

NYCIDA PROJECT COST/BENEFIT ANALYSIS

October 8, 2015

APPLICANT

Gotham Seafood Corp.
542 West 29th Street
New York, New York 10001

PROJECT LOCATION

1049-1055 Lowell Street
Bronx, New York 10459

A. Project Description:

Gotham Seafood Corp. (the “Company”) prepares and distributes fresh and frozen seafood. The Company and its real estate holding company, Sean-Sakie Holdings Ltd., seeks financial assistance in connection with the acquisition, renovation, furnishing and equipping of an approximately 12,600 square foot facility located on an approximately 13,000 square foot parcel of land (the “Facility”), located in the Foxhurst neighborhood of the Bronx (the “Project”). The Project will enable the Company to relocate its entire operation to the Bronx in order to expand its business. Total Project costs are estimated to be \$4.25 million.

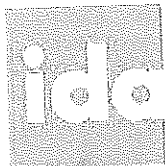
The company currently has 42 fulltime employees and expects to hire an additional 3 full time employees by year 3.

B. Costs to City (New York City taxes to be exempted):

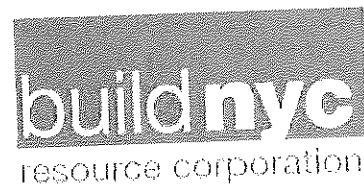
Mortgage Recording Tax Benefit:	\$ 61,864
Land Tax Abatement (NPV, 25 years):	103,641
Building Tax Exemption (NPV, 25 years):	2,022,672
Sales Tax Exemption:	47,475
Total Cost to NYC	\$ 2,235,652

C. Benefit to City (Estimated NYC direct and indirect taxes to be generated by Company) (estimated NPV 25 years @ 6.25%):

\$ 8,180,253



New York City
Industrial Development Agency



BENEFITS APPLICATION

Applicant Name: Gotham Seafood Corp.	
Name of operating company (if different from Applicant):	
Operating Company Address: 542 W. 29th St., New York, NY 10001	
Website Address: GothamSeafood.com	
EIN #: [REDACTED]	NAICS Code: 424460
State and date of incorporation or formation: 1987	Qualified to conduct business in NY? Yes <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicant is (check one of the following, as applicable):	
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Natural Person
<input type="checkbox"/> C Corporation	<input checked="" type="checkbox"/> S Corporation
<input type="checkbox"/> 501(c)(3) Organization	<input type="checkbox"/> Other: _____
Are any securities of Applicant publicly traded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Applicable Financial Assistance (check all that apply)

Please note the following: When Build NYC is the entity providing Financial Assistance, the Project Financial Assistance may be limited to deferral from mortgage recording taxes and tax-exempt conduit bond financing.

<input type="checkbox"/> Bond Financing
<input checked="" type="checkbox"/> Real Estate Tax Benefits
<input checked="" type="checkbox"/> Sales Tax Waiver
<input type="checkbox"/> Mortgage Recording Tax Deferral

Applicant Contact Information

	Name/Title	Company	Address	Email	Phone
Applicant Contact Person	John McGuire	Gotham Seafood	542 W. 29 th St., NYC, 10001		
Attorney	Ed Farrell	Tarter Krinsky & D	1350 Broadway, NYC, 10018		
Accountant	Mike Weiss	Ives, Sultan	100 Crossways Park, woodbury, NY 11797		
Consultant/Other	Robert Morel	City One Associates	2440 Broadway, suite 245, NY NY 10024		

Core Application ----page 2 Proposed Project Activities

Question number 1: Gotham Seafood Corp. prepares, cleans, cuts, packages and distributes fresh seafood to hotel chains, high-end gourmet restaurants, large food-service companies and corporate dining rooms. The company currently operates out of approximately 7,500 sq. ft. of space in Chelsea Manhattan, a neighborhood that has experienced tremendous gentrification. This influx of residential buildings and art galleries has made it difficult for Gotham to operate its seafood processing business. Gotham has located a building in the South Bronx where it hopes to relocate and expand its operation with the help of the New York City IDA. The purchase will allow the company and its 42 employees to remain in New York City and create a minimum of 10 new jobs over the next 7 years. The building will cost \$2,875,000 to purchase and will require approximately \$1,250,000 of renovations and refrigeration and freezer and other M & E purchases.

Question number 2: Gotham seafood is operating in a facility that they have clearly outgrown. By expanding in the new Bronx fish processing facility, the company will be able to serve many more clients. Various hotel chains, new potential corporate clients, and various sports venues have expressed interest in working with Gotham Seafood. The new building will enable the company to expand into these markets as well as others. The company will be able to hire a minimum of 10 new employees in the next 7 years.

Question number 3: The company will spend approximately \$1,250,000 installing special nonslip washable concrete floors, floor drains, install insulation and build new coolers, freezers, lobster tanks, ice machines, air-conditioning for the production area and for newly upgraded offices.

Question number 4: Gotham anticipates closing on the Bronx property in November and spending about a year (possibly up to two years) renovating the property. It will then relocate their operations from Manhattan to the Bronx sometime in the late fall of 2016, early 2017.

Background

Please provide a brief description of the Applicant's history and nature of its business, including a description of the industry, competitors and services offered, on a separate sheet.

Proposed Project Activities

Please provide answers to the following four questions on a separate page.

1. Please provide a brief overview of the entire proposed Project. If necessary, break down by tax lot to describe activities at each Project Location.
2. Please provide a brief description of how the proposed Project will affect current operations.
3. Please provide a brief description of renovations/construction of the proposed Project.
4. Please provide a brief timeline for the entire proposed Project.

Project Financing

Sale proceeds

Amounts provided should be aggregates for all Project Locations.

Uses of Funds	Sources of Funds (If needed use an additional sheet to indicate all sources and uses)							Total Uses
	Bond Proceeds	Commercial Financing (Loan 1)	Commercial Financing (Loan 2)	Affiliate/Employee Loans	Capital Campaign	Company Funds	Other (Identify):	
Land & Building Acquisition						2,875,000		\$2,875,000
Construction Hard Costs						650,000		650,000
Construction Soft Costs								
Fixed Tenant Improvements								
Furnishings & Equipment						600,000		600,000
Debt Service Reserve Fund								
Capitalized Interest								
Costs of Issuance								
Fees (explain): closing costs						100,000		00,000
Other (explain)								
Total Sources						\$4,225,000		\$4,225,000

Operating Pro Forma (for NYCIDA applicants only)

Please provide an operating pro forma or other financial analysis demonstrating how NYCIDA assistance is needed in order to make the Project feasible.

Sourcing

Please list where machinery, equipment and furnishings will be purchased and what percentage of total machinery, equipment, and furnishings relating to the Project this will represent:

<input type="checkbox"/> New York City	anticipated	% of Total? <input type="text" value="100"/>
<input type="checkbox"/> New York State (excluding NYC)		% of Total? <input type="text"/>
<input type="checkbox"/> United States (excluding NYS & NYC)		% of Total? <input type="text"/>
<input type="checkbox"/> Outside United States		% of Total? <input type="text"/>
<input type="checkbox"/> N/A – No equipment is planned to be purchased for this Project		

Project Location Detail

Project Location	Project Location #	of
Borough/Block/Lot: 2757 lot 112	Street address and zip code: 1049-1055 Lowell St., Bronx, NY 10459	
Zoning: M1-1	Number of Floors: 1	
Square footage of existing building: 12,636	Square footage of land: 13,000	
Anticipated square footage of building following construction and/or renovation: 12,636	Anticipated square footage of non-building improvements following construction and/or renovation (i.e., parking lot construction): N/A	
Intended use(s) of site (check <u>all</u> that apply): <input type="checkbox"/> Retail <input checked="" type="checkbox"/> Manufacturing/Industrial <input checked="" type="checkbox"/> Office <input type="checkbox"/> Non-profit For ALL USES other than Non-profit or Retail, please also complete Energy Questionnaire		
Is there any improved space which is currently occupied by existing subtenant(s) (whether Affiliates or otherwise)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Will any improved space be occupied by subtenant(s) (whether Affiliates or otherwise)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes to either, please attach a separate page and provide details such as (1) name of subtenant business(es) (whether Affiliates or otherwise), (2) square footage of subtenant operations, (3) subtenant lease commencement and termination dates, and (4) copies of leases.		

Anticipated Ownership of Premises

1. Please check all that apply:

<input checked="" type="checkbox"/> Applicant or an Affiliate is or expects to be the fee simple owner of the Project Location	(Projected) Acquisition date: Nov 2015
<input type="checkbox"/> Applicant or an Affiliate leases or expects to lease the Project Location	(Projected) Lease signing date:
If you checked the box above, please select one of the following: <input type="checkbox"/> Lease is for an entire building and property <input type="checkbox"/> Lease is for a portion of the building and/or property.	
<input type="checkbox"/> None of the above categories fully describe Applicant's interest or intended interest in the Project Location, which may be more accurately described in a supplementary document (attached).	

2. If an Affiliate owns or controls (or will own or control) a Project Location, then describe such Affiliate by choosing one of the following selections and completing the chart provided below:

- | | | |
|---|--|---|
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> C Corporation |
| <input checked="" type="checkbox"/> S Corporation | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> 501(c)(3) Organization |
| <input type="checkbox"/> Natural Person | <input type="checkbox"/> Other (specify): _____ | |

Name of Affiliate: SEAN-SAKIE HOLDINGS, LTD	EIN # of Affiliate: [REDACTED]
Address of Affiliate: 542 West 29 th Street, NY NY 10001-1308	
Affiliation of Affiliate to Applicant: Real estate holding entity	
Contact Person: John McGuire	Title of Contact Person:
Phone Number(s): [REDACTED]	

Core Application - Proposed Project Packet (2 of 2)

Please complete Proposed Project Packet for EACH Project Location

Employment Information

The following information will be used as part of the Agency's calculation of the benefit of the Project, and as a basis for the comparison with the employment information that the Applicant will be required to report on an annual basis for the term of the Project Agreement.

In addition, information included in the Estimated New-growth Employment (section 6) will be used to determine eligibility for participation in the HireNYC Program. For program information, visit nycedc.com/hirenyc. If eligible for HireNYC Program participation, NYCEDC will provide additional details.

For all responses below, please note that part-time employees work an average of between 17.5 and 35 hours per week, and full-time employees work 35 hours or more per week. Hourly wages should represent the pay rate and are exclusive of overtime. For any salaried employees, please divide the annual salary by 1,820 (working hours per year) to produce an hourly wage. Wage information should exclude principals.

1. Anticipated Facility Operations Start Date at Project Location: October 2016
2. Regarding employees the Applicant employed throughout New York City as of the last pay period:

Number of part-time employees: 0
Number of full-time employees: 42

3. Regarding employment if Applicant currently occupies and operates at the Project Location: **NOT APPLICABLE**

Hourly wage of lowest compensated part-time employee:
Hourly wage of lowest compensated full-time employee:
Number of part-time employees:
Number of full-time employees:

4. Regarding employees the Applicant expects to employ throughout New York City on the Facility Operations Start Date:
Number of part-time employees: 0
Number of full-time employees: 42

How many of these employees are expected to be relocated to the Project Location on or about the Facility Operations Start Date?
Number of part-time employees: 0
Number of full-time employees: 42

5. Regarding all employees at the Project Location on the Facility Operations Start Date:
Average hourly wage per part-time employee: 0
Average hourly wage per full-time employee: \$20
Hourly wage of highest compensated part-time employee: 0
Hourly wage of highest compensated full-time employee: \$80
Hourly wage of lowest compensated part-time employee: 0
Hourly wage of lowest compensated full-time employee: \$10
Number of part-time employees: 0
Number of full-time employees: 42

6. Estimated New-growth Employment. Complete the following chart to indicate the number of new employees that are expected to be hired at the Project Location in each year. Note: Year 1 is the year following the Facility Operations Start Date; Year 2 is the second year following that date; Year 3 is the third, etc. October 2017

Years following Facility Operations Start Date	1	2	3	4	5	6	7	Total New Growth
Permanent Full-time	1	1	1	1	1	3	2	10
Permanent Part-time	0	0	0	0	0	0	0	0

Wage and Benefits Information

7. For all new employees at the Project Location (again, excluding Principals) expected to be hired during the three-year period following the Facility Operations Start Date, please project the following:

Average hourly wage per part-time employee: na
Average hourly wage per full-time employee: 14.00
Hourly wage of lowest compensated part-time employee: na
Hourly wage of lowest compensated full-time employee: 13.30

8. Generally describe all other forms of compensation and benefits that Permanent Employees will receive. Examples: healthcare, employer-contributions for retirement plans, on-the-job training, reimbursement for educational expenses, etc. Healthcare for some individuals; on-the-job training; and, reimbursement for educational expenses.
9. Please indicate whether the Applicant or any of its Affiliates will be required to provide health coverage to its employees pursuant to the federal Patient Protection and Affordable Care Act (the "Act"). If yes, please provide an overview of the applicable requirements under the Act and an explanation of how the Applicant plans to comply with such requirements. If no, please explain why. Not required to provide healthcare, since under 50 employees.
10. Is your company currently providing paid sick time to employees in accordance with the Earned Sick Time Act (Chapter 8 of Title 20 of the NYC Administrative Code) and otherwise in compliance with such law? If yes, please provide an explanation of your company's paid and unpaid sick time policy. If no, please explain why. Yes company is in compliance with Earned Sick Time Act law.

Labor

The Applicant and its Affiliates hereinafter will be referred to collectively as the "Companies" or individually as a "Company." If none of the following questions apply to any of these Companies, answer "NO"; but, for any question that does apply, be sure to specify to which of the Companies the answer is relevant.

1. Have any of the Companies during the current calendar year or any of the five preceding calendar years experienced labor unrest situations, including actual or threatened labor strikes, hand billing, consumer boycotts, mass demonstrations or other similar incidents?
☐ Yes ☒ No If Yes, please explain on an attached sheet
2. Have any of the Companies received any federal and/or state unfair labor practices complaints asserted during the current calendar year or any of the five calendar years preceding the current calendar year?
☒ Yes ☒ No If Yes, please describe and explain current status of complaints on an attached sheet
3. Do any of the Companies have pending or threatened requests for arbitration, grievance proceedings or other labor disputes during the current calendar year or any of the five calendar years preceding the current calendar year?
☐ Yes ☒ No If Yes, please explain on an attached sheet
4. Are all employees of the Companies permitted to work in the United States?
☒ Yes ☐ No If No, please provide details on an attached sheet.
Do the Companies complete and retain all required documentation related to this inquiry, such as Employment Eligibility Verification (I-9) forms?
☒ Yes ☐ No If No, please explain on an attached sheet
5. Has the United States Department of Labor, the New York State Department of Labor, the New York City Office of the Comptroller or any other local, state or federal department, agency or commission having regulatory or oversight responsibility with respect to workers and/or their working conditions and/or their wages, inspected the premises of any Company or audited the payroll records of any Company during the current or preceding three year calendar years?
☐ Yes ☒ No If "Yes," please use an attached sheet to briefly describe the nature and date of the inspection and the inspecting governmental entity. Briefly describe the outcome of the inspection, including any reports that may have been issued and any fines or remedial or other requirements imposed upon any of the Companies as a consequence.
6. Have any of the Companies incurred, or potentially incurred, any liability (including withdrawal liability) with respect to an employee benefit plan, including a pension plan?
☐ Yes ☒ No If "Yes," please use an attached sheet to quantify the liability and briefly describe its nature. Refer to any governmental entities that have had regulatory contact with the Company in connection with the liability.
7. Are the practices of any of the Companies now, or have they been at any time during the current or preceding five calendar years, the subject of any complaints, claims, proceedings or litigation arising from alleged discrimination in the hiring, firing, promoting, compensating or general treatment of employees?
☒ Yes ☐ No If "Yes," provide details on an attached sheet. Note "discrimination" includes sexual harassment.

In 2011, a female employee complained to the City of New York, Commission on Human Rights, for alleged sexual harassment practices. The Commission determined that there was no probable cause to believe that Gotham Seafood Corporation and the named individuals engaged in any unlawful discriminatory practices. The individual making this claim has not filed any other separate action.

Financials

1. Has **Applicant**, any **Affiliate**, or **Principal**, or any **close relative of any Principal**, ever received, or is any such person or entity currently receiving, financial assistance or any other kind of non-discretionary benefit from any **Public Entities**? *SBA FINANCY in 1994*
☒ Yes ☐ No If Yes, please provide details on an attached sheet.
2. Has **Applicant**, or any **Affiliate** or **Principal**, or any existing or proposed occupant at the **Project Location(s)**, obtained, or is any such person or entity in the process of obtaining, or contemplating obtaining, other assistance from the NYCIDA/Build NYC and/or other **Public Entities**?
☐ Yes ☒ No If Yes, please provide details on an attached sheet.
3. Has **Applicant**, or any **Affiliate** or **Principal**, ever defaulted on a loan or other obligation to a **Public Entity**?
☐ Yes ☒ No If Yes, please provide details on an attached sheet.
4. Has real property in which **Applicant**, or **Affiliate** or **Principal**, holds or has ever held an ownership interest and/or controlling interest of 25 percent or more, now or ever been (i) the subject of foreclosure (including a deed in lieu of foreclosure), or (ii) in arrears with respect to any type of tax, assessment or other imposition?
☐ Yes ☒ No If Yes, please provide details on an attached sheet.
5. Does **Applicant**, or any **Affiliate** or **Principal**, have any contingent liabilities not already covered above (e.g., judgment liens, lis pendens, other liens, etc.)? Please include mortgage loans and other loans taken in the ordinary course of business only if in default.
☐ Yes ☒ No If Yes, please provide details on an attached sheet.
6. Has **Applicant**, or any **Affiliate** or **Principal**, failed to file any required tax returns as and when required with appropriate governmental authorities?
☐ Yes ☒ No If Yes, please provide details on an attached sheet.

For questions 7 through 12, below, please answer the following questions relating to the Applicant (if the space provided below is insufficient, please provide complete information on an attached sheet):

7. List major customers:

Company Name	Address	Contact	Phone	Fax	Email	% of Revenues
Patina Restaurant	New York City	Steve Charron				1%
B. R. Guest	New York City	Ron Reimer				1%
Sarah Beth's Rest	New Jersey/New York City	Steve Meyer				1%
Bar American	New York City	Justin Hunt				1%

8. List major suppliers:

Company Name	Address	Contact	Phone	Fax	Email
Stephen Burt SFD.		Steve Burt			
Chicken of the Sea		Scott Mirskin			
Slade Gordon		Andy Patton			
Coastal pride		Luther loop can			

9. List major Funding sources (if applicable):

Company Name	Address	Contact	Phone	Fax	Email
NA					

7) LIST MAJOR CUSTOMERS

PATINA RESTAURANT GROUP
STEVE CHARRON/ [REDACTED]

120 WEST 45TH STREET, 16TH FLOOR
NY, NY 10036

BR GUEST/ RON RIEMER/ [REDACTED]

315 PARK AVE SOUTH, 13TH FLOOR
NY NY, 10010

SARABETH'S RESTAURANT
ATT. STEVE MEYER/ [REDACTED]
381 PARK AVE SOUTH
NY NY 10016

BAR AMERICAIN
152 WEST 52ND STREET
NY NY 10019
JUSTIN HUNT/ [REDACTED]

8) SUPPLIERS

STEVEN BURT SEAFOOD

132 WATER STREET
SOUTH NORWALK, CT
06854
STEVE BURT/ [REDACTED]

CHICKEN OF THE SEA
1981 MARCUS AVE /SUITE E 113
LAKE SUCCESS, NY, 11042
SCOTT MIRSKIN/ [REDACTED]

SLADE GORTON
PO BOX 845177
BOSTON, MA, 02284-5177
ANDY PATTEN/ [REDACTED]

COASTAL PRIDE
PO BOX 628
BEAUFORT, SC, 29901
WALTER LUBKIN/ [REDACTED]

10. List unions (if applicable):

Union Name	Address	Contact	Phone	Fax	Email
NA					

11. List banks:

Bank Name	Address	Contact	Phone	Fax	Email	Account Type and Number
City National bank	400 Park Ave. NYC	Matt Foley				

12. List licensing authorities (if applicable):

Company Name	Address	Contact	Phone	Fax	Email
See attached					

Anti-Raiding

1. Will the completion of the Project result in the relocation of any plant or facility located within New York State, but outside of New York City, to New York City? ☐ Yes ☒ No

If "Yes," please provide the names of the owners and addresses of the to-be-removed plant(s) or facility(ies):

2. Will the completion of the Project result in the abandonment of any plants or facilities located in an area of New York State other than New York City? ☐ Yes ☒ No

If "Yes," please provide the names of the owners/operators and the addresses of the to-be-abandoned plant(s) or facility(ies):

If the answer to question 1 or 2 is "Yes," please continue and answer questions 3 and 4.

3. Is the Project reasonably necessary to preserve the competitive position of this Applicant, or of any proposed occupants of the Project, in its industry? ☐ Yes ☐ No
4. Is the Project reasonably necessary to discourage the Applicant, or any proposed occupant of the Project, from removing such plant or facility to a location outside New York State? ☐ Yes ☐ No

If the answer to question 3 or 4 is "Yes," please provide on a detailed explanation on a separate sheet of paper.

Certification

Licenses

- **New York State, Department of Agriculture and Markets, Albany New York FOOD PROCESSING LICENSE**
- **New York State, Department of Environmental Conservation, Division of Fish, Wildlife and Marine Resources; Interstate Shellfish Shipping Authorization.**

I, the undersigned officer/member/partner of Applicant, on behalf of Applicant and its Affiliates, hereby request, represent, certify, understand, acknowledge and agree as follows:

I request that this Application, together with all materials and data submitted in support of this Application (collectively, these "Application Materials"), be submitted for review to the applicable Agency's Board of Directors (the "Board"), in order to obtain from the Board an expression of intent to provide the benefits requested herein for the Project.

I represent that I have the authority to sign these Application Materials on behalf of, and to bind, Applicant and its Affiliates.

I certify to the best of my knowledge and belief, after due investigation, the information contained in these Application Materials is accurate, true and correct and does not contain a misstatement of a material fact or omit to state a material fact necessary to make the statements contained herein not misleading. I understand that an intentional misstatement of fact, or, whether intentional or not, a material misstatement of fact, or the providing of materially misleading information, or the omission of a material fact, may cause the Agency's Board to reject the request made in the Application Materials. I understand that the Agency will rely on the information contained within these Application Materials in producing and publishing a public notice and convening a public hearing. If any information in these Application Materials is found to be incorrect, the Applicant may have to provide new information and a new public notice and public hearing may be required. If a new public notice and public hearing is required, they will be at the Applicant's expense.

I understand the following: that Applicant and Principals will be subject to a background check and actual or proposed subtenants may be subject to a background check, and if such background check performed by the Agency with respect to Applicant or any Affiliates reveals negative information, Applicant consents to any actions that the Agency or NYCEDC may take to investigate and verify such information; that the Agency may be required under SEQRA to make a determination as to the Project's environmental impact and that in the event the Agency determines that the Project will have an environmental impact, Applicant will be required to prepare, at its own expense, an environmental impact statement; that the decision of the Board to approve or to reject the request made in the Application Materials is a discretionary decision; that no Bonds may be issued (if Bonds are being requested) unless such Bonds are approved by the Mayor of the City; that under the New York State Freedom of Information Law ("FOIL"), the NYCIDA/Build NYC may be required to disclose the Application Materials and the information contained therein (see the Disclosure Policy section of the Policies and Instructions provided to Applicant and signed by Applicant on or about the date hereof (the "Policies and Instructions")); and that Applicant shall be entirely responsible and liable for the fees referred to in these Application Materials.

I further understand and agree as follows:

That notwithstanding submission of this Application, the Agency shall be under no obligation to present Applicant's proposed Project to its Board for approval. If the Agency presents Applicant's proposed Project to its Board for approval, the Agency does not guaranty that such approval will be obtained. If upon presenting Applicant's proposed Project to its for approval the Agency obtains such approval, such approval shall not constitute a guaranty from the Agency to Applicant that the Project transaction will close.

That preparation of this Application and any other actions taken in connection with the proposed Project shall be entirely at Applicant's sole cost and expense. Under all circumstances, the Application Fee is non-refundable, including but not limited to the circumstance where the Agency decides, in its sole discretion, to not present Applicant's proposed project to the the Agency Board of Directors for Approval.

That each of Applicant and each of its Affiliates (collectively, the "Indemnitors") hereby releases NYCIDA, Build NYC, NYCEDC and their respective directors, officers, employees and agents (collectively, the "Indemnitees") from and against any and all claims that any Indemnitor has or could assert and which arise out of, or are related to, any Application Materials, any actions taken in connection therewith or any other actions taken in connection with the proposed Project (collectively, the "Actions"). Each Indemnitor hereby indemnifies and holds harmless each of the Indemnitees from and against any and all claims and damages brought or asserted by third parties, including reasonable attorneys' fees, arising from or in connection with the Actions. As referred to herein, "third parties" shall include, but shall not be limited to, Affiliates.

That in the event the Agency discloses the Application Materials in response to a request made pursuant to FOIL, Applicant hereby authorizes the Agency to make such disclosure and hereby releases the Agency from any claim or action that Applicant may have or might bring against the Agency, their directors, officers, agents, employees and attorneys, by reason of such disclosure; and that Applicant agrees to defend, indemnify and hold the Agency and the NYCEDC and their respective directors, officers, agents, employees and attorneys harmless (including without limitation for the cost of reasonable attorneys' fees) against claims arising out of such disclosure as such claims may be made by any party including the Applicant, Affiliate, Owner or Principal, or by the officers, directors, employees and agents thereof.

That capitalized terms used but not defined in this Application have the respective meanings specified in the Policies and Instructions.

I acknowledge and agree that the Agency reserves its right in its sole and absolute discretion to request additional information, waive any requirements set forth herein, and/or amend the form of this Application, to the full extent permitted by applicable law.

Requested, Represented, Certified, Acknowledged, Understood and Agreed by Applicant,

I certify that, using due care, I know of no misstatement of material fact in the Application Materials, and know of no material fact required to be stated in the Application Materials to make the statements made therein not misleading. **Certified by Preparer,**

This 25 day of August, 2015
 Name of Applicant: Gotham Seafood Corp
 Signatory: John McGuire
 Title of Signatory: Pres
 Signature: _____

This day of , 20
 Name of Preparer: Robert Morel
 Signatory: _____
 Title of Signatory: Consultant
 Signature: _____

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			
Gotham Seafood Corp.			
Name of Action or Project: Gotham Seafood Corp.			
Project Location (describe, and attach a location map): 1049-1055 Lowell ST. BRONX NY 10459			
Brief Description of Proposed Action: Acquisition of 12,636 sq foot building and relocation of fish production facility - some renovations will be necessary			
Name of Applicant or Sponsor: Gotham Seafood Corp.		Telephone: [REDACTED] E-Mail: [REDACTED]	
Address: 542 W. 29th St., New York, NY 10001			
City/PO:		State:	Zip Code:
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.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
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: Eventually a building permit from New York City Building's Department			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		Less than 1/4 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?		Less than 1/4 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" 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: _____ <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Gotham Seafood Corp</u> Date: <u>9/10/15</u> Signature: _____		

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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>