

## Steel One SEQR Resolution

A regular meeting of the Nassau County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 1550 Franklin Avenue, Mineola, County of Nassau, New York on May 24, 2013 at 8:00 a.m., local time.

The meeting was called to order by the Secretary, upon roll being called, the following members of the Agency were:

### PRESENT:

John Coumatos	Vice Chairman
Gary Weiss	Secretary
Christopher Fusco	Asst. Secretary
John T. Ahern	

### ABSENT:

Timothy Williams	Chairman
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### THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Joseph J. Kearney	Executive Director
Joseph Foarile	Chief Financial Officer
Colleen Pereira	Administrative Director
Nicholas Terzulli	Director of Business Development
Mary Dolan Grippo	Chief Marketing Officer
Edward Ambrosino, Esq.	General Counsel
Paul O'Brien, Esq.	Bond/Transaction Counsel

The attached resolution no. 2013-40 was offered by G. Weiss, seconded by C. Fusco:

Resolution No. 2013-40

RESOLUTION FINDING THAT ACTION TO UNDERTAKE A  
CERTAIN PROJECT FOR STEEL ONE, LLC WILL NOT HAVE A SIGNIFICANT  
ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Nassau County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), and Chapter 674 of the 1975 Laws of New York, as amended, constituting Section 922 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said project or to lease said projects with the obligation to purchase; and

WHEREAS, STEEL ONE, LLC, a limited liability company organized and existing under the laws of the State of Delaware and qualified to do business as a foreign limited liability company in the State of New York (the "Applicant"), presented an application (the "Application") to the Agency, which Application requested that the Agency consider undertaking a project (the "Project") consisting of the following: (A)(1) the acquisition of an interest in an existing building complex (the "Building") on a certain parcel of land located at 1 & 15 Grumman Road, Bethpage, Town of Oyster Bay, County of Nassau, New York (Section: 46; Block: 323; Lot: 248) (the "Land"), (2) the renovation of the Building, and (3) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment (the "Equipment"), all of the foregoing for use as a multi-tenant commercial office/industrial facility (collectively, the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing, including potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency; and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of

the State of New York, being 6 NYCRR Part 617, et. seq., as amended (the "Regulations" and collectively with the SEQRA Act, "SEQRA"), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Applicant submitted to the Agency: (1) a Full Environmental Assessment Form ("EAF") dated May 3, 2013, and (2) Applicant's Application for Financial Assistance dated February 1, 2013 (collectively the "Project Environmental Documents"); and

WHEREAS, pursuant to SEQRA, the Agency desires to determine whether the Project may have a significant adverse impact on the environment and whether an Environmental Impact Statement (an "EIS") must be prepared with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon a thorough review and examination of the Project Environmental Documents and upon the Agency's knowledge of the area surrounding the Land and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings with respect to the Project:

(A) The Agency is undertaking a review of the proposed action in accordance with the requirements of SEQRA;

(B) Prior to making a recommendation about the potential environmental significance of the Project, the Agency has consulted several information sources, and has considered the list of activities which are Type I Actions outlined in Section 617.4 of the Regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the Regulations, and the criteria for determining significance outlined in Section 617.7 of the Regulations; and

(C) The Project is a Type I action pursuant to SEQRA.

Section 2. The Agency is the only involved agency for the Project pursuant to SEQRA, thus the Agency is acting as lead agency and a coordinated review is not necessary.

Section 3. No potentially adverse significant impacts on the environment are noted in the EAF and none are known to the Agency.

Section 4. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Agency makes the following determinations with respect to the Project.

The Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are as follows:

1. The Project consists of the repair and interior restoration of an existing Building, including the façade/windows, roofing, heating, ventilating and air-conditioning systems, office and warehouse renovations, and some exterior work on Land that has been previously developed.
2. Land use conditions at the Project Facility will not change as a result of the Project. The Land is already developed and the Building has been used as office and industrial space. The renovation of the currently blighted and underutilized Building will help to attract commercial and industrial tenants and increase employment opportunities.
3. The Project involves renovations to existing facilities on Land that does not include scenic views known to be important to the community, thus the Project will not result in visual impacts adverse to current conditions. The appearance of the Building will likely improve with renovated facades and other exterior aesthetic improvements.
4. The Land does not contain, nor lie in the immediate vicinity of any surface waterbody.
5. The Project will not result in an increase in current discharge of sanitary wastewater to a disposal system inconsistent with past uses of the Building and will not entail the types of activities or operations that are associated with a significant potential for groundwater contamination.
6. The Project will not be a significant source of air emissions or odors.
7. The Project will not generate traffic significantly above present levels and the existing road network is adequate to handle any additional traffic.
8. The Land is already developed and does not possess significant ecological value.
9. The Project does not involve any agricultural land.
10. The Project Facility does not contain historically significant resources. The Land has previously been developed, thus it lacks the characteristics

which would suggest the potential presence of significant archaeological resources.

11. The Land is located in a developed commercial and industrial area, with some residential areas nearby, and does not comprise public open space and is not used for recreation.
12. The Project Facility is not located in or substantially contiguous to any Critical Environmental Area.
13. Existing utility lines serve the Project Facility and no significant improvements are necessary to accommodate the Project. The Applicant will incorporate LEED and energy conservation concepts into the design of new and replacement energy systems.
14. Operation of the Project Facility is not expected to appreciably increase ambient noise or odor levels.
15. The Project will not result in any impacts to public health, because it does not include those activities that involve generation or disposal of hazardous waste.
16. The Project will not result in population growth, and generally is in character with adjacent development. The Project will also create a number of construction jobs and will provide opportunities for new light manufacturing, warehousing and office tenants to locate in the Building which will create additional jobs for the area.
17. The Project will not result in an increase in the solid waste generation associated with past uses of the Project Facility.
18. There will be no significant adverse environmental impacts as a result of the Project.

Section 4. The Chairman and Executive Director of the Agency are hereby authorized and directed to distribute copies of this Resolution to the Applicant and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Timothy Williams	ABSENT	
John Coumatos	VOTING	Aye
Gary Weiss	VOTING	Aye
Christopher Fusco	VOTING	Aye
John T. Ahern	VOTING	Aye

The foregoing Resolution was thereupon declared duly adopted.


STATE OF NEW YORK                    )  
  ) SS.:  
COUNTY OF NASSAU                    )

I, the undersigned Secretary of the Nassau County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 24, 2013, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 24<sup>th</sup> day of May, 2013.

  
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Secretary  
(SEAL)

**STATE ENVIRONMENTAL QUALITY REVIEW ACT  
DETERMINATION OF SIGNIFICANCE**

This notice is issued by the Nassau County Industrial Development Agency (hereinafter the "Agency"), acting as lead agency, in an environmental impact review, pursuant to and in accordance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA").

On May 24, 2013, the Agency determined that: (A)(1) the acquisition of an interest in an existing building complex (the "Building") on a certain parcel of land located at 1 & 15 Grumman Road, Bethpage, Town of Oyster Bay, County of Nassau, New York (Section: 46; Block: 323; Lot: 248) (the "Land"), (2) the renovation of the Building, and (3) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment (the "Equipment"), all of the foregoing for use as a multi-tenant commercial office/industrial facility (collectively, the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing, including potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency (collectively, the "Project"), will not have a significant impact upon the environment.

Reasons supporting this determination are fully explained below.

**Project Name:** Steel One LLC

**SEQR Status:** Type I  X  Unlisted:

**Project Description:** The Project consists of: (A)(1) the acquisition of the Building on the Land, (2) the renovation of the Building, (3) the acquisition and installation therein and thereon of the Equipment; (B) the granting of certain financial assistance; and (C) lease (with an obligation to purchase) or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency.

**Project Site:** 1 Grumman Road, West Bethpage, Nassau County, New York (Sec. 46, Block 323, Lot 248).

**Reasons Supporting This Determination:**

1. The Project consists of the repair and interior restoration of an existing Building, including the façade/windows, roofing, heating, ventilating and air-conditioning systems, office and warehouse renovations, and some exterior work on Land that has been previously developed.
2. Land use conditions at the Project Facility will not change as a result of the



Project. The Land is already developed and the Building has been used as office and industrial space. The renovation of the currently blighted and underutilized Building will help to attract commercial and industrial tenants and increase employment opportunities.

3. The Project involves renovations to existing facilities on Land that does not include scenic views known to be important to the community, thus the Project will not result in visual impacts adverse to current conditions. The appearance of the Building will likely improve with renovated facades and other exterior aesthetic improvements.
4. The Land does not contain, nor lie in the immediate vicinity of any surface waterbody.
5. The Project will not result in an increase in current discharge of sanitary wastewater to a disposal system inconsistent with past uses of the Building and will not entail the types of activities or operations that are associated with a significant potential for groundwater contamination.
6. The Project will not be a significant source of air emissions or odors.
7. The Project will not generate traffic significantly above present levels and the existing road network is adequate to handle any additional traffic.
8. The Land is already developed and does not possess significant ecological value.
9. The Project does not involve any agricultural land.
10. The Project Facility does not contain historically significant resources. The Land has previously been developed, thus it lacks the characteristics which would suggest the potential presence of significant archaeological resources.
11. The Land is located in a developed commercial and industrial area, with some residential areas nearby, and does not comprise public open space and is not used for recreation.
12. The Project Facility is not located in or substantially contiguous to any Critical Environmental Area.
13. Existing utility lines serve the Project Facility and no significant improvements are necessary to accommodate the Project. The Applicant will incorporate LEED and energy conservation concepts into the design of new and replacement energy systems.
14. Operation of the Project Facility is not expected to appreciably increase ambient noise or odor levels.

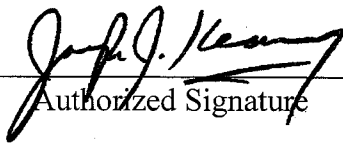
15. The Project will not result in any impacts to public health, because it does not include those activities that involve generation or disposal of hazardous waste.
16. The Project will not result in population growth, and generally is in character with adjacent development. The Project will also create a number of construction jobs and will provide opportunities for new light manufacturing, warehousing and office tenants to locate in the Building which will create additional jobs for the area.
17. The Project will not result in an increase in the solid waste generation associated with past uses of the Project Facility.
18. There will be no significant adverse environmental impacts as a result of the Project.

**Supporting Documentation:**

- 1) Full Environmental Assessment Form dated May 3, 2013.
- 2) Application for Financial Assistance dated February 1, 2013.

**For Further Information Contact:**

Joseph J. Kearney  
Executive Director  
Nassau County Industrial Development Agency  
Theodore Roosevelt County Executive &  
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516-571-1945

  
Authorized Signature