



# Policy Committee

April 13, 2023

At 9:00 a.m.

ECIDA Offices

95 Perry Street, 4<sup>th</sup> Floor Conference Room  
Buffalo, New York 14203

1. Call Meeting to Order
2. Approval of the March 9, 2023 Policy Committee Meeting Minutes (Pages 2-4)
3. Project Matrix (Page 5)
4. Project Presentation (Staff – Company Q&A)
  - a) Wood and Brooks (Pages 6-45)
5. MWBE Update
6. Adjournment - Next Meeting May 4, 2023 at 9:00 a.m.

**MINUTES OF A MEETING OF THE  
POLICY COMMITTEE OF THE  
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

- DATE AND PLACE:** March 9, 2023 at the Erie County Industrial Development Agency, 95 Perry Street, 4<sup>th</sup> Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Denise Abbott; Rev. Mark E. Blue; Zachary Evans; Richard Lipsitz, Jr.; Brenda W. McDuffie; Hon. Glenn R. Nellis; and Lavon Stephens and Paul Vukelic
- EXCUSED:** Hon. April Baskin; Hon. Bryon W. Brown; Colleen DiPirro; Laura Smith, David J. State and Hon. John Tobia
- OTHERS PRESENT:** John Cappellino, Chief Executive Officer; Beth O’Keefe, Vice President of Operations; Andy Federick, Business Development Officer; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant; and Robert G. Murray, General Counsel/Harris Beach PLLC
- GUESTS:** Alex Carducci on behalf of the City of Buffalo; Josh Veronica on behalf of Buffalo Niagara Partnership; Dale Shoemaker on behalf of Investigative Post; Connie Buynacek, Heather Chudzik, Laurie Eden and Matthew Bradley on behalf of Moog, Inc.

There being a quorum present at 9:05 a.m., the Meeting of the Policy Committee was called to order by Mr. Lipsitz.

**MINUTES**

The minutes of the January 5, 2023 Policy Committee meeting were presented. Upon motion made by Ms. Abbott to approve of the minutes, and seconded by Mr. Vukelic, the aforementioned Policy Committee meeting minutes were unanimously approved.

**PROJECT MATRIX**

Mr. Cappellino reviewed the Agency’s 2023 Tax Incentives Project Matrix. Mr. Lipsitz directed that the report be received and filed.

**PROJECT PRESENTATIONS**

Moog, Inc., 400 Jamison Road, Elma, New York 14059. Ms. O’Keefe presented this proposed sales tax and real property tax abatement benefits project involving the construction of a new 150,000+/- sq. ft. standalone building to expand the Elma campus manufacturing

footprint. The new facility will be dedicated to machining capabilities in support of the Company's current Aircraft Group – primarily military aerospace content.

Mr. Evans spoke in favor of the project. Ms. Buynacek spoke on behalf of Moog and described the project and also described potential future Phase 2 and Phase 3 projects that are potential investments and expansions, beyond this proposed project, hopefully beginning in 2027/2028.

Mr. Blue queried about the salary figures and Ms. Buynacek confirmed that the average figure includes full range of employment from general staff/technicians through executives.

Ms. Buynacek also spoke about Moog's partnership with Northland Training Center to bring on technical staff/advanced technology employees and described the company's partnership with Erie 1 BOCES regarding Moog's apprenticeship programs.

General discussed ensued regarding Moog's DEI policy and programs as well as other geographic areas of the county that are attempting to attract new/additional Moog investment.

Ms. O'Keefe confirmed that Moog, Inc. is seeking approximately \$2,900,920 in assistance including sales tax exemption and real property tax exemption. Total payroll is projected at \$279,096,922 for the direct and indirect jobs created including 335 construction jobs. The resulting cost benefit is 97:1 so for every \$1 of incentives the community benefit is \$97 in payroll & tax revenue. Erie County: for every \$1 of incentives the community benefit is \$137 in benefits to the community.

Ms. O'Keefe stated that in exchange for providing the sales and use tax and real property tax abatement benefits, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

**Draft Recapture Material Terms**

| Condition        | Term                         | Recapture Provision  |
|------------------|------------------------------|--|
| Total Investment | At project completion        | Investment amount equal to or greater than 85% of project amount.<br>Total Project Amount = \$76,750,000<br>85% = \$65,237,500 |
| Employment       | Coincides with 10-year PILOT | Maintain Base = 180 FTE<br>Projected (new/created) = 0 FTE<br>Recapture Employment = 180 FTE                                   |
| Local Labor      | Construction Period          | Adherence to policy including quarterly reporting  |
| Pay Equity       | Coincides with 10-Year PILOT | Adherence to policy  |

|                  |                              |  |
|------------------|------------------------------|--|
| Unpaid Tax       | Coincides with 10-Year PILOT | Adherence to policy  |
| Recapture Period | Coincides with 10-Year PILOT | Recapture of state and local sales taxes and real property taxes |

Ms. McDuffie moved and Mr. Blue seconded to recommend the project as proposed be forwarded to the members of the ECIDA for approval. Mr. Lipsitz called for the vote and the project was then unanimously approved.

**MWBE UPDATE**

Mr. Cappellino updated members on the status of the Economic Inclusion PILOT, confirming on anticipated April 2023 presentation for acceptance by the Agency board members.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:39 a.m.

Dated: March 9, 2023

\_\_\_\_\_  
Elizabeth A. O’Keefe, Secretary

## Tax Incentives Approved - 2023

| Approval Date | Project Name                     | Project City/Town | Private Investment/Project Amount | Minimum Investment/Commitment | FT Jobs Retained | PT Jobs Retained | FT Jobs to be Created | PT Jobs to be Created | Job Creation        | Const Jobs | Spillover Jobs | Length of Term                     | Incentive Amount | Cost Benefit Ratio |
|---------------|----------------------------------|-------------------|-----------------------------------|-------------------------------|------------------|------------------|-----------------------|-----------------------|---------------------|------------|----------------|------------------------------------|------------------|--------------------|
| Feb-23        | 356 Hertel Ave, LLC <sup>1</sup> | Buffalo           | \$32,067,800                      | 85% threshold<br>\$27,257,630 | 0                | 0                | 42                    | 0                     | 85% -New<br>35 Jobs | 212        | 150            | project completion<br>date + 2 yrs | \$612,500        | 1:47               |
| Feb-23        | Commitment 2000                  | Buffalo           | \$8,623,800                       | 85% threshold<br>\$7,330,230  | 74               | 2                | 10                    | 2                     | 85% -New<br>35 Jobs | 38         | 38             | Period of PILOT<br>7 Years         | \$420,215        | 1:89               |
| Mar-23        | Moog, Inc.                       | Elma              | \$76,750,800                      | 85% threshold<br>\$65,237,500 | 180              | 0                | 0                     | 0                     | 0                   | 335        | 320            | Period of PILOT<br>10 Years        | \$2,900,920      | 1:97               |
|               |                                  |                   |                                   |                               |                  |                  |                       |                       |                     |            |                |                                    |                  |                    |
|               |                                  |                   |                                   |                               |                  |                  |                       |                       |                     |            |                |                                    |                  |                    |

| Totals:                 | Totals: | Private Investment/<br>Project Amount | FT Jobs<br>Retained | PT Jobs<br>Retained | FT Jobs<br>Created | PT Jobs<br>Created | Const<br>Jobs | Spillover<br>Jobs | Incentive Amount |
|-------------------------|---------|---------------------------------------|---------------------|---------------------|--------------------|--------------------|---------------|-------------------|------------------|
| Adaptive Reuse Subtotal | 1       | \$32,067,800                          | 0                   | 0                   | 42                 | 0                  | 212           | 150               | \$612,500        |
| 2022 Total              | 3       | \$117,442,400                         | 254                 | 2                   | 52                 | 2                  | 585           | 508               | \$3,933,635      |

<sup>1</sup> Adaptive Reuse



**Wood & Brooks Properties, LLC**  
**\$ 23,127,638**  
**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

**ELIGIBILITY**

- NAICS Section – 23

**COMPANY INCENTIVES**

- Approximately \$ 1,036,714 in sales tax savings
- Up to 3/4 of 1% of the final mortgage amount estimated at \$ 127,733

**JOBS & ANNUAL PAYROLL**

- Current jobs: 0
- Projected new jobs: 1 FT, 2 PT
- Est. annual salary of jobs created: \$50,000
- Total jobs after project completion: 2 FTE
- Construction Jobs: 161

**PROJECTED COMMUNITY BENEFITS\***

- Term: 2 yrs from project completion
- NET Community Benefits: \$ 15,909,643
- Spillover Jobs: 92
- Total Payroll: \$ 14,964,518

**INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)\***

Incentives: \$ 1,164,447  
 Community Benefit: 15,866,785  
 Cost: Benefit Ratio  
 • 1: 14

Project Title: Wood and Brooks Adaptive Reuse  
 Project Address: 2101 Kenmore Ave. Tonawanda, NY 14207  
 Kenmore-Town of Tonawanda UFSD

**Agency Request**

Sales tax & mortgage recording tax incentives for the adaptive reuse of the historic Wood & Brooks piano factory complex – converting over 98,000 sq ft of vacant / underutilized space into residential and commercial uses.

|                              |                      |
|------------------------------|----------------------|
| Building Acquisition         | \$ 670,000           |
| Building Renovation          | \$ 19,112,322        |
| Non- Manufacturing Equipment | \$ 380,775           |
| Soft Costs/Other             | \$ 2,964,541         |
| <b>Total Project Cost</b>    | <b>\$ 23,127,638</b> |
| <br>85%                      | <br>\$ 19,658,492    |

**Company Description**

Wood & Brooks Properties, LLC is comprised of members of a 4<sup>th</sup> generation group of family-owned businesses who have owned the complex site since 1972. The entity was formed to repurpose the complex with the hope of reinvigorating an area that has been downtrodden for many years and assist with its urban rebirth.

**Project Description**

This project will convert the Wood & Brooks piano factory complex into mixed use development starting with an existing 6 story building and adjacent single story building. The space will be used to create 55 residential apartment units (62,300 SF) with the remaining space to be used by a commercial tenant (36,070 SF). The applicant commits to at least 10% of residential units being offered at 80% of AMI rents to provide affordable housing options for the community. Through partnering with the Construction Exchange of WNY, a commercial incubator space is planned to support the growth and prosperity of small construction businesses. Erie 1 BOCES has provide a LOI to lease incubator space for building trades programming for adult learners.

| # of Units     | Sq Ft   | Rent Range        |
|----------------|---------|-------------------|
| 6 Studio       | 779-883 | \$1,105 - \$1,600 |
| 34 one-bedroom | 779-883 | \$1,300 - \$1,600 |
| 15 two-bedroom | 951-982 | \$1,500 - \$1,800 |

The company is pursuing property tax savings through the City's 485 A program.

\* Cost Benefit Analysis Tool powered by MRB Group

**Economic Impact: Inform Analytics Cost-Benefit Analysis**

The Erie County Industrial Development Agency uses the Cost Benefit Analysis Tool powered by MRB Group to assess the economic impact of a project applying for incentives. A Cost-Benefit Analysis is required by Section 859-a (5)(b) of General Municipal Law. For the complete Cost Benefit Analysis – please see the attached MRB Cost Benefit Calculator.

**Cost: Incentives**

| COSTS | Tax Exemption      | Amount    |
|-------|--------------------|-----------|
|       | Sales              | 1,036,714 |
|       | Mortgage Recording | 127,733   |
|       | Total              | 1,164,447 |
|       | Discounted at 2%   | n/a       |

**Benefit: Projected Community Benefit\***

| BENEFITS | Region         | Recipient   | Revenue Type         | \$ Amount**                   |            |
|----------|----------------|-------------|----------------------|-------------------------------|------------|
|          | Erie County    | Individuals | Payroll Construction | 14,534,083                    |            |
|          |                |             | Payroll Permanent    | 430,435                       |            |
|          |                | Public      | Property Taxes       | 0                             |            |
|          |                |             | Sales Taxes          | 124,393                       |            |
|          |                |             | Other - NFTA         | 42,578                        |            |
|          | New York State | Public      | Income Taxes         | 673,404                       |            |
|          |                |             | Sales Taxes          | 104,752                       |            |
|          |                |             |                      | Total Benefits to EC + NYS*** | 15,909,643 |
|          |                |             |                      | Discounted at 2%              | 15,866,785 |

\* Cost Benefit Analysis Tool powered by MRB Group \*includes direct & indirect \$ over project period \*\*\*may not sum to total due to rounding

Discounted Cost           \$ 1,164,447  
 Discounted Benefit       \$ 15,886,785  
 Ratio                        1:14

**Conclusion:** The Cost Benefit for this project is: 1:14. For every \$1 in costs (incentives), this project provides \$14 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$25 in benefits to the community.**

**New Tax Revenue Estimated – Town of Tonawanda 485 A Program (12 year term)**

| Current Yearly Taxes* | Estimated New Assessed Value (value of improvements) | Additional County Revenue over abatement period | Additional Local Revenue Over abatement period | Additional School Revenue Over abatement period | New Yearly Taxes Upon Expiration of Abatement Period |
|-----------------------|--|---|--|---|--|
| \$ 90,177             | \$ 7,845,100   | \$ 1,349,213                                    | \$ 586,534                                     | \$ 5,149,841                                    | \$ 834,855   |

Combined Tax Rate: \$106.417373

\* Current yearly taxes based on entire site – however, the project will only be located on a portion of the site.

**Retail Determination**

| Project Use                              | Sq Ft         | Cost                | % Project Cost |
|--|---------------|---------------------|----------------|
| Residential housing + building amenities | 62,300        | 15,495,517          | 67%            |
| Commercial Space                         | 36,070        | 7,632,121           | 33%            |
| <b>Total</b>                             | <b>98,370</b> | <b>\$23,127,638</b> | <b>100%</b>    |

There is no retail space component of the project and therefore no sign off is required.

**Draft Recapture Material Terms**

| Condition               | Term                             | Recapture Provision  |
|-------------------------|----------------------------------|--|
| Total Investment        | At project completion            | Investment amount equal to or greater than 85% of project amount.<br>Total project amount = \$ 23,127,638<br>85% = \$ 19,658,492 |
| Employment              | Coincides with recapture period  | Maintain Base = 0<br>Projected = 1 FT, 2 PT<br>Create 85% of Projected = 1 FTE<br>Recapture Employment = 1 FTE                   |
| Local Labor             | Construction period              | Adherence to policy including quarterly reporting  |
| Pay Equity              | Coincides with recapture period  | Adherence to Policy  |
| Unpaid Tax              | Coincides with recapture period  | Adherence to Policy  |
| <u>Recapture Period</u> | 2 years after project completion | Recapture of Mortgage recording tax, state and local sales taxes   |

**Recapture applies to:**

State and Local Sales Taxes & Mortgage Recording Tax

**Recapture**

Pursuant to New York State General Municipal Law, the agency shall modify, recover, recapture or terminate any financial assistance taken by the company that is in violation of the GML.

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained 1 job (FTE), iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

**Project ECIDA History**

- May 23, 2022: Tonawanda Town Board issues a SEQR - Negative Declaration
- April 11, 2023: Public hearing held.
- April 26, 2023: Lease/Leaseback Inducement Resolution presented to the Board of Directors



# ADAPTIVE REUSE REPORT & EVALUATIVE CRITERIA

## Wood & Brooks Adaptive Reuse Project

|  |   |
|--|---|
| <p>Age of Structure (must be at least 20 years old and present functional challenges to redevelopment)</p>   | <p>The age of the structure is 121 years old. The applicant provided the NYS DEC Brownfield Clean Up Program application as evidence of challenges to redevelopment.</p>  |
| <p>Structure has been vacant or underutilized for a minimum of 3 years (defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended). Project promotes the elimination of slum and blight.</p> | <p>Portions of the building have served as warehouse space for several of the family owned companies which occupy and own the complex while other areas of the building are vacant.</p>   |
| <p>Structure is not generating significant rental income (defined as 50% or less than the market rate income average for that property class)</p>  | <p>No / insignificant rental income is being generated at the site.</p>   |
| <p>Project is in compliance with the investment and growth criteria of the Framework for Regional Growth. The redevelopment supports or aligns with Regional or Local Development Plans</p>  | <p>The plan is aligned with the local development plan for the Town of Tonawanda - 2015 Comprehensive Plan Update.</p>  |
| <p>Demonstrated evidence of financial obstacle to development without ECIDA or other public assistance (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rate as compared to regional industry averages)</p>                     | <p>A review of cash flow projections indicate an average return on investment that is significantly below the 10% - 12% benchmark rate of return expected for projects in higher risk urban areas across the northeast.</p> <p>The project's internal rate of return (IRR)<br/> * with ECIDA assistance = 4.2%.<br/> * without IDA assistance = 3.4%.</p> |
| <p>Demonstrated support of local government entities</p>   | <p>A letter of support from Town Supervisor Emminger notes the project's strongly alignment with the Town's 2015 Comprehensive Plan Update. The project includes the remediation of a Brownfield site and meets the need for 1 &amp; 2 person apartments through the redevelopment of existing sites.</p>   |

## ADAPTIVE REUSE REPORT & EVALUATIVE CRITERIA

|   |  |
|---|--|
| Demonstrated support of local government entities (continued)   | <p>A second letter of support was received from Joseph Benedict, the Exec Director of the Construction Exchange.</p> <p>A third letter of support was received from the Plumbing &amp; Mechanical Contractors Assoc of WNY supporting the Construction Trade Incubator aspect of the project.</p> <p>Letters of support are included in the Board package.</p> |
| LEED/Renewable Resources  | N/A  |
| Building or site has historic designation   | Source of funds list both Federal & State Historic Tax Credits   |
| Site or structure has delinquent property or other local taxes  | N/A  |
| MBE/WBE Utilization   | See attached MWBE utilization.   |
| Transit Oriented Development  | The site is accessible via metro lines: Sheridan 35 and 5 Niagara Kenmore.   |
| <b>OTHER FACTORS TO CONSIDER:</b>   |  |
| Environmental/Safety Issues: Structure or site presents significant public safety hazard and or environmental remediation costs | This project has been accepted into the Brownfield Cleanup Program largely based off elevated arsenic exceeding its industrial use – likely related to historic wood piano key manufacturing.  |
| Site or structure is located in a distressed census tract   | Location is census tract #84 that is an Empire Zone and adjacent to a highly distressed census tract.  |
| Structure presents significant costs associated w/ building code compliance.  | N/A  |

DATE OF INDUCEMENT: 4/26/23

# **ADAPTIVE REUSE REPORT & EVALUATIVE CRITERIA**

## **Return on Investment – Wood & Brooks Properties, LLC**

Regional Return on Investment (ROI) numbers vary depending on the interest rate environment, investor availability and risk associated with a project.

The National Development Council, which has experience financing projects in higher risk urban areas across the Northeast, uses 10% - 12% as a benchmark rate of return for urban high-risk projects.

Empire State Development financing officials when reviewing similar projects in the City of Buffalo have used 12% as an acceptable ROI for development projects.

## **Adaptive Reuse Projects**

Many Adaptive Reuse Projects are hampered by upfront development costs that are not typical in new build green field development projects. These upfront costs can hinder the ability of the projects to attract financing and provide cash flow. The upfront costs associated with site contamination, asbestos removal, code compliance, structural deficiencies can make Adaptive Reuse projects difficult to undertake and attract private investment and financing, particularly in real estate markets where rental values are relatively low. Historically real estate projects in the region are difficult to undertake, local real estate developers have indicated that the typical ROI investors and developers seek to achieve in mixed use development projects are in the 10% - 12% range, although they can run higher for projects with significant risk.

## **Public Incentives Requested**

- ECIDA Real Property Tax Abatement in an approximate value of \$ 0 (N/A)
- Sales Tax Savings in the amount of \$ 1,036,714
- Mortgage Tax Savings in the estimated amount of \$ 127,733

## **ROI**

Wood & Brooks Properties, LLC has submitted a proforma documenting the expenses and revenues and ROI for the project.

Stated ROI for the project with ECIDA assistance is 4.2%

Stated ROI for the project without ECIDA assistance is 3.4%

**PILOT Worksheet: Estimate of Real Property Tax Abatement Benefits\*\*\* and Percentage of Project Costs financed from Public Sector sources**

**\*\* The PILOT Worksheet 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.**

**PILOT Estimate Table Worksheet-Wood & Brooks Adaptive Reuse:**

| Dollar Value of New Construction and Renovation Costs | Estimated New Assessed Value of Property Subject to IDA* | County Tax Rate/1000 | Local Tax Rate (Town/City/Village)/1000 | School Tax Rate/1000 |
|---|--|----------------------|---|----------------------|
| \$ 19,112,322   | n/a  | n/a                  | n/a                                     | n/a                  |

\*Apply equalization rate to value

**\*\*\* Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff**

**Percentage of Project Costs financed from Public Sector Table Worksheet:**

| Total Project Cost | Estimated Value of PILOT | Estimated Value of Sales Tax Incentive | Estimated Value of Mortgage Tax Incentive | Total of Other Public Incentives (Fed & State Historic Tax Credits, Brownfield Clean site Prep Credit, Brownfield Tangible building credit) |
|--------------------|--------------------------|--|---|---|
| \$ 23,127,638      | n/a                      | \$1,036,714                            | \$ 127,733                                | \$ 8,643,483  |

**Note: special district taxes are not subject to PILOT abatement**

**Calculate % = (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Tot Project Costs: 42 %**

# Erie County Industrial Development Agency

## MRB Cost Benefit Calculator



Date: March 31, 2023  
 Project Title: Wood & Brooks Properties, LLC  
 Project Location: 2101 Kenmore Ave., Tonawanda, NY 14207

### Economic Impacts

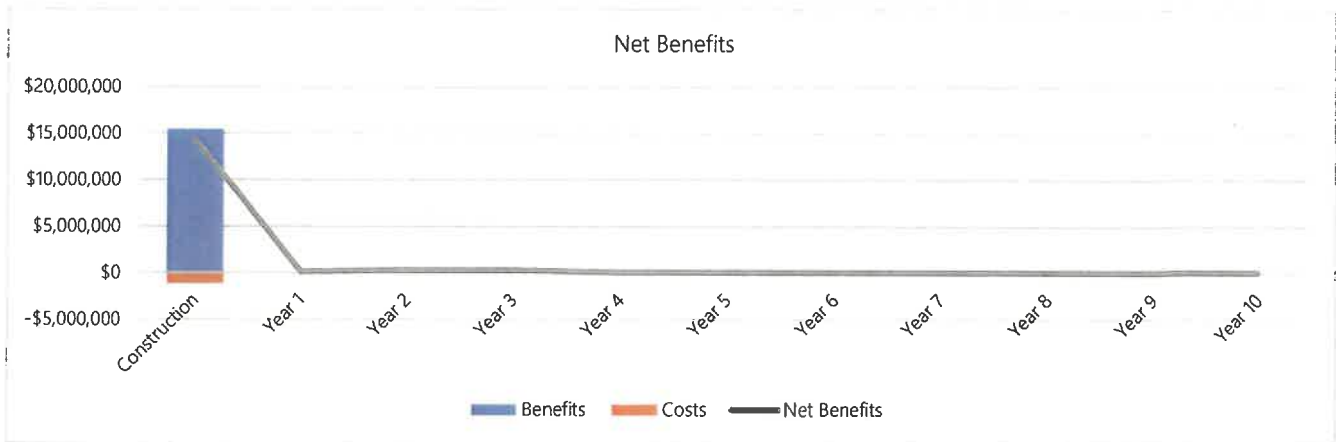
Summary of Economic Impacts over the Life of the PILOT  
 Project Total Investment  
 \$23,127,638

|             | Temporary (Construction) |              |              |
|-------------|--------------------------|--------------|--------------|
|             | Direct                   | Indirect     | Total        |
| Jobs        | 161                      | 90           | 250          |
| Earnings    | \$9,406,307              | \$5,127,776  | \$14,534,083 |
| Local Spend | \$22,433,809             | \$15,877,387 | \$38,311,196 |

|          | Ongoing (Operations) |           |           |
|----------|----------------------|-----------|-----------|
|          | Direct               | Indirect  | Total     |
| Jobs     | 2                    | 2         | 4         |
| Earnings | \$200,000            | \$230,435 | \$430,435 |

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

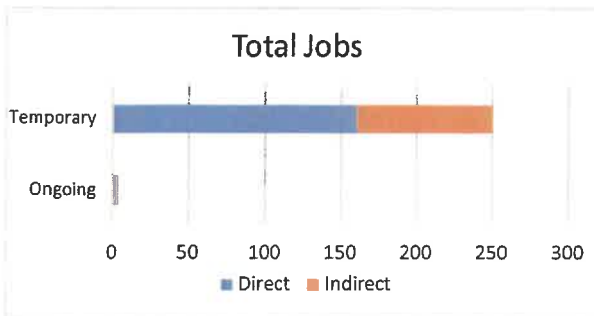
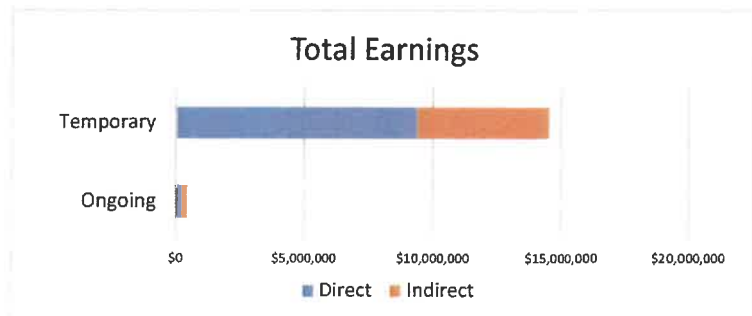


Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

|  | Nominal Value      | Discounted Value*  |
|--|--------------------|--------------------|
| Property Tax Exemption                 | \$0                | \$0                |
| Sales Tax Exemption                    | \$1,036,714        | \$1,036,714        |
| Local Sales Tax Exemption              | \$562,788          | \$562,788          |
| State Sales Tax Exemption              | \$473,926          | \$473,926          |
| Mortgage Recording Tax Exemption       | \$127,733          | \$127,733          |
| Local Mortgage Recording Tax Exemption | \$42,578           | \$42,578           |
| State Mortgage Recording Tax Exemption | \$85,155           | \$85,155           |
| <b>Total Costs</b>                     | <b>\$1,164,447</b> | <b>\$1,164,447</b> |

## State and Local Benefits

|   | Nominal Value       | Discounted Value*   |
|---|---------------------|---------------------|
| <b>Local Benefits</b>                       | <b>\$15,131,488</b> | <b>\$15,109,710</b> |
| To Private Individuals                      | \$14,964,518        | \$14,943,747        |
| Temporary Payroll                           | \$14,534,083        | \$14,534,083        |
| Ongoing Payroll                             | \$430,435           | \$409,664           |
| Other Payments to Private Individuals       | \$0                 | \$0                 |
| To the Public                               | \$166,970           | \$165,963           |
| Increase in Property Tax Revenue            | \$0                 | \$0                 |
| Temporary Jobs - Sales Tax Revenue          | \$120,815           | \$120,815           |
| Ongoing Jobs - Sales Tax Revenue            | \$3,578             | \$3,405             |
| Other Local Municipal Revenue               | \$42,578            | \$41,743            |
| <b>State Benefits</b>                       | <b>\$778,155</b>    | <b>\$777,075</b>    |
| To the Public                               | \$778,155           | \$777,075           |
| Temporary Income Tax Revenue                | \$654,034           | \$654,034           |
| Ongoing Income Tax Revenue                  | \$19,370            | \$18,435            |
| Temporary Jobs - Sales Tax Revenue          | \$101,739           | \$101,739           |
| Ongoing Jobs - Sales Tax Revenue            | \$3,013             | \$2,868             |
| <b>Total Benefits to State &amp; Region</b> | <b>\$15,909,643</b> | <b>\$15,886,785</b> |

## Benefit to Cost Ratio

|                    | Benefit*            | Cost*              | Ratio       |
|--------------------|---------------------|--------------------|-------------|
| Local              | \$15,109,710        | \$605,365          | 25:1        |
| State              | \$777,075           | \$559,082          | 1:1         |
| <b>Grand Total</b> | <b>\$15,886,785</b> | <b>\$1,164,447</b> | <b>14:1</b> |

\*Discounted at 2%

## Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

# MBE/WBE Utilization



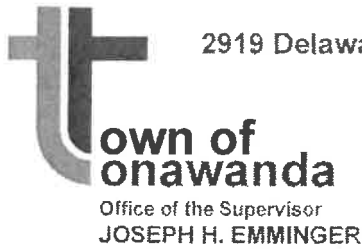
ECIDA encourages applicants to utilize MBE/WBE contractors for their projects. Describe your company's internal practices that promote MBE/WBE hiring and utilization:

Wood and Brooks Properties LLC supports the utilization of MBE/WBE companies to further equity in entrepreneurship, and will make good faith efforts to involve minority and women-owned businesses and professionals whenever possible throughout the course of the development project.

A key component of the project is to deliver a construction trade incubator space ("The Plan Room LLC") as a resource for small and developing contractors. Through partnering with the Construction Exchange of WNY, the Plan Room LLC will support the growth and prosperity of small construction businesses, including women and minority owned businesses, by providing education and shared infrastructure.

As a partner of The Plan Room LLC, the Construction Exchange of WNY will host their "Construction Exchange University" courses on the project site which includes programming dedicated towards helping women and minority owned construction businesses in obtaining New York State MWBE certification, including navigating the NYS MWBE certification application process, identifying criteria for certification, discussing best practices for obtaining certification, and working through the appeal process.

Additionally, local contractor Cambridge Insulation LLC has provided a LOI to lease office space from the Plan Room LLC. Cambridge Insulation LLC is a minority and women owned contracting business that has been in business for several years but do not yet have MWBE certification. They are excited to have access to coaching and training as well as the opportunities created by being connected with a supportive community of other like-minded MWBE business owners.



2919 Delaware Avenue - Room 11 • Kenmore, New York 14217 • (716) 877-8804  
Fax: (716) 877-1261

January 12, 2023

Mr. John Cappellino  
Erie County Industrial Development Agency  
95 Perry Street, Suite 403  
Buffalo, New York 14203

**Re: ECIDA Application**  
**Applicant: Wood and Brooks Properties LLC**  
**Property: Portion of 2101 Kenmore Avenue, Town of Tonawanda and City of Buffalo**

Dear Mr. Cappellino:

The Town of Tonawanda supports the Application submitted to the Erie County Industrial Development Agency by Wood and Brooks Properties LLC for the adaptive re-use and redevelopment of the historic Wood and Brooks Buildings in the Town of Tonawanda and the adjoining parking area located in the City of Buffalo.

The Town enthusiastically approved the redevelopment of the historic Wood and Brooks Buildings to provide the Town with much needed housing and commercial development. The Project Site is located at the border of the Town and the City of Buffalo and is a gateway to the Town that we see as a crucial first step to redevelop the area.

The Town takes comprehensive planning very seriously and our 2015 Comprehensive Plan Update, which can be found at <https://tonawanda.ny.us/development/comprehensive-plan.html>, expressly sets forth goals regarding remediation of Brownfield Sites, infill development utilizing adaptive re-use to transform long vacant and historic structures and addressing the need for one or two person apartments, all of which are met by this Project as demonstrated from the following excerpts from our 2015 Comprehensive Plan Update:

**Remediation of Brownfield Sites**

- Support and encourage continued progress with the remediation of brownfields and former waste sites, and their appropriate reuse (page 15 of the 2015 Comprehensive Plan Update).
- Encourage the productive re-use of challenged real estate (e.g., functionally obsolete or abandoned lands and brownfields) (page 17 of the 2015 Comprehensive Plan Update).

“A GREAT PLACE TO LIVE, WORK AND PLAY”





- Under the New York State Department of State's Brownfield Opportunity Area (BOA) program, the Town of Tonawanda has identified the Tonawanda Opportunity Area to address and provide a plan to redevelop brownfield and underutilized properties. Twenty- nine such properties have been identified within this area. These properties may be deterrents to development in the area because they create a perception of decline. The next step in the BOA process is completion of the Nomination Study that would provide a conceptual redevelopment plan for the BOA sites and provide a basis for stimulating remediation and reuse. This is particularly important for the Class 3 and 4 hazardous waste sites, where additional required actions and proper site management and monitoring could enable future reuse (page 17 of the 2015 Comprehensive Plan Update).

**Need for One and Two Person Apartments Through Redevelopment of Existing Buildings**

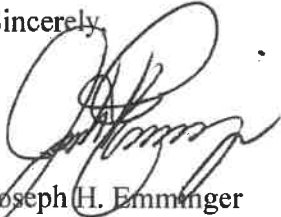
- Promote redevelopment and infill development that provides a variety of housing types, styles and sizes (page 26 of the 2015 Comprehensive Plan Update).
- Ensure the availability of housing that addresses the needs of seniors and empty nesters (page 26 of the 2015 Comprehensive Plan Update).
- Encourage the establishment of programs to plan and finance the revitalization, sustainability and redevelopment of residential and business properties (page 26 of the 2015 Comprehensive Plan Update).
- Despite population losses, the number of households in the Tonawanda CDP has grown to 27,303 units in 2010, reversing a downward trend between 1990 and 2000. As shown in Table III-3, households in the CDP have increased in number from 26,207 to 27,303 between 2000 and 2010; an increase of 4%. The growth is likely due to a trend toward both smaller household sizes and an increase in the number of one-person households (page 41 of the 2015 Comprehensive Plan Update).
- The non-family component of the Tonawanda CDP has grown since 2000 to include over 40% of the population or 10,284 households. Of these, nearly 34% of householders report living alone. Of these solo householders, over 14% are over the age of 65. Single-person households now comprise more than 40% of all households in the Tonawanda CDP, compared to 34 percent in 1990. The size of the average household in the Tonawanda CDP decreased from 2.33 persons in 2000 to 2.27 in 2010 (page 42 of the 2015 Comprehensive Plan Update).
- In recent years, a market has developed for new senior housing products. The supply of senior housing has been limited by a lack of vacant land for new development. Successful projects have focused on opportunities for in-fill development, including former school buildings (page 27 of the 2015 Comprehensive Plan Update).

Mr. John Cappellino  
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In light of the importance of this Project and its implementation of the goals and objective of our Comprehensive Plan, we strongly recommend the approval of the Erie County Industrial Development Agency Application submitted by Wood and Brooks Properties LLC.

Thank you for your consideration of this request.

Sincerely,



Joseph H. Emminger  
Town of Tonawanda



August 26, 2021

Empire State Development  
95 Perry Street  
Buffalo, New York 14203

RE: Wood & Brooks Properties Funding Application

Dear Council,

As Executive Director of the Construction Exchange of Buffalo & WNY, Inc., it is my pleasure to write a letter of support for the Leroy Properties, Inc. Empire State Development (ESD) grant application for the Wood & Brooks Properties project located at 2101 Kenmore Ave. Buffalo, NY 14207.

The redevelopment project will include a Construction Trade Incubator space on the ground floor of the building(s). As an organization whose mission is to enhance the growth and prosperity of construction businesses, we are excited by the concept of a Construction Trade Incubator space that will offer small construction businesses access to education and necessary resources to successfully operate a construction business.

We fully support the effort to seek external funding to support a program that will foster the growth of small businesses within the construction industry and encourage a favorable consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Benedict', is written over the typed name.

Joseph Benedict  
Executive Director



**2660 William St.  
Cheektowaga, NY 14227  
Phone: 716-875-4625 Fax: 716-875-4412  
www.wnypmca.com**

September 1, 2021

Empire State Development  
95 Perry Street  
Buffalo, New York 14203

RE: Wood & Brooks Properties Funding Application

Dear Council,

On behalf of the Western New York Association of Plumbing and Mechanical Contractors, Inc, it is my pleasure to write a letter of support for the Leroy Properties, Inc. Empire State Development (ESD) grant application for the Wood & Brooks Properties project located at 2101 Kenmore Ave. Buffalo, NY 14207.

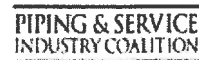
As part of the project, a Construction Trade Incubator space will occupy the ground floor and will provide small businesses access to the necessary resources needed to successfully operate a construction business. As an owner of a construction business, I know that many small businesses will benefit from a shared workspace that would help contractors effectively manage costs while providing flexibility to better adapt to the cyclical nature of the construction industry.

We hope that that Empire State Development can find it in their budget to support this project.

Sincerely,

*R. Adam Mollenberg*

R. Adam Mollenberg  
Vice President  
Plumbing & Mechanical Contractors Association of WNY





**Wood and Brooks**

Instructions and Insurance Requirements Document

**Section I: Applicant Background Information**

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law.

Applicant Information- Company Receiving Benefit

|                            |   |
|----------------------------|---|
| <b>Project Name</b>        | Wood and Brooks Adaptive Reuse  |
| <b>Project Summary</b>     | The project is located at 2101 Kenmore Avenue in the Town of Tonawanda (with accessory parking on adjacent parcel in the City of Buffalo) in a Disadvantage Community as defined by New York State (United States Census Tract 36029004800). The Project seeks to convert through adaptive re-use the historic Wood & Brooks piano factory complex into mixed use development consisting of redevelopment of the existing six (6) story building as well as an adjacent single-story building into approximately 98,370 SF (62,300 SF Residential and 36,070 SF Commercial). The first-floor commercial space will be anchored by a Construction Trade Incubator with the upper five (5) floors as apartments. The site has been determined to be eligible for the Brownfield Cleanup Program and has applied for New York State Historic Tax Credits. If this Project is successful, the Applicant will additionally seek to convert an adjacent four (4) story building into additional mixed-use space. The adaptive re-use of the complex, which has been largely either underutilized or vacant for decades, will hopefully begin a revitalization of the area. The Town of Tonawanda has issued all necessary land use and zoning approvals and is very supportive of the Project and shares the Applicant's hope that this Project will be a catalyst for redevelopment of the area. Through partnering with the Construction Exchange of WNY, the commercial Incubator space will support the growth and prosperity of small construction businesses by providing education and shared infrastructure. Fostering the growth of these small businesses will support future job creation within the local construction industry. These small construction businesses will benefit from shared services such as:- Low-risk investment in shared space to operate from.- Shared infrastructure including meeting spaces, training room, storage lockers (with loading dock access), workshop area, access to dumpster, trailer parking, etc.- Mentorship, coaching and training.- Relationship building with suppliers and industry experts- A supportive community of like-minded business owners Erie 1 BOCES has provided a LOI to lease space as an anchor tenant of the Incubator Space for their Building Trades programming for adult learners. By Partnering with the Incubator and the Construction Exchange of WNY, a program will be implemented to connect adult learners with employers. |
| <b>Applicant Name</b>      | Wood and Brooks Properties LLC  |
| <b>Applicant Address</b>   | 2101 Kenmore Avenue   |
| <b>Applicant Address 2</b> |   |
| <b>Applicant City</b>      | Buffalo   |
| <b>Applicant State</b>     | New York  |
| <b>Applicant Zip</b>       | 14207   |
| <b>Phone</b>               | (716) 903-1092  |
| <b>Fax</b>                 | (716) 427-6501  |

**E-mail** michael@frontierinsulation.com

**Website**

**NAICS Code**

Business Organization

**Type of Business**

Limited Liability Company

**Year Established**

2022

**State**

New York

**Indicate if your business is 51% or more (Check all boxes that apply)**

[No] Minority Owned

[No] Woman Owned

**Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)**

[No] NYS Certified

[No] Erie Country Certified

Individual Completing Application

**Name** Peter J. Sorgi

**Title** Project Attorney

**Address** 726 Main Street, Suite B

**Address 2**

**City** East Aurora

**State** New York

**Zip** 14052

**Phone** (716) 908-3289

**Fax** (716) 427-6501

**E-Mail** psorgi@hsmlegal.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** No

**Name** Michael Wopperer

**Title** President

**Address** 2101 Kenmore Avenue

**Address 2**

**City** Buffalo

**State** New York

**Zip** 14207

**Phone** (716) 903-1092

**Fax** (716) 427-6501

**E-Mail** michael@frontierinsulation.com

Company Counsel

**Name of Attorney** Peter J. Sorgi  
**Firm Name** Hopkins Sorgi & McCarthy PLLC  
**Address** 726 Main Street, Suite B  
**Address 2**  
**City** East Aurora  
**State** New York  
**Zip** 14052  
**Phone** (716) 908-3289  
**Fax** (716) 427-6501  
**E-Mail** psorgi@hsmlegal.com

Benefits Requested (select all that apply).

**Exemption from Sales Tax** Yes  
**Exemption from Mortgage Tax** Yes  
**Exemption from Real Property Tax** No  
**Tax Exempt Financing\*** No

\* (typically for not-for-profits & small qualified manufacturers)

Applicant Business Description

**Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.**

Wood & Brooks Properties, LLC is a newly formed entity comprised of members of a 4th generation group of family owned businesses who have owned the complex where the proposed project is taking place since 1972. The various buildings on the properties have served as offices, warehouses and manufacturing facilities for the various affiliated companies that work within the construction industry. Recognizing that portions of the complex are either vacant or underutilized, Wood and Brooks Properties LLC was formed to try and repurpose the complex with the hopes of reinvigorating an area that has been downtrodden for many years and assist in an urban rebirth that is long overdue. None of the members have an ownership percentage greater than 20%.

**Estimated % of sales within Erie County** 100 %  
**Estimated % of sales outside Erie County but within New York State** 0 %  
**Estimated % of sales outside New York State but within the U.S.** 0 %  
**Estimated % of sales outside the U.S.** 0 %

(\*Percentage to equal 100%)

**For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?**

83

**Describe vendors within Erie County for major purchases**

Windows- Jens Glass / B&L Wholesale Millwork/Countertops- Buffalo Millwork Supply Plumbing- Huron Plumbing HVAC- DWC Mechanical Site Work- Occhino Corp

**Section II: Eligibility Questionnaire - Project Description & Details**

Project Location

**Address of Proposed Project Facility**

2101 Kenmore Avenue

**Town/City/Village of Project Site**

Tonawanda with accessory parking in City of Buffalo

**School District of Project Site**

Tonawanda

**Current Address (if different)**

**Current Town/City/Village of Project Site (if different)**

**SBL Number(s) for proposed Project**

77.08-1-1 (portion of) and 77.26-7-2

**What are the current real estate taxes on the proposed Project Site**

\$ 90,176.63 (entire site-- only a portion is subject to this application)

**If amount of current taxes is not available, provide assessed value for each.**

Land

\$ 186,000

Building(s)

\$ 602,000

If available include a copy of current tax receipt.

**Are Real Property Taxes current at project location?**

Yes

**If no please explain**

\*The ECIDA has an unpaid tax policy and you will be required to certify all taxes and PILOTS are current.

**Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?**

Yes

**If No, indicate name of present owner of the Project Site**

The Leroy Properties, Inc.

**Does Applicant or related entity have an option/contract to purchase the Project site?**

Yes

**Describe the present use of the proposed Project site (vacant land, existing building, etc.)**

Substantially vacant with portions of the first and second floors of six story building utilized as warehouse space for related entities on same master parcel-- note that this warehouse space is not needed for related entities on same master parcel but just being used for convenience / proximity currently.

**Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)**



The project is located at 2101 Kenmore Avenue in the Town of Tonawanda (with accessory parking on adjacent parcel in the City of Buffalo) in a Disadvantage Community as defined by New York State (United States Census Tract 36029004800). The Project seeks to convert through adaptive re-use the historic Wood & Brooks piano factory complex into mixed use development consisting of redevelopment of the existing six (6) story building as well as an adjacent single-story building into approximately 98,370 SF (62,300 SF Residential and 36,070 SF Commercial). The first-floor commercial space will be anchored by a Construction Trade Incubator with the upper five (5) floors as apartments. The site has been determined to be eligible for the Brownfield Cleanup Program and has applied for New York State Historic Tax Credits. If this Project is successful, the Applicant will additionally seek to convert an adjacent four (4) story building into additional mixed-use space. The adaptive re-use of the complex, which has been largely either vacant or underutilized for decades, will hopefully begin a revitalization of the area. The Town of Tonawanda has issued all necessary land use and zoning approvals and is very supportive of the Project and shares the Applicant's hope that this Project will be a catalyst for redevelopment of the area. Through partnering with the Construction Exchange of WNY, the Incubator space will support the growth and prosperity of small construction businesses by providing education and shared infrastructure. Fostering the growth of these small businesses will support future job creation within the local construction industry. These small construction businesses will benefit from shared services such as:- Low-risk investment in shared space to operate from.- Shared infrastructure including meeting spaces, training room, storage lockers (with loading dock access), workshop area, access to dumpster, trailer parking, etc.- Mentorship, coaching and training.- Relationship building with suppliers and industry experts- A supportive community of like-minded business owners Erie 1 BOCES has provided a LOI to lease space as an anchor tenant of the Incubator Space for their Building Trades programming for adult learners. By Partnering with the Incubator and the Construction Exchange of WNY, a program will be implemented to connect adult learners with employers.

**Municipality or Municipalities of current operations**

Town of Tonawanda and City of Buffalo (city of Buffalo is for parking only)

**Will the Proposed Project be located within a Municipality identified above?**

Yes

**Will the completion of the Project 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?**

No

**If the Proposed Project is located in a different Municipality within New York State than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?**

No

(If yes, you will need to complete the Intermunicipal Move Determination section of this application)

**Is the project reasonably necessary to prevent the project occupant from moving out of New York State?**

No

**If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available**

**Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?**

No

**If yes, please indicate the Agency and nature of inquiry below**

**If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:**

**Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)**

Wood and Brooks Properties, LLC currently has no income and has taken on significant debt in trying to take the project into construction. The rise in costs over the last two years along with increases in interest rates has placed a significant amount of financial strain on the project. Assistance from the agency is necessary in order to begin re-development of the complex.

**Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency**

Yes

**If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and Erie County?**

Without financial assistance from ECIDA via sales tax and mortgage tax exemption, the project will become unviable and, therefore, the property would not be purchased by Wood and Brooks Properties LLC. Wood and Brooks Properties, LLC would then be dissolved. The negative impact to Erie County would include the loss of construction jobs on a \$21 million conversion project along with future tax dollars on a newly assessed and higher value.

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

Yes, but only during construction.

Site Characteristics

**Is your project located near public transportation?**

Yes

**If yes describe if site is accessible by either metro or bus line (provide route number for bus lines)**

Metro Lines Sheridan 35 and 5 Niagara-Kenmore

**Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?**

Yes

**If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.**

**If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.**

6.1.2022

**Will the Project meet zoning/land use requirements at the proposed location?**

Yes

**Describe the present zoning/land use**

P-S Performance Standards Use District Current Land use are vacant buildings with parking

**Describe required zoning/land use, if different**

Proposed use is allowed in P-S Performance Standards Use District and all Town Approvals have been obtained. Proposed use is mixed use of residential apartments and Construction Trades space, including construction training programs.

**If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements**

**Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?**

Yes

**If yes, please explain**

This project has been accepted into the Brownfield Cleanup Program largely based off elevated arsenic exceeding its Industrial Use SCO, likely related to historic wood piano key manufacturing.

**Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?**

Yes

If yes, please provide a copy.

**Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?**

Yes

If yes, please provide copies of the study.

**If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?**

No

**If yes, describe the efficiencies achieved**

You may also attach additional information about the machinery and equipment at the end of the application.

**Does or will the company or project occupant perform research and development activities on new products/services at the project location?**

No

If yes, include percentage of operating expenses attributed to R&D activities and provide details.

Select Project Type for all end users at project site (you may check more than one)

For purposes of the following, the term "retail sales" means (i) sales by 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), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

|                     |    |                 |     |
|---------------------|----|-----------------|-----|
| <b>Retail Sales</b> | No | <b>Services</b> | Yes |
|---------------------|----|-----------------|-----|

Please check any and all end uses as identified below.

- |  |                           |                                     |
|--|---------------------------|-------------------------------------|
| <b>No Acquisition of Existing Facility</b> | <b>No Assisted Living</b> | <b>No Back Office</b>               |
| <b>No Civic Facility (not for profit)</b>  | <b>Yes Commercial</b>     | <b>No Equipment Purchase</b>        |
| <b>No Facility for the Aging</b>           | <b>No Industrial</b>      | <b>No Life Care Facility (CCRC)</b> |
| <b>Yes Market Rate Housing</b>             | <b>Yes Mixed Use</b>      | <b>No Multi-Tenant</b>              |
| <b>No Retail</b>                           | <b>No Senior Housing</b>  | <b>No Manufacturing</b>             |
| <b>No Renewable Energy</b>                 | <b>Yes Other</b>          |                                     |

**Leasing to small construction companies / trades**

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

|                                   |                    |    | <b>Cost</b> | <b>% of Total Cost</b> |
|-----------------------------------|--------------------|----|-------------|------------------------|
| <b>Manufacturing/Processing</b>   | square feet        | \$ | 0           | 0%                     |
| <b>Warehouse</b>                  | square feet        | \$ | 0           | 0%                     |
| <b>Research &amp; Development</b> | square feet        | \$ | 0           | 0%                     |
| <b>Commercial</b>                 | 32,790 square feet | \$ | 7,145,250   | 33%                    |
| <b>Retail</b>                     | square feet        | \$ | 0           | 0%                     |
| <b>Office</b>                     | square feet        | \$ | 0           | 0%                     |
| <b>Specify Other</b>              | 65,580 square feet | \$ | 14,290,500  | 67%                    |

**If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?**

No

**If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)**

<BLANK>

**Provide estimate of additional construction cost as a result of LEED certification you are seeking** < BLANK >

**Will project result in significant utility infrastructure cost or uses** Yes

What is the estimated project timetable (provide dates)

**Start date : acquisition of equipment or construction of facilities**

3/10/2023

**End date : Estimated completion date of project**

5/20/2024

**Project occupancy : estimated starting date of occupancy**

6/4/2024

Capital Project Plan / Budget

**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

|            |                    |       |
|------------|--------------------|-------|
| \$ 670,000 | 98,380 square feet | acres |
|------------|--------------------|-------|

**2.) New Building Construction**

|      |             |
|------|-------------|
| \$ 0 | square feet |
|------|-------------|

**3.) New Building addition(s)**

|      |             |
|------|-------------|
| \$ 0 | square feet |
|------|-------------|

**4.) Reconstruction/Renovation**

|               |                    |
|---------------|--------------------|
| \$ 19,112,322 | 98,380 square feet |
|---------------|--------------------|

**5.) Manufacturing Equipment**

\$ 0

**6.) Infrastructure Work**

\$ 0

**7.) Non-Manufacturing Equipment: (furniture, fixtures, etc.)**

\$ 380,775

**8.) Soft Costs: (Legal, architect, engineering, etc.)**

\$ 2,964,541

**9.) Other Cost**

\$ 0

**Explain Other Costs**

**Total Cost**      \$ 23,127,638

Construction Cost Breakdown:

|                                   |  |
|-----------------------------------|--|
| <b>Total Cost of Construction</b> | \$ 19,112,322 (sum of 2, 3, 4 and 6 in Project Information, above) |
| <b>Cost of materials</b>          | \$ 11,467,393  |
| <b>% sourced in Erie County</b>   | 83%  |

Sales and Use Tax:

|   |               |
|---|---------------|
| <b>Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit</b> | \$ 15,863,227 |
| <b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>  | \$ 1,388,032  |

\*\* Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

**Project refinancing estimated amount, if applicable (for refinancing of existing debt only)** \$ 0

**Have any of the above costs been paid or incurred as of the date of this Application?** Yes

**If Yes, describe particulars:** Approximately \$500,000 of soft costs have been incurred and paid. This amount is mostly comprised of professional fees including architect, attorney, accounting and pre-construction management.

Sources of Funds for Project Costs:

|  |   |
|--|---|
| <b>Equity (excluding equity that is attributed to grants/tax credits):</b>   | \$ 4,734,155  |
| <b>Bank Financing:</b>   | \$ 9,750,000  |
| <b>Tax Exempt Bond Issuance (if applicable):</b>   | \$ 0  |
| <b>Taxable Bond Issuance (if applicable):</b>  | \$ 0  |
| <b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>   | \$ 8,643,483  |
| <b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b> | Federal Historic Tax Credit State Historic Tax Credit Brownfield Cleanup Site Prep Credit Brownfield Tangible Building Credit |
| <b>Total Sources of Funds for Project Costs:</b>   | \$23,127,638  |
| <b>Have you secured financing for the project?</b>   | No  |

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

|  |            |
|--|------------|
| <b>Mortgage Amount (include sum total of construction/permanent/bridge financing).</b>   | 17,031,175 |
| <b>Lender Name, if Known</b>   |            |
| <b>Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):</b> | \$127,733  |

Real Property Tax Benefit:

**Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):** 485-a through Town of Tonawanda and Tonawanda School District-- pending.

IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

**Is project necessary to expand project employment?**

Yes

**Is project necessary to retain existing employment?**

No

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

Yes, but only during construction.

Employment Plan (Specific to the proposed project location)

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

|                  | <b>Current # of jobs at proposed project location or to be relocated at project location</b> | <b>If financial assistance is granted – project the number of FT and PT jobs to be retained</b> | <b>If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion</b> | <b>Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **</b> |
|------------------|--|---|--|---|
| <b>Full time</b> | 0  | 0   | 1  | 1   |
| <b>Part time</b> | 0  | 0   | 2  | 2   |
| <b>Total</b>     | 0  | 0   | 3  |   |

Salary and Fringe Benefits for Jobs to be Retained and Created

| <b>Job Categories</b>         | <b># of Full Time Employees retained and created</b> | <b>Average Salary for Full Time</b> | <b>Average Fringe Benefits for Full Time</b> | <b># of Part Time Employees retained and created</b> | <b>Average Salary for Part Time</b> | <b>Average Fringe Benefits for Part Time</b> |
|-------------------------------|--|-------------------------------------|--|--|-------------------------------------|--|
| <b>Management</b>             | 1  | \$ 50,000                           | \$ 0   | 0  | \$ 0                                | \$ 0   |
| <b>Professional</b>           | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| <b>Administrative</b>         | 2  | \$ 0                                | \$ 0   | 0  | \$ 25,000                           | \$ 0   |
| <b>Production</b>             | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| <b>Independent Contractor</b> | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| <b>Other</b>                  | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| <b>Total</b>                  | 0  |                                     |  | 0  |                                     |  |

\*\* Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

Employment at other locations in Erie County: (provide address and number of employees at each location):

| <b>Address</b>   |   |   |   |
|------------------|---|---|---|
| <b>Full time</b> | 0 | 0 | 0 |
| <b>Part time</b> | 0 | 0 | 0 |

**Total**

0

0

0

Payroll Information

**Annual Payroll at Proposed Project Site upon completion**

75,000

**Estimated average annual salary of jobs to be retained (Full Time)**

50,000

**Estimated average annual salary of jobs to be retained (Part Time)**

25,000

**Estimated average annual salary of jobs to be created (Full Time)**

50,000

**Estimated average annual salary of jobs to be created (Part Time)**

25,000

**Estimated salary range of jobs to be created**

|                         |        |                       |        |
|-------------------------|--------|-----------------------|--------|
| <b>From (Full Time)</b> | 50,000 | <b>To (Full Time)</b> | 60,000 |
| <b>From (Part Time)</b> | 12,500 | <b>To (Part Time)</b> | 12,500 |

### Section III: Environmental Questionnaire

INSTRUCTIONS: Please complete the following questionnaire as completely as possible. If you need additional space to fully answer any question, please attach additional page(s).

#### General Background Information

##### **Address of Premises**

2101 Kenmore Ave Buffalo NY 14207

##### **Name and Address of Owner of Premises**

2101 Kenmore Ave Buffalo NY 14207

##### **Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)**

The site is located in the town of Tonawanda, Erie County, New York in a mixed-use residential, commercial, and industrial area along the City of Buffalo and Town of Tonawanda boundary. The topography is generally sloped to the south-southeast. The subject property is situated at an approximate elevation of 603 feet above sea level. The Subject property is located within the Central Lowlands region Eastern Lakes section physiographic province.

##### **Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises**

The current site is primarily vacant with a portion of the site used for warehousing. The buildings on the site are over 100 years old.

##### **Describe all known former uses of the Premises**

The site was historically used for piano key manufacturing from approximately 1900 to 1970s

##### **Does any person, firm or corporation other than the owner occupy the Premises or any part of it?**

No

##### **If yes, please identify them and describe their use of the property**

##### **Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises?**

Yes

##### **If yes, describe and attach any incident reports and the results of any investigations**

A closed spill occurred in January 2006. Remedial activities were completed and the spill was closed in April 2006-- see Exhibit A to Full Environmental Assessment Form, attached hereto.

##### **Has the Premises or any part of it ever been the subject of any enforcement action by any federal, state or local government entity, or does the preparer of this questionnaire have knowledge of: a) any current federal, state or local enforcement actions; b) any areas of non-compliance with any federal, state or local laws, ordinances, rules or regulations associated with operations over the past 12 months?**

No

##### **If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances**

##### **Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises?**

No

##### **If yes, describe in full detail**

#### Solid And Hazardous Wastes And Hazardous Substances



**Does any activity conducted or contemplated to be conducted at the premises generate, treat or dispose of any petroleum, petroleum-related products, solid and hazardous wastes or hazardous substances?**

No

**If yes, provide the Premises' applicable EPA (or State) identification number**

**Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes?**

No

**If yes, please provide copies of the permits.**

**Identify the transporter of any hazardous and/or solid wastes to or from the Premises**

**Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years**

**Does or is it contemplated that there will occur at the Premises any accumulation or storage of any hazardous wastes on-site for disposal for longer than 90 days?**

No

**If yes, please identify the substance, the quantity and describe how it is stored**

Discharge Into Waterbodies

**Briefly describe any current or contemplated industrial process discharges (including the approximate volume, source, type and number of discharge points). Please provide copies of all permits for such discharges**

**Identify all sources of discharges of water, including discharges of waste water, process water, contact or noncontact cooling water, and stormwater. Attach all permits relating to the same. Also identify any septic tanks on site**

Waste and storm water

**Is any waste discharged into or near surface water or groundwaters?**

No

**If yes, please describe in detail the discharge including not only the receiving water's classification, but a description of the type and quantity of the waste**

Air Pollution

**Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?**

No

**If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source**

**Are any of the air emission sources permitted?**

No

**If yes, attach a copy of each permit.**

Storage Tanks

**List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks**

One (1) 6000 gallon underground storage tank for gasoline.

**Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?**

Yes

**If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved**

A closed spill occurred in January 2006. Remedial activities were completed and the spill was closed in April 2006-- see Exhibit A to Full Environmental Assessment Form, attached hereto.

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

**Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.**

**Have there been any PCB spills, discharges or other accidents at the Premises?**

No

**If yes, relate all the circumstances**

**Do the Premises have any asbestos containing materials?**

Yes

**If yes, please identify the materials**

Based on the date of construction at the subject property, between 1901 and 1911, it is possible that PCB-containing materials were used. See NYSDEC Brownfields Clean Up Program Application, attached hereto.

**Section IV: Facility Type - Single or Multi Tenant**

**Is this a Single Use Facility or a Multi-Tenant Facility?**

Multi-Tenant Facility

Multi-Tenant Facility (to be filled out by developer)

**Please explain what market conditions support the construction of this multi-tenant facility**

Need specified in Town of Tonawanda 2015 Comprehensive Plan Update, which can be found at <https://tonawanda.ny.us/development/comprehensive-plan.html> which is detailed in letter of support from Town Supervisor Joseph H. Emminger dated 1.12.2023, attached hereto

**Have any tenant leases been entered into for this project?**

Yes

If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

| Tenant Name | Current Address (city, state, # of sq ft and % of total to be occupied at new projet site zip) | SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co. |
|-------------|--|--|
|-------------|--|--|

\*fill out table for each tenant and known future tenants

**Section V: Tenant Information**

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

The Plan Room LLC

**Property Address:**

2101 Kenmore Ave

**City/Town/Village**

Buffalo

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

24,814

**What percentage of the building does this represent?**

35

**Are terms of lease:**

NET

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

**Estimated date of occupancy**

3/1/2024

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

The Plan Room LLC

**Local Contact Person:**

Michael Wopperer

**Title:**

Founder

**Current Address:**

2101 Kenmore Ave

**Phone:**

(716) 903-1092

**Fax:**

**E-Mail:**

mike.wopperer@yahoo.com

**Website:**

**Company President/General Manager:**

**Number of employees moving to new project location:**

**Full-Time:**

1

**Part-Time:**

1

**Total:**

2

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

The Plan Room LLC is a co-working space catered to small businesses within the Construction Industry. Through partnering with the Construction Exchange of WNY, the Incubator space will support the growth and prosperity of small construction businesses by providing education and shared infrastructure. Fostering the growth of these small businesses will support future job creation within the local construction industry. As businesses perhaps just getting their legs under them, we know small construction businesses would benefit from shared resources such as:- Low-risk investment in shared space to operate from.- Shared infrastructure including meeting spaces, training room, storage lockers (with loading dock access), workshop area, access to dumpster, trailer parking, etc.- Mentorship, coaching and training.- Relationship building with suppliers and industry experts- A supportive community of like-minded business owners Erie 1 BOCES has provided a LOI to lease space as an anchor tenant of the Incubator Space for their Building Trades programming for adult learners. By Partnering with the Incubator and the Construction Exchange of WNY, a program will be implemented to connect adult learners with employers.

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

The Plan Room LLC was founded in 2022

**Please list the square footage which the proposed tenant will lease at the Project location**

24,814

**Please list the square footage which the proposed tenant leases at its present location(s)**

0

**Describe the economic reason for either the increase or decrease in leased space.**

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

No

**If owned, what will happen to the existing facility once vacated?**

**If leased, when does lease expire?**

12/31/1969

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

**If yes, please provide details as to location, and amount of leased space, how long leased?**

## ■ Section VI: Retail Determination

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

**Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?**

No

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

## Section VII: Adaptive Reuse Projects

Adaptive Reuse is the process of adapting old structures or sites for new purposes.

### Are you applying for tax incentives under the Adaptive Reuse Program?

Yes

What is the age of the structure (in years)? 121

Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)

Yes

If vacant, number of years vacant.

50

If underutilized, number of years underutilized.

50

Describe the use of the building during the time it has been underutilized:

Portions of the building has served as warehouse space for several of the family owned companies which occupy and own the complex while other areas of the building have remained vacant.

Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)

Yes

If yes, please provide dollar amount of income being generated, if any

\$0

If apartments are planned in the facility, please indicate the following:

|           | Number of Units | Sq. Ft. Range Low to High | Rent Range Low to High |
|-----------|-----------------|---------------------------|------------------------|
| 1 Bedroom | 40              | 779- 883                  | \$1,300- \$1,600       |
| 2 Bedroom | 15              | 951- 982                  | \$1,500- \$1,800       |
| 3 Bedroom | 0               | -                         | \$- \$                 |
| Other     | 0               | -                         | \$- \$                 |

Does the site have historical significance?

Yes

If yes, please indicate historical designation

The Wood and Brooks Company Factory Complex, located at the southwest corner of the Town of Tonawanda in Erie County, New York, is significant as an intact representation of a manufacturing facility designed and built in the first half of the nineteenth century. The complex is locally significant under Criterion A in the area of Industry as one of the most important manufacturers of ivory piano keys and actions in the United States. The Wood and Brooks Company was founded in 1901 by Charles Raymond Wood and M.S. Brooks, a Connecticut entrepreneur. In 1902, the firm contracted architect Sidney Hawks Woodruff to design their manufacturing facility at 2101 Kenmore Avenue, which was expanded several times through 1915 as the company grew. Wood and Brooks keys and actions were used by more than twenty-nine producers of piano and organ manufacturers, nationally and internationally. The CSX Rail Lines, formerly New York Central Railroad Niagara Falls Branch, provided the crucial transportation of raw materials to the factory complex and means of delivery of Wood and Brooks products. During World War II, the company became a licensed subcontractor for military production of Landing Craft Vehicle Personnel (LCVP) and the Kenmore complex provided the necessary labor, manufacturing space, accessibility to raw materials, and transportation essential to construct and deliver the watercrafts for the war efforts. After war production ended, manufacture of piano keys and actions resumed until the facility closed in 1970. The complex is also significant under Criterion C in the area of Architecture as a good representative example of evolving industrial architecture and engineering trends in the early twentieth century. The facility contains both intact heavy timber mill construction and reinforced concrete daylight factory buildings. The 1902 four-story Headquarters Office and Manufacturing Building was designed by S.H. Woodruff in an early post-and-beam mill style, along with the majority of the attached one-story spaces and the detached lumber sheds. The 1911-1914 six-story reinforced concrete slip form loft building was designed by Dwight Seabury, an engineer from Pawtucket, Rhode Island, and constructed by H.C. Turner of Turner Construction, a pioneer of multistory reinforced concrete buildings and structures. A post-1915 building campaign connecting the six-story factory to a series of single-story buildings utilized a concrete column mushroom system, a revolutionary technique developed by C.A.P. Turner in 1905 that became a quintessential feature of industrial buildings throughout the first half of the twentieth century and beyond. Both mill construction and concrete curtain wall building types offered increased daylighting and natural ventilation through operable windows and demonstrate the rapid technological advancement in industrial building techniques and materials in the first decades of the twentieth century. The period of significance begins in 1902 with the construction of the first Wood and Brooks Company building on the site for the manufacturing of ivory piano keys and actions and ends in 1970 when the company ceased operations at 2101 Kenmore Avenue. This period includes all extant building campaigns by Wood and Brooks.

**Are you applying for either State/Federal Historical Tax Credit Programs?**

Yes

**If yes, provide estimated value of tax credits**

\$6,322,681

**Briefly summarize the financial obstacles to development that this project faces without ECIDA or other public assistance. Please provide the ECIDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)**

The rise in costs over the last couple of years combined with the recent increases in interest rates has placed a significant amount of financial strain on the project. If the project is not able to secure sales tax and mortgage tax exemption, DSCR will decrease to a level that the bank will not underwrite to, therefore increasing the amount of equity contribution required by the owner. Increasing the amount of current equity contribution by the owner will result in below average return on investment rates compared to industry averages and will make the project unviable.

**Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide ECIDA with documentation of this support in the form of signed letters from these entities**

We have received an overwhelming amount of support from the Town of Tonawanda along with local not for profit The Construction Exchange of WNY and Western New York Association of Plumbing and Contractors, Inc. for the incubator space.

**Indicate other factors that you would like the Agency to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, structure presents significant costs associated with building code compliance**

See NYSDEC Brownfields Clean Up Application, attached hereto.

**Indicate census tract of project location**

36,029,004,800

**Indicate how project will eliminate slum and blight**

Project will provide needed housing and employment opportunity in an area that is blighted and is targeted for redevelopment by the Town of Tonawanda Comprehensive Plan-- see attached letter of support from Tonawanda Town Supervisor Joseph Emminger, attached hereto.

**If project will be constructed to LEED standards indicate renewable resources utilized**





**Section VIII: Inter-Municipal Move Determination**

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results 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, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

**Current Address**

2101 Kenmore Ave

**City/Town**

Buffalo

**State**

New York

**Zip Code**

14207

**Will the project 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?**

No

**Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?**

No

**If Yes to either question, 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:**

**Does this project involve relocation or consolidation of a project occupant from another municipality?**

**Within New York State**

No

**Within Erie County**

No

**If Yes to either question, please, explain**

**Will the project result in a relocation of an existing business operation from the City of Buffalo?**

No

**If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)**

**What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)**

**If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?**

No

**What factors have lead the project occupant to consider remaining or locating in Erie County?**

**If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?**

**Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.**



## ■ Section IX: Senior Housing

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

**Are you applying for tax incentives under the Senior Rental Housing policy?**

No

## **Section X: Tax Exempt Bonds**

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

**Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?**

No