

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY
548 Broadway
Monticello, New York 12701
845-295-2603
APPLICATION FOR FINANCIAL ASSISTANCE

I. A. APPLICANT INFORMATION:

Company Name: Forestburgh Property LLC

Address: 182 DeGraw Street, Unit 3, Brooklyn, New York 11231

Phone No.: 917-626-0320

Telefax No.: _____

Email Address: john@anothersky.com

Fed Id. No.: 36-4914545

Contact Person: John C. Knapp

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership): Alana Unterberg: 47.6%

Principal Owners (Shareholders/Members/Owners): Tent Days Forestburgh LLC

Managers: Alana Unterberg

Officers: John C. Knapp (President)

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)

See Attached

Form of Entity:

____ Corporation (Sub-s)

Date of incorporation: _____

State of incorporation: _____

____ Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____
Date of formation: _____
Jurisdiction formation: _____

2 Limited Liability Company/Partnership (number of members 1)

Date of organization: February 15, 2017
State of organization: New York

____ Sole Proprietorship

If a foreign organization, is the Applicant authorized to do business in the State of New York? Yes _____ No _____ N/A ✓ (If so, please append Certificate of Authority.)

B. APPLICANT INFORMATION:

Company Name: Forestburgh Hospitality, LLC

Address: 182 DeGraw Street, Unit 3, Brooklyn, New York 11231

Phone No.: 917-626-0320

Telefax No.: _____

Email Address: john@anothersky.com

Fed Id. No.: 81-4534407

Contact Person: John C. Knapp

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership): Alana Unterberg: 47.6%

Principal Owners (Shareholders/Members/Owners): Tent Days Forestburgh LLC

Managers: Alana Unterberg
Officers: John C. Knapp (President)

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)
See Attached

Form of Entity:

Corporation (Sub-s)

Date of incorporation: _____

State of incorporation: _____

Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____

Date of formation: _____

Jurisdiction formation: _____

Limited Liability Company/Partnership (number of members 1)

Date of organization: November 25, 2016

State of organization: New York

Sole Proprietorship

If a foreign organization, is the Applicant authorized to do business in the State of New York? Yes _____ No _____ N/A (If so, please append Certificate of Authority.)

APPLICANT'S COUNSEL

Name: Gerald Orseck, Esq.

Address: 1924 State Route 52, Liberty, New York 12754

Phone No.: 845-292-5800

Telefax No.: _____

Email Address: orsecklaw@yahoo.com; info@orsecklawoffice.com

II. REQUESTED FINANCIAL ASSISTANCE

Estimated Value

Real Property Tax Abatement (estimated) \$ 295,000

Mortgage Tax Exemption \$ 30,000

Sales and Use Tax Exemption \$ 98,000

Issuance by the Agency of Tax Exempt Bonds \$ N/A

III. PROJECT INFORMATION

A.) Project Location:

Project Address: 80 Tannery Road, Forestburgh, New York 12777 _____

Tax Map Number(s): 24.-1-3; 24.-1-26.3; 24.-1-26.4; 24.-1-26.5; 24.-1-26.6;
24.-1-26.7; 24.-1-26.8

Located in the Village of: _____

Located in Town of Forestburgh

Located in the School District of Monticello

Located in Hamlet of _____

(i) Are Utilities on Site?

Water/Sewer _____

Electric √

Gas _____

Storm Sewer _____

(ii) Present legal owner of the site: Forestburgh Property LLC

If other than Applicant, by what means will the site be acquired for this Project:

(iii) Zoning of Project Site: Current: Res 1 Proposed: _____

(iv) Are any variances needed: _____

(v) Principal Use of Project upon completion: Campground

B.) Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? No; If yes, please explain:

C.) Will the Project result in the abandonment of one or more Plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? No; If yes, please explain:

D.) If the answer to either question B or C above is yes, you are required to indicate whether any of the following apply to the Project:

1. Is the Project reasonably necessary to preserve the competitive position of

the Applicant or such Project Occupant in its industry? Yes _____; No _____ If yes, please explain:

2. Is the Project reasonably necessary to discourage the Applicant or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes _____; No _____ If yes, please explain:
-

- E.) Will the Project include facilities or property that will be primarily used in making retail sales of goods or provide services to customers who personally visit such facilities? No _____; If yes, please contact the Agency for additional information.
- F.) Please provide a narrative of the Project and the purpose of the Project (new build, renovations, and/or all equipment purchases). Identify specific uses occurring within the Project. Describe any and all tenants and any/all end users. Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected. Attach additional sheets, if necessary.

Another Sky reimagines the American camping experience for the 21st Century. We create extraordinary outdoor destinations that are comfortable, affordable and remain true to their geographic and ecological place. We provide authentic natural immersion alongside opportunities to discover the outdoors, engage regional culture, and appreciate local foods and beverages.

At Another Sky campgrounds, guests check into fully-assembled, stylish canvas bell tents equipped with memory foam mattresses and soft bedding, each sporting its own campfire ring and picnic table just outside. Nearby bathhouses feature hot indoor and outdoor showers, bathrooms, and fresh filtered well water spigots. An onsite General Store is stocked with produce and meats from neighboring farms that guests can cook over their own campfires. Large format, limited seating, open-fire dinner parties curated by guest chefs and small, open-seating staff-run grill-outs provide communal dining alternatives. During the day, a Lodge offers grab-and-go coffee and locally-sourced breakfast and lunch fare, while the evening menu features cocktails, beer, wine, and bar snacks that highlight regional crafts and styles. Outdoor activities, programming, and events throughout the day and evening from guided nature walks, to adventure sports, to immersive children's theater, to telescope stargazing create a complete outdoor experience for campers of all ages and skill levels.

The Another Sky campground will be located on a 300 acre defunct golf course we have acquired in the Town of Forestburgh in the heart of the Catskills, an honest 2 hour drive from New York City.

G.) COSTS AND BENEFITS OF THE PROJECT

Costs = Financial Assistance

Estimated Sales Tax Exemption	\$ <u>98,000</u>
Estimated Mortgage Tax Exemption	\$ <u>30,000</u>
Estimated Property Tax Abatement	\$ <u>295,000</u>
Estimated Interest Savings IRB Issue	\$ <u>N/A</u>

Benefits= Economic Development

Jobs created	<u>22</u>
Jobs retained	<u>N/A</u>
Private funds invested	\$ <u>4.5M</u>
Other Benefits	<u> </u>

Estimate how many construction/permanent jobs will be created or retained as a result of this Project:

Construction:	<u>10</u>
Permanent:	<u>12 FTE</u>
Retained (at current facility):	<u>N/A</u>

Project Costs (Estimates)	
Land and Existing Buildings	\$ <u>1,200,000 (already acquired)</u>
Soft Costs (5%)	\$ <u>225,000</u>
Other	\$ <u>3,075,000</u>
Total	\$ <u>4,500,000</u>

In addition to the above estimated capital costs of the project, which must include all costs of real property and equipment acquisition and building construction or reconstruction, you must include details on the amounts to be financed from private sector sources, an estimate of the percentage of project costs financed from public sector sources and an estimate of both the amount to be invested by the Applicant and the amount to be borrowed to finance the Project.

\$4.5M is being invested by private sector sources through equity investment and loans by related parties to the Applicants we are seeking financing from public sector sources, which would reduce the private funding.

In addition to the job figures provided above, please indicate the following:

- 1) The projected number of full time equivalent jobs that would be retained and that would be created if the request for financial assistance is granted.

12 FTE jobs created

- 2) The projected timeframe for the creation of new jobs.

1 immediately; 4 in the next 3 months; 20 by April, 2019 (includes part-time)

- 3) The estimated salary and fringe benefit averages or ranges for categories of the jobs that would be retained or created if the request for financial assistance is granted.

1 Executive: \$100,000-\$120,000; 4 Managers \$50,000-\$75,000; 20 Staff \$30,000-\$60,000. All personnel will be entitled to staff meals, option to reside in staff residence on the campground, and a discount access to the campground for friends and family, full-time (non-seasonal) may be eligible for health benefits.

- 4) An estimate of the number of residents of the economic development region as established pursuant to section two hundred thirty of the Economic Development Law, in which the project is located that would fill such jobs. The labor market area defined by the agency (Mid-Hudson Economic Development Region)

2,329,896

H.) State whether there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency, or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the Agency

No

IV. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

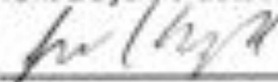
- A) Job Listings. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) First Consideration for Employment. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) Annual Employment Reports. The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E) Absence of Conflicts of Interest. The Applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described.
- F) The Applicant represents that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- G.) The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H.) The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I.) The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

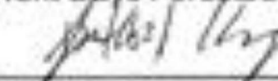
Forestburgh Property LLC
By: Tent Days Forestburgh LLC



By: John C. Knapp, President

Date: 12/6/18

Forestburgh Hospitality LLC
By: Tent Days Forestburgh LLC



By: John C. Knapp, President

Date: 12/6/18

STATE OF NEW YORK)
COUNTY OF SULLIVAN) ss.:

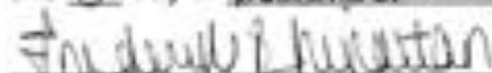
John C. Knapp, being first duly sworn, deposes and says:

1. That I am the President of the Sole Member of Forestburgh Property LLC and Forestburgh Hospitality LLC (collectively, the, "Applicant") and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.



John C. Knapp

Subscribed and affirmed to me under penalties of perjury
this 6th day of December, 2018.



(Notary Public)

FREDERICK SHVATTAN
Notary Public, State of New York
No. 01548205225
Qualified in Queens County
Commission Expires May, 4, 2021

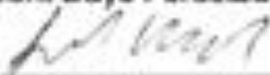
THIS APPLICATION SHALL BE SUBMITTED WITH (I) TWO CHECKS: ONE COVERING A \$250.00 APPLICATION FEE AND THE SECOND COVERING A \$5,000.00 UP-FRONT ESCROW DEPOSIT; AND (II) APPLICANT'S FORMATION DOCUMENTS (IE: IF A CORPORATION: ITS CERTIFICATE OF INCORPORATION AND BYLAWS; IF A LIMITED LIABILITY COMPANY: ITS ARTICLES OF ORGANIZATION AND OPERATING AGREEMENT; IF A LIMITED PARTNERSHIP: ITS CERTIFICATE OF LIMITED PARTNERSHIP AND LIMITED PARTNERSHIP AGREEMENT; OR IF A PARTNERSHIP: ITS PARTNERSHIP AGREEMENT TO:

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY
Executive Director
548 Broadway
Monticello, New York 12701

HOLD HARMLESS AGREEMENT

Applicant hereby releases the COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof ("Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Forestburgh Property LLC
By: Tent Days Forestburgh LLC


By: John C. Knapp, President


Date: 12/6/18

Forestburgh Hospitality LLC
By: Tent Days Forestburgh LLC


By: John C. Knapp, President

Date: 12/6/18

Sworn to before me this
6th day of December, 2018.


Notary Public

FREDERICK SHIVRATTAN
Notary Public, State of New York
No. 01546206225
Qualified in Queens County
Commission Expires May, 4, 2021

I.A Corporate Structure

ANOTHER SKY Corporate Structure

Alana Unterberg - 47.6%

Minority Shareholders <15%

Tent Days Forestburgh LLC

Forestburgh Property LLC

Forestburgh Hospitality LLC

