
1.	Tax-Exempt IDA Bonds:	_____
2.	Taxable IDA Bonds:	_____
3.	Conventional Mortgage Loans:	500000
4.	SBA or other Governmental Financing Identify: <u>Jamestown, STEDO, WRC</u>	560000
5.	Other Public Sources (e.g., grants, tax credits): Identify: <u>Green Space</u>	99999
6.	Other Public Agency Loans:	950000
7.	Other Private Loans:	_____
8.	Equity Investment: (Excluding equity attributable to grants/tax credits)	235000
	Total Funding:	\$ 2344999

What percentage of the total project costs are funded/financed from public sector sources: 75 %

C. Requested Financial Assistance

Tax-Exempt Bonds: \$ NA
 Taxable Bonds: \$ NA
 Estimated Value of Sales Tax Benefit: \$ _____
 (i.e., gross amount of cost of goods and services that are subject to state and local sales and use taxes multiplied by [8.0%])

Estimated Value of Mortgage Tax Benefit: \$ 23250
 (i.e., principal amount of mortgage loans multiplied by [1.25%])

Estimated CCIDA PILOT Property Tax Benefit:

Type: Deviation PILOT

Term: 10yr

Schedule Requested: _____

Deviation? Yes ☒ No ☐

Will the proposed Project utilize a property tax exemption benefit other than from the Agency: no
(if so, please describe requested type, term and schedule)

Existing Total Annual Property Taxes on Land and Building: \$ 58,830

Estimated Additional Property Taxes on completed Project over the requested PILOT term (without Agency financial assistance): \$ 0

Other (specify): _____

NOTE: Upon acceptance of this Application by the Agency, the Agency's staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit/Cost utilizing anticipated tax rates and assessed valuation, make an estimate of the allocation of PILOT payments among the affected tax jurisdictions, and attach such information as Exhibit A hereto.

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

D. Status of Expenses

Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

YES ☐

NO ☒

E. Existing Operations

Does the Applicant or any User(s)/Tenant(s) currently operate in the County? If YES, describe such operations, including whether the proposed Project will result in the relocation or abandonment of such other operation(s).

No

PART IV: COST-BENEFIT ANALYSIS

Provide the current annual payroll in Chautauqua County. Then, estimate projected payroll in years 1, 2, and 3, after completion of Project.

	<u>Present</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Full Time:	\$ 0	\$ 180000	\$ 190000	\$ 200000
Part Time:	\$ 0	\$ 404150	\$ 404150	\$ 420000

If the Applicant presently operates in Chautauqua County, provide the current number of employees in the following occupations. Then, estimate the projected Full Time Equivalent ("FTE") employees as indicated following completion of the Project:

Current and Planned Occupations	Present Jobs Per Occupation	Est. FTEs Post-Completion:			Est. # of County Residents. by yr. 3
		1 year	2 years	3 years	
Management	<u>0</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
Professional	<u>0</u>				
Administrative	<u>0</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Production	<u>0</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Supervisor	<u>0</u>				
Laborer	<u>0</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
Independent Contractor	<u>0</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Other (describe)	<u>0</u>				

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Chautauqua County because of the proposed Project:

Category of Jobs to be Retained/Created:	Average Salary or Range of Salary:	Average Fringe Benefits or Range of Fringe Benefits:
Management	50000	10000
Professional		
Administrative	85000	0
Production	40000	8000
Supervisor		
Laborer	22000	
Independent Contractor ¹	30000	
Other		

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction, and/or renovation of the Project: 15

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

¹NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

²As used in this chart, this category includes employees of independent contractors.

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Western New York)?

10 %

Describe any municipal revenues that will result from the Project (excluding any PILOT payments):

Sales Tax - \$136,000, Payroll Taxes - \$21,000, Property Taxes - \$58,830, Electric - \$32,500, Waste Water - \$3,300, Water - \$2,500 Mortgage recording tax - \$21,875 = \$276,005

What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project, and what portion will be sourced from businesses located in Chautauqua County and the State:

	Amount	% Sourced in Chautauqua County	% Sourced in State
Year 1	\$ 933676	81	84
Year 2	\$ 1200000	80	85
Year 3	\$ 1320000	80	85

Describe, if applicable, other benefits to the Chautauqua County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

Entertainment Complex, with large 400 person banquet facility for convention sized gatherings. Tourism destination spot to compliment, Comedy center and Ice Rinks. The project looks to generate over \$1.5M

in revenue with an estimated sales tax revenue of \$136,000

If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

1.	(a) Site clearance	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(b) Environmental Remediation	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(c) Foundation	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(d) Footings	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(e) Steel	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(f) Masonry	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(g) Interior	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete
	(h) Other (describe below):	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	% complete

If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project?

Provide an estimated time schedule to complete the Project and when first use of the Project is expected to occur:

Buildout of Speakeasy, Rooftop, Decks, remodel will commence on 12/15 with completion on May 1st. Rooftop & decks may see completion more like July 1 dependent on weather.

PART V: QUESTIONS

Please answer the following questions. If the answer is "YES" to any question, please provide details in the space provided at the end of the section.

1. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed user, occupant or tenant of the Project, in its industry?

YES ☐ NO ☒

2. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES ☐ NO ☒

3. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project).

YES ☒ NO ☐

4. The Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

YES ☒ NO ☐

5. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)? If "yes" please complete and attach to the Application.

YES ☐ NO ☒

** Applicants should consult **Exhibit B** in order to determine which version of the New York State Environmental Assessment Form must be submitted with this Application.

6. Will customers personally visit the Project site for "retail sales" of Goods and/or Services? "Retail Sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State primarily engaged in the retail sale of tangible personal property, as defined in section 1101(b)(4)(i) of the Tax Law of the State, or (ii) sales of a service to such customers.

Sales of Goods: YES ☒ NO ☐
Sales of Services: YES ☒ NO ☐

** If the answer to both is "No" please continue to the next page; if the answer to either is "Yes" please answer the four (4) remaining questions.

7. What percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?

100 %

8. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Western New York) in which the Project is or will be located?

YES ☒ NO ☐

9. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

YES ☒ NO ☐

10. Will the Project be located in one of the following: (a) an area designated as an empire zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES ☒ NO ☐

CERTIFICATIONS AND ACKNOWLEDGMENTS
OF THE APPLICANT

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the County of Chautauqua Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction, reconstruction, renovation, installation and/or equipping of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

FIFTH:

The Applicant hereby certifies, under penalty of perjury, that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

SIXTH:

The Applicant hereby acknowledges that the submission to the Agency of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the recapture from the Applicant of an amount equal to all or any part of any tax exemption claimed by reason of the Agency's involvement in the Project.

SEVENTH:

The Applicant hereby certifies that, as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the General Municipal Law, including, but not limited to, the provisions of Section 859-a and Section 862(1) thereof.

EIGHTH:

Upon successful closing of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:

- (A) All Initial Transactions - One-Hundred basis points (1.00%) of Total Project Costs
 - a. This fee applies to all Initial Transactions except for certain small solar or wind energy systems or farm waste energy systems under RPTL §487, for which the Agency collects no fee (other than Counsel fees).
- (B) Refunding/Assumptions/Modifications: Agency fee shall be determined on a case-by-case basis.

The Agency's bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

The Agency's bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Regardless of the success of this Application or whether the hoped-for Financial Assistance is realized, Applicant agrees to pay all costs in connection with any efforts by the Agency on behalf of the Applicant including any fees and expenses of the Agency's general counsel, bond counsel, and all applicable recording, filing or other related fees, taxes and charges upon receipt and review of the Application, securing necessary approvals, closing the necessary transaction, and/or terminating any transaction entered into by the Applicant and the Agency.

NINTH:

The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.

Robert A. Rosa

Name:

Title: President

Subscribed and affirmed to me this _____
day of _____, 20__

Notary Public

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any financial assistance with respect to the proposed Project, or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

Robert A. Rosa

DATE 1/25/2024

WICKED JIMMY, LLC

Land	1,750,000
Construction	159,000
FF & E	294,999
Infrastructure/Site Work	5,000
Legal/Professional fees	
Soft Costs	101,000
Total project cost	2,309,999

Total sales tax savings	63,124
Mtg. Recording	23,250

Property tax savings	
Current Assesment	1,300,000
Curent tax rate per \$1,000 assessed value	51.587762

Year	Full Taxation	PILOT	Savings
1	60,349	44,682	15,667
2	60,349	44,682	15,667
3	60,349	44,682	15,667
4	60,349	44,682	15,667
5	60,349	44,682	15,667
6	60,349	44,682	15,667
7	60,349	44,682	15,667
8	60,349	44,682	15,667
9	60,349	44,682	15,667
10	60,349	44,682	15,667
Total	603,490	446,820	156,670

Total Savings	243,044
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\$ -

Total Savings:	\$ 243,044.00
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* These are all estimates, subject to change based on variations in project costs

1.Land and/or Building Acquisition:	\$1,750,000
2.Building Demolition:	\$0
3.Construction/Reconstruction/Renovation:	\$159,000
4.Site Work:	\$5,000
5.Infrastructure Work:	
6.Furniture, Equipment, Machinery:	\$294,999
7.Architectural/Engineering Fees:	
8.Applicant's Legal Fees:	
9.Financial Fees:	
10.Other Professional Fees:	
11.Other Soft Costs (describe):	\$101,000
12.Other (describe):	
Total Project Costs:	\$2,309,999

Exhibit B

State Environmental Quality Review Act Compliance Checklist

The County of Chautauqua Industrial Development Agency ("CCIDA"), pursuant to the State Environmental Quality Review Act ("SEQRA"), must evaluate the environmental impacts of a project before deciding whether to undertake the project. The below checklist is intended to aid Applicants in determining which version of NYSDEC's Environmental Assessment Form ("EAF"), available on NYSDEC's website, to submit as a part of a complete application package to the CCIDA.

If one or more of the below items applies to the project, then a Full EAF must be prepared for submission. If none of the below items apply, then a Short EAF may be submitted. Please note that the below list is not exhaustive, and Applicants who have completed a short EAF may be required to fill out a Full EAF upon review of the project information by the CCIDA. Applicants should consult with their engineers and consultants to aid them in preparing the EAF.

Does the project involve:

- ☐ activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 10 acres?
 - ☐ a project or action that would use ground or surface water in excess of 2,000,000 gallons per day?
 - ☐ parking for 500 vehicles?
 - ☐ a facility with more than 100,000 square feet of gross floor area?
- ☐ the expansion of existing nonresidential facilities that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 5 acres?
 - ☐ a project or action that would use ground or surface water in excess of 1,000,000 gallons per day?
 - ☐ parking for 250 vehicles?
 - ☐ a facility with more than 50,000 square feet of gross floor area?

activities which meet at least one of the criteria in **both** Columns A and B below:

o Column A:

- ☐ occurring wholly or partially within an agricultural district certified by Agriculture and Markets?
- ☒ occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the State or National Register of Historic Places, or has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing?
- ☐ occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks?

o Column B:

- ☒ activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 2.5 acres?
 - ☐ a project or action that would use ground or surface water in excess of 500,000 gallons per day?
 - ☐ parking for 125 vehicles?
 - ☒ a facility with more than 25,000 square feet of gross floor area?
- ☒ the expansion of existing nonresidential facilities that meet or exceed any of the following thresholds:
 - ☐ a project or action that involves the physical alteration of 1.25 acres?
 - ☐ a project or action that would use ground or surface water in excess of 250,000 gallons per day?
 - ☐ parking for 63 vehicles?
 - ☒ a facility with more than 12,500 square feet of gross floor area?

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
County of Chautauque IDA Name of Action or Project: <u>Wicked Jimmys LLC</u> Wicked Warren's - Jamestown							
Project Location (describe, and attach a location map): 119 West 3rd St, Jamestown, NY 14701							
Brief Description of Proposed Action: Purchase building and equipment to expand into new territory.							
Name of Applicant or Sponsor: Wicked Jimmys LLC Robert A Roth		Telephone: 716-609-1332 E-Mail: iamroth@aol.com					
Address: 12 Towne Square Dr,							
City/PO: Lancaster		State: NY	Zip Code: 14086				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> </tr> </table>	NO	YES	X	
NO	YES						
X							
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <u>City of Jamestown Certificate of occupancy</u>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td></td> <td style="text-align: center;">X</td> </tr> </table>	NO	YES		X
NO	YES						
	X						
3.a. Total acreage of the site of the proposed action? <u>.64</u> acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

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

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	x	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	x	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <u>Mitigation of Dry Cleaning Chemicals</u>	NO	YES
_____		x
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Robert A Roth</u> Date: <u>1/2/2023</u> Signature: <u><i>Robert A. Roth</i></u>		

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

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

Determined no significant environmental impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
<u>CCIDA</u> Name of Lead Agency	<u>11/15/24</u> Date
<u>Carol A. Rasmussen</u> Print or Type Name of Responsible Officer in Lead Agency	<u>Project Manager</u> Title of Responsible Officer
<u>[Signature]</u> Signature of Responsible Officer in Lead Agency	<u>[Signature]</u> Signature of Preparer (if different from Responsible Officer)