

**NYCIDA PROJECT COST/BENEFIT ANALYSIS**  
**September 15, 2011**

**APPLICANT**

Oh Nuts Warehousing Inc. and its affiliate,  
Online Express Manufacturers and Distributors Inc.  
1449 37<sup>th</sup> Street  
Brooklyn, NY 11218

**PROJECT LOCATION**

120-65 168<sup>th</sup> Street  
Jamaica, NY 11434

**A. Project Description:**

Oh Nuts Warehousing Inc. (“Oh Nuts”) is a manufacturer, producer and distributor of nuts, chocolates, confections and gift items. Oh Nuts supplies four Oh Nuts retail stores and an affiliate, Online Express Manufacturers and Distributors Inc. (“Online Express”), which is the web-based arm of the Oh Nuts operations. Oh Nuts and Online Express (the “Companies”) are jointly seeking Agency assistance to acquire and renovate the Project Location, a one-story, approximately 34,000 square foot warehouse facility located at 120-65 168<sup>th</sup> Street in Jamaica, Queens.

The Companies currently lease approximately 10,000 square feet to 12,000 square feet of space depending upon the season. This leased space is noncontiguous, but is currently all within a multi-tenanted industrial and office building located at 1449 37<sup>th</sup> Street in the Boro Park neighborhood of Brooklyn. Growth in the online segment is largely driving the need for a larger a more rational space, with warehousing, distribution and shipping located in contiguous space on one level, with room not only to accommodate current operations, but to allow for future growth.

Total project costs are estimated at \$3,200,000, with \$2,900,000 for acquisition costs, and renovations of approximately \$200,000 to renovate and fit-out the warehousing and office space, create a showroom, upgrade the HVAC system and install refrigeration. The remaining \$100,000 in project costs will consist of soft costs.

The owners of the Companies seek to acquire and renovate the facility to create a permanent home for the Companies that will rationalize current operations and accommodate future growth. Jointly, the Companies anticipate growth of up to six full-time equivalent positions over the next three years for a total of 32 jobs.

**B. Costs to City: New York City taxes to be exempted:**

Mortgage Recording Tax:	\$ 45,500
Sales Tax Exemption:	3,600
Building Tax exemption (NPV, 25 years)*	1,002,006
Land Tax Abatement (NPV, 25 years)*	156,228
Maximum Total:	\$ 1,207,334

*\*Actual benefit amount subject to change.*

**C. Benefits to City: Estimated New York City direct and indirect taxes to be generated by Company (estimated NPV 25 years @ 6.25%): \$ 3,145,614**

# Core Application - Applicant General Information

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The Core Application captures specific and general information about the Applicant and the Project. This section begins with a survey of "General Information," followed by a section that describes the Applicant's Interest or relationship to the project site. This helps establish eligibility and which benefits will be applied to the project.

Name:	Oh Nuts Warehousing Inc. / Online Express Manufacturers and Distributors Inc.
Address:	1449 37th Street, Brooklyn, NY 11218
Phone Number(s):	[REDACTED]
Fax Number(s):	[REDACTED]
E-mail Address:	
Website Address:	www.ohnuts.com
Applicant EIN Number:	[REDACTED]
S.I.C. Code:	
NAICS Code:	

Date of Application: August 2011

1. Applicable Program (please check one):

Manufacturing Facilities Bond Program

Empowerment Zone Facilities Bond Program

Industrial Incentive Program ("IIP")

Exempt Facilities Bond Program

Small Industrial Incentive Program ("SIIP")

SIIP is only available for Applicants with annual revenues of less than \$5 million and fewer than 100 employees; IIP is only available for Applicants with either annual revenues that are \$5 million or greater or 100 or more employees.

2. Officer of Applicant serving as contact person:

Name: Yehuda Klein

Firm: Oh Nuts Inc.

Phone #: [REDACTED]

Fax #: [REDACTED]

E-mail Address: [REDACTED]

Address: 1449 37th Street

Brooklyn, NY 11218

3. Attorney of Applicant:

Name: Morris Barenbaum, Esq.

Firm: \_\_\_\_\_

Phone #: [REDACTED]

Fax #: [REDACTED]

E-mail Address: barenbaumlaw@gmail.com

Address: 1205 47th Street

Brooklyn, NY 11219

4. Accountant of Applicant:

Name: Simeon Friedman, CPA

Firm: Saul N. Friedman & Company

Phone #: [REDACTED]

Fax #: [REDACTED]

E-mail Address: simeonfriedman@snfco.com

Address: 6201 Fifteenth Avenue

Brooklyn, NY 11219

5. Other Advisor/Consultant to Applicant (if applicable):

Name: Robert Morel Firm: City One Real Estate, LLC  
Phone #: [REDACTED] Fax #: [REDACTED]  
E-mail Address: [REDACTED] Address: 236 Greenpoint Ave.,  
Brooklyn, NY 11222

6. Applicant is (check one of the following, as applicable):

- |   |  |   |
|---|--|---|
| <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"/> Natural Person |
| <input type="checkbox"/> 501(c)(3) Organization   | <input type="checkbox"/> Other (specify): _____    |   |

7. Are any securities of Applicant publicly traded?

- Yes  No

8. Applicant's state of incorporation or formation: NY

9. Applicant's date of incorporation or formation: Original company (1995) Oh Nuts Warehousing (2008)  
Online Express (2006)

10. States in which Applicant is qualified to do business: Nationwide

11. Please provide a brief description of Applicant and nature of its business: Oh Nuts Warehousing is the  
manufacturing, distributing, & warehousing arm of four retail shops and an  
Internet distribution business that sells gourmet nuts, chocolates, dried  
fruit, and candy.

# Core Application - Applicant Interest in Project Realty

**Please note:** An "Affiliate" means any individual, corporation, partnership, joint venture, sole proprietorship, limited liability company, trust or other entity that controls, is controlled by or is under common control with the Applicant or the "SPE" (defined herein below).

1. Please check all that apply:

- Applicant or an Affiliate is the fee simple owner of the Project realty.
- Applicant or an Affiliate is not currently, but expects to be the fee simple owner of the Project realty.
- Applicant or an Affiliate is not the owner of the Project realty, but is the occupant of a material portion thereof for the conduct of its business pursuant to a lease or other occupancy agreement.
- Applicant or an Affiliate is not the owner of the Project realty, but expects, immediately following the closing, to be the occupant of a material portion thereof for the conduct of its business pursuant to a lease or other occupancy agreement.
- None of the above categories fully describe Applicant and its relation to the Project realty, which may be more accurately described as follows (please provide copies of supporting documentation, as applicable):

**Please note:** Please pay particular attention to items 5, 6 and 16 in the Required Documents List (attached), which request additional information specific to the Project realty.

2. If a special-purpose entity ("SPE") that is owned and controlled by the Applicant will own or otherwise control the Project realty, the SPE will be a (check one of the following as applicable):

- General Partnership
- Limited Partnership
- C Corporation
- S Corporation
- Limited Liability Company
- Not-for-profit 501(c)(3) Entity
- Natural Person
- Other (specify): \_\_\_\_\_

Name of SPE:	To Be Determined
Address:	120-65 168th St., Jamaica, NY 11434
Phone Number(s):	[REDACTED]
Contact Person:	Yehuda Klein
Title of Contact Person:	Pres.
Affiliation of SPE to Applicant:	Owner
Owners of SPE and each respective ownership share:	Yehuda Klein - 50% - Ita Klein (Spouse) - 50%
SPE EIN Number:	To Be Determined

**Please note:** If information required above for the SPE is unknown at time of Application submission, then please submit any missing information to the NYCIDA as soon as it becomes available.



3. Give the following information with respect to all present and proposed tenants and sub-tenants at the proposed project site. Provide information on an additional sheet if space is needed.

Company Name	Phone	Affiliation with Applicant	SF & Floors (Percent of Occupancy)	Lease Expiration	Tenant Business
U.S. Postal Services		None	14,000 sf	4/1/2016	Postal services

# Core Application - Project Description and Financial Information

Please complete this section of the Application for each of the Project sites, defined as a facility (perhaps encompassing more than one address and/or block and lot) with either a distinct employment base (as evidenced through D.O.L. reporting) or with a separate and distinguishable source of funding for the acquisition, renovation or construction of the facility. **If more than one site exists for this Project, please make the requisite number of copies of this section and fill it out for each site.**

Site #	1 of 1
Borough:	Queens
Neighborhood:	Jamaica
Block(s):	12385
Lot(s):	62
Street address and zip code:	120-65 168th St., Jamaica, NY 11434
Zoning:	M1-1
Square footage of land:	43,000
Square footage of existing building(s):	34,000
Number of floors:	1
Intended use(s) (e.g., office, retail, etc.):	Manufacturer/warehouse/distribution/office

1. Please provide the following Project information:

a. Please provide a brief description of the proposed Project: Company will relocate and consolidate operations. Company will renovate offices and showroom.

b. When does Applicant want Closing to occur (i.e., when does Applicant want the proceeds from the Bonds or other benefits sought to be available for the Project costs)? October 2011

c. Indicate the estimated date for commencement of the Project: November 2011

d. Indicate the estimated date for the completion of the Project: March 2012

e. Is the Project site located in a New York State Empire Zone?  Yes  No

If Yes, which zone? \_\_\_\_\_

f. Is the Project site located in the Federal Empowerment Zone?

Yes  No

g. Will the Project require Uniform Land Use Review Procedure ("ULURP") approval?

Yes  No

h. Will the Project require any other special permit or approval?

Yes  No

If Yes, please explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

i. Is any governmental entity intended or proposed to be an occupant at the Project site?

Yes       No

If Yes, please provide details: United States Postal Service

j. Will the Project require a tax lot apportionment or subdivision? (Tax lot apportionment will be required for real estate tax benefits to commence.)

Yes       No

If Yes, please provide details and timing: \_\_\_\_\_

2. Please complete the following summary of Project sources and uses:

Uses of Funds		Sources of Funds	
Land acquisition <sup>3</sup>	2,900,000	Bonds	
Building acquisition <sup>3</sup>		Loan (1)	1,550,000
New construction <sup>4</sup>		Loan (2)	1,250,000
Renovations	200,000	Capital campaign <sup>3</sup>	
Fixed tenant improvements		Affiliate/employee loans	
Machinery and/or equipment		Company funds	400,000
Soft costs (define): <b>Closing</b>	100,000	Fund balance <sup>3</sup>	
Furnishings		Other equity (explain)	
Debt Service Reserve Fund <sup>5</sup>		Other (explain)	
Capitalized interest <sup>3</sup>		Other (explain)	
Other (explain)		Other (explain)	
<b>Total Project Uses</b>	<b>3,200,000</b>	<b>Total Project Sources</b>	<b>3,200,000</b>

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

- |   |                                  |
|---|----------------------------------|
| <input type="checkbox"/> New York City                      | Percentage of Total? <u>100%</u> |
| <input type="checkbox"/> New York State (excluding NYC)     | Percentage of Total? _____       |
| <input type="checkbox"/> United States (excluding NY State) | Percentage of Total? _____       |
| <input type="checkbox"/> Outside United States              | Percentage of Total? _____       |

<sup>3</sup> Please estimate Land and Building acquisition costs separately if possible.

<sup>4</sup> Please define New Construction on a separate piece of paper.

<sup>5</sup> Applies to not-for-profit bond financings only



# Environmental Assessment Form

**Please note:** This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. It is expected that completion of the full EAF will be dependent on the information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of action: <u>Oh Nuts Warehousing Inc.</u>	
Location of action (or show site location on a copy of a Hagstrom or other street map): <u>120-65 168th Street, Jamaica, NY 11434</u>	
Name of Applicant: <u>Oh Nuts Warehousing Inc.</u>	Telephone: <span style="background-color: black; color: black;">[REDACTED]</span>
Address of Applicant: <u>1449 37th Street Brooklyn, NY 11218</u>	FAX: <span style="background-color: black; color: black;">[REDACTED]</span>
	Contact: <u>Yehuda Klein</u>
Name of Owner (if different):	Telephone:
Address of Owner:	FAX:
	Contact:
Description of action (please be precise): <u>Acquisition of 34,000 square feet. Small renovation to build showroom and upgrade office and install manufacturing equipment.</u>	

### Site Description

(Physical setting of overall Project, both developed and undeveloped areas.)

1. Present land use:     Urban                       Industrial                       Commercial  
                                   Forest                               Agriculture                       Residential (suburban)  
                                   Rural (non-farm)               Other: \_\_\_\_\_

2. Total acreage of Project area: \_\_\_\_\_ acres less than 1

Approximate Acreage	Presently (in acres)	After Completion (in acres)
Meadow or brushland (non-agricultural)		
Forested		
Agricultural (includes orchards, cropland, pasture, etc.)		
Wetland (freshwater or tidal as per Articles 24, 25 of ECL)		
Water surface area		
Unvegetated (rock, earth or fill)		
Roads, building and other paved surfaces		
Other (indicate type)	building	building



3. What is predominant soil type(s) on Project site?

- a. Soil drainage:  Well-drained 100 percent of site  
 Moderately well drained \_\_\_\_\_ percent of site  
 Poorly drained \_\_\_\_\_ percent of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NY Land Classification System? \_\_\_\_\_ acres. (See I NYCRR 370).

4. Are there bedrock outcroppings on Project site?

- Yes  No

If Yes, what is depth to bedrock? (in feet) \_\_\_\_\_

5. Approximate percentage of proposed Project site with slopes:

- 0-10 percent  
 10-15 percent  
 15 percent or greater

6. Is Project substantially contiguous to, or contain a building, site or district listed on the State or the National Registers of Historic Places?

- Yes  No

7. Is Project substantially contiguous to a site on the Register of National Natural Landmarks?

- Yes  No

8. What is the depth of the water table? NA (in feet)

9. Is site located over a primary, principal or sole source aquifer?

- Yes  No

10. Do hunting, fishing or shellfishing opportunities currently exist in the Project area?

- Yes  No

11. Does Project site contain any species of plant or animal life that is identified as threatened or endangered?

- Yes  No don't know

If Yes, according to: \_\_\_\_\_

If Yes, please identify each species: \_\_\_\_\_

12. Are there any unique or unusual landforms on the Project site? (i.e., cliffs, dunes, other geological formations)

- Yes  No

If Yes, please describe: \_\_\_\_\_

13. Is the Project site currently used by the community or neighborhood as an open space or recreation area?

- Yes  No

If Yes, please explain: \_\_\_\_\_

14. Does the present site include scenic views known to be important to the community?

- Yes  No

15. Please list the streams within or contiguous to Project area: NA

Please list the name of stream and name of river to which it is tributary: \_\_\_\_\_

16. Please list lakes, ponds, wetland areas within or contiguous to Project area:

a. Name: NA

b. Size (in acres): \_\_\_\_\_

17. Is the site served by existing public utilities?

Yes       No

If Yes, does sufficient capacity exist to allow connection?     Yes       No

If Yes, will improvements be necessary to allow connection?     Yes       No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?

Yes       No

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL and 6 NYCRR617?

Yes       No

20. Has the site ever been used for the disposal of solid or hazardous wastes?

Yes       No      don't know

21. Is any part or the entire site listed on the National Priorities List, CERCLA Information System List ("CERCLIS LIST"), the New York State Inactive Hazardous Waste Disposal Site Registry and/or the New York State Petroleum Spill List?

Yes       No      don't know

If Yes, please provide specific information regarding such listing on a separate piece of paper.

22. Has any part or all of the site been listed on the National Priorities List, CERCLIS LIST, the New York State Inactive Hazardous Waste Disposal Site Registry and/or the New York State Petroleum Spill List?

Yes       No      don't know

23. Are there any hazardous and/or toxic or similar material(s), substance(s) and/or waste(s), including but not limited to petroleum products, present at the site that may pose a health or physical hazard to persons employed at or visiting the Project site?

Yes       No      don't know

If Yes, please provide specific information regarding all such materials(s), substance(s) and/or waste(s): \_\_\_\_\_

24. Are there any properties which are or have been listed on the National Priorities List, CERCLIS LIST, the New York State Inactive Hazardous Waste Disposal Site Registry and/or the New York State Petroleum Spill List within a 1/4-mile radius of the site?

Yes       No      don't know

If Yes, please provide specific information regarding all such property(ies) on a separate piece of paper.

25. Are there any properties which are or have been listed on the National Priorities List, CERCLIS LIST, the New York State Inactive Hazardous Waste Disposal Site Registry and/or the New York State Petroleum Spill List that may pose a health or physical hazard to persons employed at or visiting the site?

Yes       No      don't know

If Yes, please provide specific information regarding all such property(ies) on a separate piece of paper.

26. Does the Applicant have any reason to believe that there are any hazardous and/or toxic or similar material(s), substance(s) and/or waste(s), including but not limited to petroleum products, present at properties in the vicinity of the site that which may pose a health or physical hazard to persons employed at the visiting site?

Yes       No

If Yes, please explain on a separate piece of paper.

**Project Description**

1. Physical dimensions and scale of Project (fill in dimensions as appropriate)

- a. Total contiguous acreage owned or controlled by Project sponsor: less acres.
- b. Project acreage to be developed: less 1 acres initially less 1 acres ultimately.
- c. Project acreage to remain undeveloped less 1 acres.
- d. Length of Project, in miles: NA (if appropriate).
- e. If the Project is an expansion, indicate percent of expansion proposed: NA percent.
- f. Number of off-street parking spaces: existing 15; proposed 15.
- g. Maximum vehicular trips generated in the AM and PM peak hours upon completion of Project: see below
- h. If residential, number and type of housing units: NA

	One Family	Two Family	Multiple Family	Condominium
Initially				
Ultimately				

- i. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; \_\_\_\_\_ length.
- j. Linear feet of frontage along a public thoroughfare Project will occupy: \_\_\_\_\_ ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? NA tons/cubic yards.

3. Will disturbed areas be reclaimed?

- Yes       No       N/A

5 RT company employees  
 10 RT of 5 company trucks  
 5 RT deliveries  
 2 RT UPS Fed Ex

If Yes, for what intended purpose is the site being reclaimed?

If Yes, will topsoil be stockpiled for reclamation?       Yes       No

If Yes, will upper subsoil be stockpiled for reclamation?       Yes       No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? NA acres

5. Will any mature forest (over 100 years old) or other locally important vegetation be removed by this Project?

- Yes       No

6. If single phase Project, anticipated period of construction 4 months (including demolition).

Subway -

7. If multi-phased:

a. Total number of phases anticipated \_\_\_\_\_

F Train @ 169th ST. Station  
 E Train @ Jamaica Center

b. Anticipated date of commencement phase 1 \_\_\_\_\_ month \_\_\_\_\_ year (including demolition)

c. Approximate completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases?       Yes       No

Bus -

8. Will blasting occur during construction?

- Yes       No      assume

Q65, Q43, Q68

9. Number of jobs generated: during construction 3-5 after Project is complete \_\_\_\_\_

10. Number of jobs eliminated by this Project NA

11. Will Project require relocation of any Projects or facilities?

- Yes       No

If Yes, please explain: \_\_\_\_\_



12. Is surface liquid waste disposal involved?

Yes  No

If Yes, indicate type of waste (sewage, industrial, etc.) and amount: \_\_\_\_\_

If Yes, name of water body into which effluent will be discharged: \_\_\_\_\_

13. Is subsurface liquid waste disposal involved?

Yes  No

If Yes, please explain: \_\_\_\_\_

14. Will surface area of an existing water body increase or decrease by proposal?

Yes  No

If Yes, please explain: \_\_\_\_\_

15. Is Project or any portion of Project located in a 100-year flood plain?

Yes  No

16. Will the Project generate solid waste? **Yes, but cardboard is recycled.**

Yes  No

If Yes, what is the amount per month? \_\_\_\_\_ tons.

If Yes, will an existing solid waste facility be used?  Yes  No

If Yes, please give name: \_\_\_\_\_ and location: \_\_\_\_\_

Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  No

If Yes, please explain: \_\_\_\_\_

17. Will the Project involve the disposal of solid waste? **3 cubic yards/2 - 3 times a week**

Yes  No

If Yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.

If Yes, what is the anticipated site life? \_\_\_\_\_ years.

18. Will Project use herbicides or pesticides?

Yes  No

19. Will Project routinely produce odors (more than one hour per day)?

Yes  No

20. Will Project produce operating noise exceeding the local ambient noise levels?

Yes  No

21. Will Project result in an increase in energy use?

Yes  No

If Yes, indicate type(s): **some production machinery**

22. If water supply is from wells, indicate pumping capacity: \_\_\_\_\_ gallons/minute.

23. Total anticipated water usage: \_\_\_\_\_ gallons/day.

24. Does Project involve local, state or federal funding?

Yes  No

If Yes, please explain: **U.S. SBA and NYC IDA**

25. Approvals Required:

- |                                    |   |                       |                                    |
|------------------------------------|---|-----------------------|------------------------------------|
| City, Town, Village Planning Board | <input type="checkbox"/> Yes <input type="checkbox"/> No            | Type: _____           | Submittal Date: _____              |
| City, Town Zoning Board            | <input type="checkbox"/> Yes <input type="checkbox"/> No            | Type: _____           | Submittal Date: _____              |
| City, County Health Department     | <input type="checkbox"/> Yes <input type="checkbox"/> No            | Type: _____           | Submittal Date: _____              |
| Other Local Agencies               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Type: <u>NYC IDA</u>  | Submittal Date: <u>August 2011</u> |
| Other Regional Agencies            | <input type="checkbox"/> Yes <input type="checkbox"/> No            | Type: _____           | Submittal Date: _____              |
| State Agencies                     | <input type="checkbox"/> Yes <input type="checkbox"/> No            | Type: _____           | Submittal Date: _____              |
| Federal Agencies                   | <input type="checkbox"/> Yes <input type="checkbox"/> No            | Type: <u>U.S. SBA</u> | Submittal Date: <u>July 2011</u>   |

**Zoning and Planning Information**

1. Does proposed action involve a planning or zoning decision?

- Yes  No

If Yes, indicate decision required:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Zoning amendment   | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> Special use permit          |
| <input type="checkbox"/> Subdivision  | <input type="checkbox"/> Site plan       | <input type="checkbox"/> New/revision of master plan |
| <input type="checkbox"/> Resource Management Plan <input type="checkbox"/> Other (specify): _____ |  |  |

2. What is the zoning classification(s) of the site? M1-1

3. What is the maximum potential development of the site if developed as permitted by the present zoning? \_\_\_\_\_

4. What is the proposed zoning of the site? M1-1

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning? \_\_\_\_\_

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

- Yes  No

7. What are the predominant land use(s) and zoning classifications within a 1/4-mile radius of proposed action? \_\_\_\_\_

Manufacturing, commercial and some residential.

8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4-mile radius?

- Yes  No

9. If the proposed action is the subdivision of land, how many lots are proposed?

What is the minimum lot size proposed? NA

10. Will proposed action require any authorization(s) for the formation of sewer or water districts?

- Yes  No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

- Yes  No

If Yes, is existing capacity sufficient to handle projected demand?  Yes  No

12. Will the proposed action result in the generation of traffic significantly above present levels?

- Yes  No

If Yes, is the existing road network adequate to handle the additional traffic?  Yes  No

**Informational Details**

Attach any additional information that may be needed to clarify your Project. If there are or could be any adverse environmental impacts with your proposal, please discuss such impacts and the measures you propose to mitigate or avoid them.

Certification

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above, and in any statement attached hereto, are true and correct.

Name of Applicant: Oh Nuts Warehousing Inc.

By: Printed Name of Signer: YEHONDA RIEH

Title of Signer: President

Signature: *Yehonda Rieh*

Date: 7/22/11

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



# Manufacturing Questionnaire

Please complete the following questions for each facility to be financed. Use additional pages as necessary. For background information, see "Requirements for Issuance of Triple Tax-Exempt Bonds for Manufacturing Facilities" located in the Introduction and Information section of this Application. **No Bonds are sought for this project. HSS 8/24/2011**

1. Describe the production process that occurs at the facility to be financed: Various manufacturing procedures such as: melt & blend & produce chocolate & put in molds & cover pretzels, marshmallows, carmel, pop-corn; 50 lb. bags of different candies broken down into various sizes and gift packages made.
2. Allocate portions of the facility to be financed by function, expressed in square footage and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.):

Production line	Ground floor	10,000 sf
Warehouse/storage	Ground floor	6,000 sf
Loading areas		
Office space for a shop foreman		
Employee restrooms, locker rooms and parking		
Employee eating area		
Repair shop		
Offices for administration	Ground floor	4,000 sf
Other (specify)		
Other (specify)		
<b>Total Square Footage</b>		<b>20,000 sf</b>

3. Of the space allocated to offices for administration above, identify by function (e.g., executive offices, payroll, production, etc.) and location in relation to production (same building, adjacent land or building, off-site, etc.):

Executive offices, payroll, production	Ground floor	4,000 sf
<b>Total Square Footage</b>		<b>4,000 sf</b>

4. Of the space allocated to storage or warehousing above, identify the square footage and location of the areas devoted to the following:

Function	Location	Square Footage
Raw materials used for production of manufactured goods		
Finished product storage 16		
Component parts of goods manufactured at the facility		
Purchased component parts		
Other (specify)		
Other (specify)		
Other (specify)		
Total Square Footage		

5. List raw materials used in the processing of the finished product(s) at the facility to be financed: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. List finished product(s) that are produced at the facility to be financed: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above, and in any statement attached hereto, are true and correct.

Name of Applicant: Oh Nuts Warehousing Inc.

By: Printed Name of Signer: Yehuda Klein

Title of Signer: President

Signature: *Yehuda Klein*

Date: 7/22/11

1. Will any portion of the Project consist of facilities or property that are or will be primarily used in making retail sales of goods to customers who personally visit the Project?
 

Yes       No
2. If the answer to question 1 is "Yes," will the applicant or any other project occupant be a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the "retail sale of tangible personal property" (as defined in Section 1101(b)(4)(i) of the Tax Law)?
 

Yes       No
3. Will any portion of the Project consist of facilities or property that are or will be primarily used in making retail sales of services to customers who personally visit the Project?
 

Yes       No
4. If the answer to question 1 or question 3 is "Yes," what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?
 

\_\_\_\_\_ percent
5. If the answer to question 1 or question 3 is "Yes," and the answer to question 4 is more than 33.33 percent, indicate whether any of the following apply to the Project:
  - a. Will a not-for-profit corporation operate the Project?
 

Yes       No
  - b. Is the Project likely to attract a significant number of visitors from outside New York City?
 

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

Yes       No
  - d. Is the predominant purpose of the Project to make available goods or services that would not, but for the Project, be reasonably accessible to New York City residents because of a lack of reasonably accessible retail trade facilities offering such goods or services?
 

Yes       No
  - e. Will the Project be located in one of the following: (a) an area designated as an economic development 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) that, according to the most recent census data, has (i) a poverty rate of at least 20 percent for the year to which the data relates, or at least 20 percent of its 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
6. If the answers to any of subdivisions (c) through (e) of question 5 are "Yes," will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?
 

If "Yes", please furnish details in a separate attachment.
7. If the answers to any of subdivisions (a) through (e) of question 5 are "Yes," please furnish details in a separate attachment.

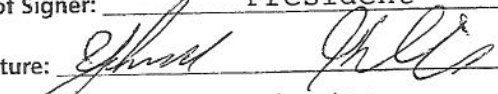


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Name of Applicant: Oh Nuts Warehousing Inc.

By: Printed Name of Signer: Yehuda Klein

Title of Signer: President

Signature: 

Date: 7/22/11

# Employment Questionnaire

The New York City Industrial Development Agency requires all Applicants to fill out this Employment Questionnaire. As used in this Questionnaire, "Company" means the Applicant; "Project Location" means the project location which Applicant has identified in its Application; and "Tenant" means any person or entity to whom or to which Applicant intends to lease part or all of the Project Location. If Applicant is a real estate holding company that is an affiliate of an operating company and Applicant intends to lease the Project Location to such operating company, then the Applicant and the operating company must fill out separate copies of this Questionnaire.

Applicant Name:	Oh Nuts Warehousing Inc. & Online Express Manufacturers
Address:	4923 13th Avenue, Brooklyn, NY 11219
Phone Number(s):	
I.R.S. Employer ID Number:	██████████ ██████████
Department of Labor Registration Number:	██████████
Project Location:	120-65 168th Street, Jamaica, NY 11434

1. Do you expect to conduct business at other locations in New York State?  
 Yes      No
2. Expected construction completion date (where applicable): 6/2012 *HSS 8/24 per OSCA.*
3. Department of Labor Registration Number of Tenant(s): don't know

**Do not include any subcontractors or subconsultants; include only employees and owners/principals on your payroll and on the payroll of Tenant(s).**

4. How many employees does Applicant employ in New York City at the time of Application submission?  
 Full-time: 23 Part-time: 4 (on average, Part-time workers work 20 hours per week)
5. How many employees referred to in question 5 reside in New York City at the time of Application submission?  
 Full-time: 18 Part-time: 4
6. How many employees does Applicant employ outside of New York City but in New York State at the time of Application submission?  
 Full-time: 0 Part-time: 0 (on average, Part-time workers work \_\_\_\_\_ hours per week)
7. How many employees does Applicant employ at the project location (annual average)?  
 Full-time: 0 Part-time: 0
8. Projected employment at Project Location for the Company on June 30:

	25	27	29	31	33	35	36
Full-time	25	27	29	31	33	35	36
Part-time	4	4	4	4	4	4	4

9. Projected employment at Project Location for your Tenant(s) on an annual basis: U.S. Postal Service - we do not know

Full-time							
Part-time							

10. Projected average quarterly wage/salary of employees at project location during first year of operation: \$ 116,700

*RWD 8/24*

# NYCIDA Employment and Other Labor Matter Questionnaire

The Applicant and its Affiliates hereinafter will be referred to as the "Companies" or individually as a "Company." If any of the following questions applies to none of these Companies, answer "NONE"; but, for any question that does apply, be sure to specify to which of the Companies the answer is relevant. When the space provided for an answer is insufficient, provide the answer on a separate sheet of paper and attach that paper to this Questionnaire.

1. List all of the labor union contracts and collective bargaining arrangements to which any of the Companies is currently a party:

\_\_\_\_\_

\_\_\_\_\_ none \_\_\_\_\_

\_\_\_\_\_

2. Have any of the Companies during the current calendar year and the five calendar years preceding the current calendar year experienced labor unrest situations, including pending or threatened labor strikes, hand billing, consumer boycotts, mass demonstrations or other similar incidents?

Yes       No      If Yes, please explain:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Have any of the Companies received any federal and/or state unfair labor practices complaints asserted during the current calendar year and the three calendar years preceding the current calendar year?

Yes       No      If Yes, please describe and explain current status of complaints:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Do any of the Companies have pending or threatened requests for arbitration, grievance proceedings, labor disputes, strikes or disturbances during the current calendar year and the three calendar years preceding the current calendar year?

Yes       No      If Yes, please explain:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Are all employees of the Companies permitted to work in the United States?

Yes       No      If No, please provide details on an attached sheet.

What steps do the Companies take as a matter of course to ascertain their employees' employment status?

\_\_\_\_\_

1-9; passport; Social Security #

\_\_\_\_\_

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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



6. 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 calendar year or during the three calendar years preceding the current one?

Yes  No

If the answer to this question is "Yes," briefly describe the nature of the inspection, the inspecting governmental entity and when the inspection occurred. 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 the Company or Companies as a consequence:

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7. Has any Company incurred, or potentially incurred, any liability (including withdrawal liability) with respect to an employee benefit plan, including a pension plan?

Yes  No

If the answer to this question is "Yes," quantify the liability and briefly describe its nature and refer to any governmental entities that have had regulatory contact with the Company in connection with the liability:

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8. Are the practices of any Company now, or have they been at any time during the three calendar years preceding the current calendar year, 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 the answer to this is "Yes," provide details. When answering this question, please consider "discrimination" to include sexual harassment.

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Name of Applicant: Oh Nuts Warehousing Inc.

By: Printed Name of Signer: Yehuda Klein

Title of Signer: President

Signature: 

Date: 7/22/11