

## NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, the Erie County Industrial Development Agency (the "Agency") will hold a public hearing on Friday, March 14, 2025, at 9:00 a.m., local time, at Lackawanna City Hall, City Council Chambers (2<sup>nd</sup> Floor), 714 Ridge Road, Lackawanna, New York 14218, regarding the following matter:

Deckorators, Inc. or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf (the "Company"), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located at 300 Commerce Drive in the City of Lackawanna, Erie County, New York, and all other lands in the City of Lackawanna where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land") and the existing improvements located thereon consisting of an approximately 168,310 square foot building (the "Existing Improvements"); (ii) the construction of an approximately 19,000 square-foot addition to the Existing Improvements to accommodate manufacturing capacity (the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements and Existing Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility"). The Facility will be initially owned and operated by the Company.

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance to the Company for qualifying portions of the Project in the form of sales and use tax exemption benefits, consistent with the policies of the Agency, and a real property tax abatement (the "Financial Assistance").

A representative of the Agency will be present at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed Financial Assistance. This public hearing is being live-streamed and made accessible on the Agency's website at [www.ecidany.com](http://www.ecidany.com). Written comments may be submitted at this public hearing, submitted on the Agency's website, or delivered to the Agency at 95 Perry Street-Suite 403, Buffalo, NY 14203 until the comment period closes at 4:00 p.m. on March 25, 2025. The Project Application is available for public inspection at the Agency's offices Monday through Friday (excluding public holidays) from 9:00 a.m. until 4:00 p.m.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

Erie County Industrial Development Agency



NY

[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>	ProjectGoNY2025
<b>Project Summary</b>	The Applicant, a well-established company in the building materials industry specializing in decking and railing products, plans to open a new manufacturing facility in Erie County. This facility will encompass two buildings totaling 253,310 square feet on a 31-acre site. The project includes substantial improvements for outdoor storage, utility infrastructure, stormwater retention, enhanced driveways to support inbound and outbound truck traffic, and a multibranch rail spur. This initiative will introduce state-of-the-art machinery, resulting in 50 new highly trained employees in the community and representing a financial investment of over \$70,000,000.
<b>Applicant Name</b>	Deckorators, Inc.
<b>Applicant Address</b>	38596 US 131
<b>Applicant Address 2</b>	
<b>Applicant City</b>	White Pigeon
<b>Applicant State</b>	Michigan
<b>Applicant Zip</b>	49099
<b>Phone</b>	(210) 540-9234
<b>Fax</b>	
<b>E-mail</b>	nhayes@ufpi.com
<b>Website</b>	www.deckorators.com
<b>NAICS Code</b>	326199

Business Organization

**Type of Business**

Corporation

**Year Established**

1998

**State**

Michigan

**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** Nathan Hayes  
**Title** Operational Vice  
 President  
**Address** 5 Meadowcraft Parkway  
**Address 2**  
**City** Selma  
**State** Alabama  
**Zip** 36701  
**Phone** (210) 540-9234  
**Fax**  
**E-Mail** nhayes@ufpi.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** No  
**Name** Landon Tarvin  
**Title** President of UFP Retail, LLC  
**Address** 2801 E Beltline Ave NE  
**Address 2**  
**City** Grand Rapids  
**State** Michigan  
**Zip** 49525  
**Phone** (970) 686-9651  
**Fax**  
**E-Mail** ltarvin@ufpi.com

Company Counsel

**Name of Attorney** Brent Scott  
**Firm Name** UFP Industries, Inc.  
**Address** 2801 E Beltline Ave NE  
**Address 2**  
**City** Grand Rapids  
**State** Michigan  
**Zip** 49525  
**Phone** (616) 365-1525  
**Fax**  
**E-Mail** brent.scott@ufpi.com

Benefits Requested (select all that apply).

<b>Exemption from Sales Tax</b>	Yes
<b>Exemption from Mortgage Tax</b>	No
<b>Exemption from Real Property Tax</b>	Yes
<b>Tax Exempt Financing*</b>	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%.**

Background/History: Applicant is a well-established company in the building materials industry, specializing in decking and railing products. Applicant was founded in 1998 and was acquired by UFP Industries, Inc. in 2005. Applicant is a wholly owned subsidiary of UFP Retail, LLC and UFP Retail, LLC is a wholly owned subsidiary of UFP Industries, Inc. Applicant is known for pioneering the low-maintenance aluminum balusters category with their Classic Series. Products: Applicant offers a wide range of products designed to enhance outdoor living spaces. Their product lineup includes: \* Decking: Composite and mineral-based composite decking options. \* Railing: Aluminum, cable, and glass railing systems. \* Post Caps: Decorative post caps in various styles and materials. \* Porch Flooring: High-performance porch flooring solutions. \* Fasteners: Hidden fasteners and other deck installation accessories. \* Deck Balusters: Aluminum and glass balusters. \* Outdoor Lighting: LED lighting solutions for decks and railings. \* Plastic Lattice: Decorative lattice panels for added privacy and aesthetics. Customers: Applicant serves a diverse customer base, including contractors, builders, retailers and distributors. Applicant has built a reputation for innovation and quality, making them a trusted name in the decking and railing industry.

<b>Estimated % of sales within Erie County</b>	1 %
<b>Estimated % of sales outside Erie County but within New York State</b>	10 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	79 %
<b>Estimated % of sales outside the U.S.</b>	10 %

(\*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?**

8

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

Applicant will use a construction company and architecture firm located in Erie County for this project. Additionally, although not yet identified, local cost-effective vendors will be used throughout the Project and operation

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

### Project Location

**Address of Proposed Project Facility**

300 Commerce Dr., Lackawanna, NY 14218

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

Lackawanna

**School District of Project Site**

Lackawanna City School District

**Current Address (if different)**

N/A

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

N/A

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

141.080-1-13.121

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

\$146,782.79

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

Land

\$ 0

Building(s)

\$ 0

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**

Lackawanna Realty, LLC

**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.)**

Applicant's affiliate, UFP Real Estate, LLC, has executed a Purchase and Sale Agreement to purchase the Proposed Project site. UFP Real Estate, LLC is currently performing its Due Diligence with an expected closed in Q1 2025.

**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)**

Applicant intends to expand its manufacturing facilities into the NE United States. This would be a new facility as Applicant does not have an operation in the state of NY. (Applicant does have 1 salesperson on its payroll that resides in the state of NY). With this anticipated project, Applicant would a minimum of 50 new full-time employees, which include high-skilled production, administrative, professional and management employees. In addition, Applicant would invest approximately \$70,000,000 into this project. The monetary investment falls into the following categories and will be deployed over multiple years as the renovations are completed in phases. Building and Property: \* Applicant's affiliate, UFP Real Estate, LLC, will purchase the Proposed Project Facility which consists of: Two (2) Buildings on ~31 acres. The main building is 168,310 SF of enclosed manufacturing space, including 7,700 SF of office ("Main Building"). The secondary building, which is not part of the first phase of the project, consists of ~ 85,000 SF of covered, open-wall warehouse space ("Secondary Building"). The Applicant intends to immediately construct an addition of 19,000 SF to the Main Building for additional manufacturing capacity. Future plans include enclosing the Secondary Building for additional capacity and growth opportunities. Infrastructure: \* Freight/Rail: Applicant's processes require high quantities of rail cars for inbound raw materials, while outbound truck freight is the primary method for finished goods distribution. As a result, Applicant will install a multi-branch rail spur with additional plans to significantly enhance the driveways that support inbound/outbound truck traffic. \* Outdoor Storage: Applicant will require a substantial amount of outdoor storage and intend to add a significant amount of both concrete and asphalt laydown yards to this project site. \* Utility: Applicant's manufacturing process requires large volumes of natural gas and electricity. Electrical infrastructure upgrades include (3) additional high-capacity transformers along with the required main distribution and sub-panels. Natural gas improvements, as necessary from the existing high pressure main line located on-site. \* Stormwater: Existing stormwater retention pond will be relocated to allow more efficient finished goods storage, trucking and shipping. The fully engineered stormwater management system will ensure all site water is properly captured and retained per State and local regulations. Machinery and Equipment: \* The project will include significant investment in state-of-the-art machinery, which will result in highly trained employees. The machinery will be installed in phases over multiple years. Tenants and End Users: \* The Applicant is the End User of the Proposed Project Facility and will be a Tenant of UFP Real Estate, LLC

### **Municipality or Municipalities of current operations**

Applicant does not have any current operations in the state of NY. Current operations are in the states of Alabama, Wisconsin, Michigan and Iowa.

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

No

### **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?**

Yes

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

Applicant has been in contact with the NYPA and Empire State Development. The anticipated amount that is to be received from the NYPA is unknown at this time. The incentive proposal received and accepted from Empire State Development is the Excelsior Job Program Award amount up to \$724,000.

### **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)**

Applicant is seeking both the Real Estate Tax and the Sales Tax Incentives. Effect of the Project on the Erie County Community: 1. The Project will (a) introduce a minimum of 50 highly-skilled jobs into the community, (b) renovate an otherwise under-utilized industrial site, (c) introduce an income tax revenue stream into Erie County, (d) create indirect employment opportunities to support the local community, (e) attract other businesses to Erie County, and (f) support the community through various volunteer efforts. 2. The Project will include a modern and efficient facility with state-of-the-art equipment, which will be operated by a high-skilled work force. Reasons for the Agency's Financial Assistance: 1. Competitiveness Issues: a. Market Position and Resource Constraints: The Applicant has competition from many other companies. Financial Assistance from the Agency will enable the Applicant to invest in advanced technologies, innovative processes, and training for its highly-skilled labor force, which collectively help to enhance its market position. 2. Project Shortfalls: a. Operational Efficiency: Without the Financial Assistance from the Agency, the Applicant may struggle to implement essential operational improvements in the initial stages of operations. The Agency's assistance will facilitate the adoption of new technologies and processes, leading to increased efficiency and reduced operational costs. Effect of the Project on the Applicant's Business or Operations: 1. Enhanced Competitiveness: a. Innovation and Growth: The Project will enable the Applicant to develop and launch new products, thereby attracting a broader customer base and increasing market share. In addition, the Project will enable the Applicant to continue to invest in its highly-skilled labor force. b. Cost Reduction: By streamlining operations and reducing production costs, the Applicant will be able to offer competitive pricing. 2. Operational Improvements: a. Efficiency Gains: The Project will introduce advanced project management practices and tools, leading to more efficient workflows and better resource allocation. b. Risk Mitigation: Applicant intends to make this Project a permanent production facility. With improved operational processes, the Applicant will be better equipped to manage risks and avoid potential project failures.

**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?**

If the Real Estate Tax and the Sales Tax Incentives requested herein are not granted, Applicant will need to re-consider the size of the project and its monetary investment along with phasing of the project. This would impact the number of jobs immediately required for this Project and would result in a lower initial investment into the Erie County community.

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

The Applicant may lease a few forklifts and will lease a scissor lift (or similar) one time per year for annual maintenance. The leases have not been secured and therefore lease terms are not available at this time.

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)**

There are several public transportation options near 300 Commerce Dr in Lackawanna, NY: 1. Lackawanna Victory Transit Center (NFTA-METRO): Located at 2691 South Park Ave, this transit hub offers various services and connections to key destinations, including downtown Buffalo 2. Hamburg Turnpike & Lake Avenue: This transit station at 3175 Lakeshore Rd provides easy access to public transit options 3. Metro Bus Route #42: This route operates between Mohawk & Ellicott to Southgate Plaza via Route 5 and Ridge Road

**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.**

January 29, 2025

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

Yes

**Describe the present zoning/land use**

Industrial

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

A variance as to the silo height was granted on 1/29/2025.

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

A variance as to the silo height was granted on 1/29/2025.

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

No

**If yes, please explain**

**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?**

No

If yes, please provide copies of the study.

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

Yes

**If yes, describe the efficiencies achieved**

Applicant will be purchasing new state of the art equipment for this Project. The demonstrable energy efficiency benefits of this equipment are unknown at this time.

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>	No
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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>No Commercial</b>      | <b>No Equipment Purchase</b>        |
| <b>No Facility for the Aging</b>           | <b>Yes Industrial</b>     | <b>No Life Care Facility (CCRC)</b> |
| <b>No Market Rate Housing</b>              | <b>No 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>          |                                     |
|  | <b>B2B Sales</b>          |                                     |



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>	187,310 square feet	\$	16,209,710	98%
<b>Warehouse</b>	square feet	\$	0	0%
<b>Research &amp; Development</b>	0 square feet	\$	0	0%
<b>Commercial</b>	0 square feet	\$	0	0%
<b>Retail</b>	0 square feet	\$	0	0%
<b>Office</b>	7,700 square feet	\$	265,814	2%
<b>Specify Other</b>	square feet	\$	0	0%

**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**

4/1/2025

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

1/1/2026

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

1/1/2026

Capital Project Plan / Budget

**Estimated costs in connection with Project**

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

\$ 6,750,000 250,810 square feet 31 acres

**2.) New Building Construction**

\$ 0 0 square feet

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

\$ 2,678,013 19,000 square feet

**4.) Reconstruction/Renovation**

\$ 6,225,299 168,310 square feet

**5.) Manufacturing Equipment**

\$ 45,000,000

**6.) Infrastructure Work**

\$ 7,572,212

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

\$ 7,500,000

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

\$ 1,500,000

**9.) Other Cost**

\$ 0

**Explain Other  
Costs**

**Total Cost** \$ 77,225,524

Construction Cost Breakdown:

<b>Total Cost of Construction</b>	\$ 16,475,524 (sum of 2, 3, 4 and 6 in Project Information, above)
<b>Cost of materials</b>	\$ 10,000,000
<b>% sourced in Erie County</b>	8%

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>	\$ 17,500,000
<b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>	\$ 1,531,250

\*\* 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.

<b>Project refinancing estimated amount, if applicable (for refinancing of existing debt only)</b>	\$ 0
<b>Have any of the above costs been paid or incurred as of the date of this Application?</b>	Yes
<b>If Yes, describe particulars:</b>	Applicant has paid \$85,000 to Architect for conceptual drawings.

Sources of Funds for Project Costs:

<b>Equity (excluding equity that is attributed to grants/tax credits):</b>	\$ 0
<b>Bank Financing:</b>	\$ 0
<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>	\$ 0
<b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b>	ESD award not to exceed \$724,000 (Excelsior Job Program)
<b>Total Sources of Funds for Project Costs:</b>	\$0
<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:

**Mortgage Amount (include sum total of construction/permanent/bridge financing).** 0

**Lender Name, if Known**

**Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):** \$0

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):** No, just the PILOT offered by the ECIDA.

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.

The Applicant may lease a few forklifts and will lease a scissor lift (or similar) one time per year for annual maintenance. The leases have not been secured and therefore lease terms are not available at this time.

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	50	50
<b>Part time</b>	0	0	0	0
<b>Total</b>	0	0	50	

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>	5	\$ 110,000	\$ 8,000	0	\$ 0	\$ 0
<b>Professional</b>	5	\$ 85,000	\$ 8,000	0	\$ 0	\$ 0
<b>Administrative</b>	5	\$ 60,000	\$ 8,000	0	\$ 0	\$ 0
<b>Production</b>	35	\$ 55,000	\$ 8,000	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>	50			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
<b>Total</b>	0	0	0

Payroll Information

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

3,600,000

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

0

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

0

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

90,000

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

0

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

<b>From (Full Time)</b>	35,000	<b>To (Full Time)</b>	135,000
<b>From (Part Time)</b>	0	<b>To (Part Time)</b>	0

## 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**

300 Commerce Dr., Lackawanna, NY 14218

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

Lackawanna Realty, LLC, 4 Centre Drive, Orchard Park, NY 14127

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

The Premises does not have any wetlands, rivers or streams. It is moderately well drained and has a slope at 0-10%.

#### **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 Premises includes 31 Acres and two (2) Buildings that were constructed in approximately 2000. The main building is 168,310 SF of enclosed manufacturing space which includes 7,700 SF of office ("Main Building"), while the secondary building consists of ~ 85,000 SF of covered, open-wall warehouse space ("Secondary Building"). The intended use of the Premises is for manufacturing industry-leading building materials utilizes its patented Surestone technology.

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

Prior known uses of the Premises include Medium Density Fiberboard Production and Glove production.

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

Yes

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

At this time, Owner has a tenant occupying a portion of the Second Building for equipment storage. That is a short term lease that Applicant does not intend to renew.

#### **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**

Yes, please see below and reports attached: Spill Number: 0205083 Spill Date Open: 8/14/2002 Material Spilled: Hydraulic Oil Spill Date Closed: 8/29/2002 Spill Number: 0205717 Spill Date Open: 9/03/2002 Material Spilled: Hydraulic Oil Spill Date Closed: 9/17/2002 Spill Number: 0211307 Spill Date Open: 2/12/2003 Material Spilled: Thermal Oil Spill Date Closed: 3/11/2003 Spill Number: 0314190 Spill Date Open: 3/28/2004 Material Spilled: Hydraulic Oil Spill Date Closed: 5/14/2004 Spill Number: 0400583 Spill Date Open: 4/19/2004 Material Spilled: Other Spill Date Closed: 7/15/2004 Spill Number: 0403109 Spill Date Open: 6/22/2004 Material Spilled: Hydraulic Oil Spill Date Closed: 7/30/2004

#### **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?**

Yes

**If yes, describe in full detail**

Current property owner filed a tenant eviction proceeding (Index No: 812964/2023). An Eviction Order was granted on August 22, 2024 awarding legal and physical possession of the leased premises to property Owner.

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?**

Yes

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

Yes, used oil (hydraulic, motor, and various other types consistent with machinery use). Current Property Owners EPA Number is: NYD986903904. Applicant does not have an EPA Number yet as operations have not commenced.

**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**

Applicant will use Veolia North America in Kenmore NY or US Ecology in Buffalo, NY (Location will be determined once production commences).

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

1. Chemical Solvents, Inc. 2. American Recyclers Company 3.Environmental Enterprises, Inc.

**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**

No discharge into waterbodies; discharge will be sanitary wastewater directed to local treatment plant.

**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**

Wastewater and process water will be discharged to sanitary sewer system, which is piped to local water treatment plant. Current occupants have permit; project manager for this project will obtain connection permit from appropriate sewer district, if necessary. No septic tanks on site.

**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**

The Premises had two (2) aboveground tanks that were converted to non-regulated use. See attached documentation.

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

No

**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**

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?**

No

**If yes, please identify the materials**

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

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

Single Use Facility

#### For Single Use Facility.

**Occupant Name** Deckorators, Inc  
**Address** 68956 Us Highway 131, White Pigeon, Mi 49099  
**Contact Person** Nate Hayes  
**Phone** (210) 540-9234  
**Fax**  
**E-Mail** nhayes@ufpi.com  
**Federal ID #** 16-1733191  
**SIC/NAICS Code** 326199

SS



## **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?**

No

## 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

Applicant has facilities in WI, AL, IA, and MI.

### City/Town

### State

### Zip Code

**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