

January 17, 2024

Board of Directors  
Seneca County Industrial Development Agency  
One DiPronio Drive  
Waterloo, NY 13165

RE: Groggery Development LLC Application for Financial Assistance

Dear Board of Directors:

We are pleased to submit the following application for your consideration for financial assistance.

Groggery Development LLC is a partnership of two local business owners identifying a need for permanent housing within our community. Redevelopment of the property, fka The Groggery, in the Hamlet of Fayette is our first venture within Seneca County but our goal is to make this the first of many. Identifying underutilized property within the county and repurposing to add economic and community value is our priority.

We look forward to discussing this project along with additional future ideas soon.

Please do not hesitate to reach out to us directly via phone or email below with any questions.

Sincerely,



Chris Stamberger  
Partner, Groggery Development LLC  
978-314-3775  
[chris@stambergerhvac.com](mailto:chris@stambergerhvac.com)



Kyle Mosher  
Partner, Groggery Development LLC  
607-342-6756  
[kjspropertycare@yahoo.com](mailto:kjspropertycare@yahoo.com)

## **Attachment A**

### **Statement Describing Project:**

GD LLC purchased the property located at above address, fka The Grogger, in September 2023. GD LLC is currently working with Town of Fayette to receive approval to remodel the structure into six two-bedroom apartments ranging from 800 – 1000 square feet each along with a 219 square foot business “build-to-suit” space with handicap access. Additionally, design calls for coin-op laundry on site for apartment residents. Improvements to the exterior of the building include construction of ample parking for residents and guests, BBQ grill stations and al fresco dining and green space to enjoy.

### **Purpose of Project:**

GD LLC recognized the shortage of long-term housing options in Seneca County especially in the southern towns. The completion of this project will provide permanent housing to six families within Seneca with proximal access to both the southern and northern ends of Seneca County based upon its central location.

### **Principal Use of Project Upon Completion:**

The redevelopment of the property, fka The Grogger, will serve as a building block for the “Hamlet of Fayette Revitalization Plan”. The property will provide permanent housing for six families in Seneca County who can become active participants in the Hamlet of Fayette. The goal for the business space is not only to create job(s) opportunities but allow for the possibility of a coffee shop or barber shop gathering spot for residents within the hamlet and surrounding areas.

GD LLC would like to utilize available economic incentives to assist with exterior improvements of the project to coincide with goals for the “Hamlet of Fayette Revitalization Plan” and be a source of pride in community.

## **Attachment B**

### **Likelihood of Undertaking Project without Receiving Financial Assistance:**

GD LLC recognized the need for permanent, long-term housing in Seneca County following the pandemic. The partnership is made up of two local business owners competing for qualified job candidates in a shrinking applicant pool. Our goal is to identify locations underserved in sections of Seneca County and develop them with the intention of attracting and retaining skilled professionals to fill jobs and bolster the local economy.

When GD LLC purchased "The Grogger", the intent was to complete the project with equity funds from the two principal partners over an extended timeframe. After purchasing the property and starting the development process, it became evident, that an accelerated timeframe would be ideal. "Housing Emergency" announcements from Seneca County has reinforced that construction of the apartment units as quickly as possible is in the best interest of county residents. Discussions with the Fayette Town Board and review of the "Hamlet of Fayette Revitalization Plan" has confirmed that enhanced exterior green space and exterior building remodel will align with community goals.

Our second reason for requesting economic assistance is to fast track a second project in downtown Ovid. The project concept is a three-story building with two-bedroom apartments on second and third floor with business "build-to-suit" spaces on ground floor. Location is empty lot located at the southwestern corner of Main Street and County Road 139. The economic incentives received for this project will allow us to move up the project start date from 2026 (and beyond) to 2025.





LOCAL VALUES. FORWARD VISION.

APPLICATION TO
SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION:

Company Name: Groggerly Development LLC
Address: 3821 County Road 139, Ovid, NY 14847
Phone No.: 607-532-9900 Email: kim\_stamberger@yahoo.com
Fax No.: 607-532-9597
Fed I.D. No.: 93-1888617
Contact Person: Kim Stamberger

Principal Owners/Officers/Directors:
(List owners with 15% or more in equity holdings with percentage ownership)

Kyle Mosher 50%
Chris Stamberger 50%

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

Form of Entity:

- Corporation
Partnership (General or Limited; Number of General Partners and, if applicable, Number of Limited Partners)
Limited Liability Company/Partnership (number of members2)
Sole Proprietorship

If a corporation, partnership, limited liability company/partnership:

What is the date of establishment 6/15/2023

Place of organization New York

and, If a foreign organization, is the Applicant authorized to do business in the State of New York?  Yes  No

APPLICANT'S COUNSEL:

Name: TBD

Address: \_\_\_\_\_

Phone No: \_\_\_\_\_ Email: \_\_\_\_\_

Fax No: \_\_\_\_\_

**II. PROJECT INFORMATION**

Project Address: 2357 Poorman Road, Fayette, NY 13065

Block(s) & Lot(s): 29-1-30

A) Are Utilities on Site? (Yes/No)

Water Yes Electric Yes Gas n/a Sanitary/Storm Sewer Yes

B) Present legal owner of the site: Groggery Development LLC

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

C) Zoning of Project Site: Current: Commercial Proposed: Commercial / Multi-Family

D) Are any variances needed: MUO (Multi-Use Overlay)

E) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):  
see cover letter Attachment A

Location of Project: 2357 Poorman Road, Fayette, NY 13065

Purpose of Project: see cover letter Attachment A

Desired Closing Date: 4/15/2024

Estimated Construction Start and End Date: 5/1/2024 - 10/31/2024

F) Principal Use of Project upon completion: see cover letter Attachment A





H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or  No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or  No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or  No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: \_\_\_\_\_

FINANCIAL ASSISTANCE BEING REQUESTED

A) Benefits Requested:

Sales and Use Tax Exemption ( 8% )

IRB

Mortgage Recording Tax Exemption (0.75%)

Real Property Exemption and Tax Agreement

B.) Value of Incentives:

Real Property Tax Exemption and Tax Agreement: Agency staff will calculate the estimated value of a requested real property tax exemption and tax agreement based on estimated Project costs as contained herein and current tax rates and assessed valuation, and the annual tax agreement payment amounts for each year of the tax agreement. This calculation is set forth on the addendum to this Application entitled "Real Property Tax Benefits (Detailed)," which addendum is incorporated herein by reference.

Estimated duration of Real Property Tax exemption: 10 years

Sales and Use Tax:

Estimated value of Sales Tax exemption for facility construction: \$ 28,000

Estimated Sales Tax exemption for fixtures and equipment: \$ 0

Estimated duration of Sales Tax exemption: 12 months





III. EMPLOYMENT PLAN

	1	2	3	4	5
	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be CREATED:	IF FINANCIAL ASSISTANCE IS GRANTED – project the number Construction Jobs to be CREATED:	Estimate number of residents of the *Labor Market Area that will fill the jobs described
<b>*Full Time</b>	<b>0</b>	<b>0</b>	Year 1: _____ Year 2: <u>2</u> Year 3: _____	<b>5</b>	<b>2</b>
<b>*Part Time</b>  <i>Calculated as .5 for every 1 part time Job</i>	<b>0</b>	<b>0</b>	Year 1: _____ Year 2: <u>.50</u> Year 3: _____		<b>.50</b>
<b>Total</b>				5	2.5

**\*GUIDANCE ON JOB REPORTING**

A Full-Time Employee shall work at least 35 hours per week. A part-time employee will count as a fraction of a Full-Time Employee (an employee working at least 17.5 hours per week will count as .5). A seasonal employee will also count as a fraction of a Full-Time Employee based on the number of full months worked in a year (an employee hired to work only for three months in a year will count as .25).

\*\* The Labor Market Area is defined as Seneca County, Ontario County, Wayne County, Cayuga County, Schuyler County and Tompkins County, New York.

Salary and Fringe Benefits for Jobs to be Retained and/or Created:

Average Estimated Annual Salary of Jobs to be Created (at current market rates)	\$ <u>30,000</u> to \$ <u>60,000</u>
Annualized Salary Range of Jobs to be Created	\$ <u>\$45,000</u>
Estimated Average Annual Salary of Jobs to be Retained (at current market rates)	\$ <u>n/a</u>



#### IV. REPRESENTATIONS AND COVENANTS 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) **Compliance with N.Y. GML Sec. 862(1):** Applicant certifies 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.

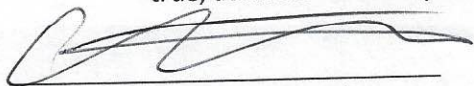


- F) **Compliance with Applicable Laws:** The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- G) **False and Misleading Information:** 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.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- 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 Applicant, except as hereinafter described:

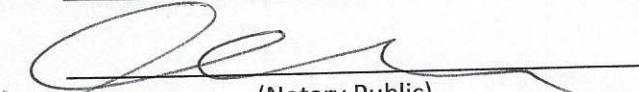
STATE OF NEW YORK )  
COUNTY OF ) ss.:

Chris Stamberger, being first duly sworn, deposes and says:

1. That I am the Partner (Corporate Office) of Grocery Development LLC (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.

  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this  
17<sup>th</sup> day of L, 2024

  
(Notary Public)

AMANDA LYNN MORSEMAN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01MO6430219  
Qualified in Schuyler County  
My Commission Expires 03-14-2026

This Application should be submitted with a \$350.00 Application fee to Seneca County Industrial Development Agency, One DiPronio Drive, Waterloo, New York 13165-1681 (Attn.: Sarah Davis, Executive Director).




**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from and 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 (i) 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, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) 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. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete. If, for any reason, 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 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 agent or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Applicant: Grogery Development LLC

By: Chris Stamberger  
(Print Name)

Title: Partner

Signature: 

**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE**

Cost Benefit Analysis<sup>^</sup>

**To be completed/calculated by the AGENCY**

<b><u>Costs = Financial Assistance</u></b>	
Estimated Property Tax Exemption	\$75,631
Estimated Sales Tax Exemption	\$28,000
Estimated Mortgage Recording Tax Exemption	\$0
Estimated Interest Savings (Bonds)	\$0
Other (Public Grants Awarded, etc.)	\$0
<b><u>TOTAL COSTS</u></b>	<b><u>\$103,631</u></b>
<b><u>Benefits = Economic Development</u></b>	
Estimated Ongoing Payroll*	\$1,125,000
Total Capital Costs	\$680,000
Estimated Property Tax Revenue (PILOT Payments)	\$114,609
Temporary Sales Tax Revenue <sup>!</sup>	\$1,600
IDA Agency Fee	\$6,800
Other (Host Community Agreement, etc.)	
<b><u>TOTAL BENEFITS</u></b>	<b><u>\$1,928,009</u></b>
<b><u>Benefit to Cost Ratio</u></b>	<b><u>18.60455848</u></b>

<b><u>Additional Considerations</u></b>	
Project is likely to be accomplished within 3 years.	Yes
Project contributes to NY State's renewable energy goals and emission reduction targets as adopted pursuant to section 6-104 of the energy law.	No

<b>*Ongoing Payroll Calculator:</b>			
Total Payroll		Total FTEs Created & Retained	Average Salary
\$1,125,000	=	2.5	\$45,000
		x	x
			PILOT Duration
			10

Estimated value of goods and services to be exempt from sales and use tax. (to be used on NYS ST-60)

<sup>^</sup> This Cost Benefit Analysis was conducted in accordance with NYS GMU 859a.

<sup>!</sup> Temporary Sales Tax Revenue includes any construction/one-time costs that are not exempt from sales tax.

**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE**

Real Property Tax Benefits (Detailed):

\*\*This section of this application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

Tax Agreement Estimate Table Worksheet

New Construction and Renovation Costs	Estimated New Assessed Value of Property*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
\$680,000	\$862,900	4.19	2.77	15.11

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	0%	\$1,001.87	\$685.49	\$3,585.64	\$5,273	\$19,024	\$13,751
2	10%	\$1,263.12	\$864.24	\$4,520.64	\$6,648	\$19,024	\$12,376
3	20%	\$1,524.37	\$1,042.99	\$5,455.64	\$8,023	\$19,024	\$11,001
4	30%	\$1,785.62	\$1,221.74	\$6,390.64	\$9,398	\$19,024	\$9,626
5	40%	\$2,046.87	\$1,400.49	\$7,325.64	\$10,773	\$19,024	\$8,251
6	50%	\$2,308.12	\$1,579.24	\$8,260.64	\$12,148	\$19,024	\$6,876
7	60%	\$2,569.56	\$1,758.12	\$9,196.32	\$13,524	\$19,024	\$5,500
8	70%	\$2,830.81	\$1,936.87	\$10,131.32	\$14,899	\$19,024	\$4,125
9	80%	\$3,092.06	\$2,115.62	\$11,066.32	\$16,274	\$19,024	\$2,750
10	90%	\$3,353.31	\$2,294.37	\$12,001.32	\$17,649	\$19,024	\$1,375
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
<b>TOTAL</b>		\$21,775.71	\$14,899.17	\$77,934.12	\$114,609	\$190,240	\$75,631

\*Estimates provided are based on current property tax rates and assessment values