



**CCBNE Inc.**

[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

**Project Name** CCBNE New Facility

**Project Summary** The 14,490 square foot building at 150 Milens Rd will be demolished and a new 20,000 square foot office and 43,000 square foot warehouse will be built as Phase I. Once Phase I is completed, Coca-Cola operations will transfer from the 88,121 square foot warehouse at 200 Milens Rd into the newly constructed building at 150 Milens Rd and the existing warehouse at 200 Milens Rd will be demolished. Following demolition, a new 49,000 square foot warehouse will be constructed. The entire project will be occupied by the Company.

**Applicant Name** Coca-Cola Beverages Northeast, Inc.

**Applicant Address** 1 Executive Park Drive

**Applicant Address 2**

**Applicant City** Bedford

**Applicant State** New Hampshire

**Applicant Zip** 03110

**Phone** (603) 627-7871

**Fax**

**E-mail** msmith@cokenortheast.com

**Website** <https://www.cokenortheast.com/>

**NAICS Code** 424490

Business Organization

**Type of Business** Corporation

**Year Established** 1977

**State in which Organization is established** Delaware

Individual Completing Application

**Name** David Dumont

**Title** Vice President Operations

**Address** 1 Executive Park Drive

**Address 2**

**City** Bedford

**State** New Hampshire  
**Zip** 03110  
**Phone** (603) 627-7871  
**Fax**  
**E-Mail** ddumont@cokenortheast.com

Company Contact (if different from individual completing application).

**Name** Mark Smith  
**Title** Director of Facilities & Procurement  
**Address** 1 Executive Park Drive  
**Address 2**  
**City** Bedford  
**State** New Hampshire  
**Zip** 03110  
**Phone** (603) 627-7871  
**Fax**  
**E-Mail** msmith@cokenortheast.com

Company Counsel

**Name of Attorney** Barry Carrigan  
**Firm Name** Nixon Peabody LLP  
**Address** 1300 Clinton Square  
**Address 2**  
**City** Rochester  
**State** New York  
**Zip** 14604  
**Phone** (585) 263-1591  
**Fax**  
**E-Mail** bcarrigan@nixonpeabody.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%.**

The Company began as a single bottling operation in Laconia, New Hampshire in 1977 and over the last four decades has grown into one of the nation's largest Coca-Cola bottlers with over 3,500 associates in 33 locations. The Company bottles, sells and distributes brands owned by The Coca-Cola Company, Keurig Dr Pepper, Monster Energy Corporation, fairlife, and BODY ARMOR. We offer over 500 different beverage choices, including over 160 low and no-sugar options. Coca-Cola Buffalo is our local sales and service distribution center proudly servicing Erie and other counties in New York State. Kirin Holdings Company, Limited is the sole shareholder of the Company.

<b>Estimated % of sales within Erie County</b>	66 %
<b>Estimated % of sales outside Erie County but within New York State</b>	34 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	0 %
<b>Estimated % of sales outside the U.S.</b>	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?**

25

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

The Company utilizes a number of local vendors for packaging, material handling, design and mechanical services. Over the last twelve months, the Company has spent over \$280,000 with local vendors.

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

### Project Location

#### Address of Proposed Project Facility

150 & 200 Milens Road

#### Town/City/Village of Project Site

Tonawanda

#### School District of Project Site

Kenmore - Town of Tonawanda Union Free School District

#### Current Address (if different)

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

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

52.16-2-13 & 17

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

104,895.81 (both lots)

#### 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

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

No

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

The property consists of two parcels (i) 150 Milens Road - which is a 14,490 square foot vacant former trucking building, and (ii) 200 Milens Road which is a 88,121 square foot wholesale distribution warehouse for Coca-Cola products, that services the Western New York area.

#### 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 14,490 square foot building at 150 Milens Road will be demolished and a new 20,000 square foot office and 43,000 square foot warehouse will be built as Phase I. Once Phase I is completed, Coca-Cola operations will transfer from the 88,121 square foot warehouse at 200 Milens Rd into the newly constructed building at 150 Milens Rd and the existing warehouse at 200 Milens Rd will be demolished. Following demolition, a new 49,000 square foot warehouse will be constructed. The entire project will be occupied by the Company. The investment of over \$21,000,000 into these two newly constructed, state of the art facilities will lead to an increase in overall efficiency and will allow for the retention of the existing 124 jobs.

#### Municipality or Municipalities of current operations

Town of Tonawanda

**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)**

Without the Agency's financial assistance this project would be impossible to move forward. The capital replacement for new buildings is a large expense for any company and in a competitive market, it is much easier to save money by closing facilities and combining with other locations. The Company built the facility in Tonawanda in 1951 and has had a continued presence at that location for over 70 years. The Company would like to build a state of the art facility in Tonawanda to guarantee the Company's presence in the region for the next 50 years. Without the IDA's financial assistance the return on investment (ROI) calculations are negative and would most likely result in the project being abandoned and the operations of the Company moving to the Company's Rochester, NY location.

**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?**

The applicant will not move forward with the project and would investigate other locations to invest to service this market, such as the Company's Rochester, NY location.

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

Site Characteristics

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

No

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

**Has a project related site plan approval application been submitted to the appropriate planning department?**

No

**If Yes, include the applicable municipality’s and/or planning department’s approval resolution, the related State Environmental Quality Review Act (“SEQR”) “negative declaration” resolution, if applicable, and the related Environmental Assessment Form (EAF), if applicable.**





\$ 0

square feet

**5.) Manufacturing Equipment**

\$ 0

**6.) Infrastructure Work**

\$ 0

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

\$ 0

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

\$ 1,039,874

**9.) Other Cost**

\$ 300,000

<b>Explain Other Costs</b>	Fleet Shop Equipment
<b>Total Cost</b>	\$ 22,611,507

Construction Cost Breakdown:

<b>Total Cost of Construction</b>	\$ 21,271,633 (sum of 2, 3, 4 and 6 in Project Information, above)
<b>Cost of materials</b>	\$ 10,711,392
<b>% sourced in Erie County</b>	50%

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>	\$ 14,210,000
<b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>	\$ 1,243,375

\*\* 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>	Approximately \$200,000 of costs have been incurred for preliminary engineering and real property due diligence.

Sources of Funds for Project Costs:

<b>Equity (excluding equity that is attributed to grants/tax credits):</b>	\$ 22,611,507
<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,</b>	0

**ESD, other public sources)**

**Total Sources of Funds for Project Costs:** \$22,611,507

**Have you secured financing for the project?** Yes

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).**

**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):**

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.

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

From June 2020 through June 2021, the Company at this facility has spent \$407,840 with minority, veteran and/or women owned businesses, which is approximately 36% of its total spending at this facility. The Company has not retained any contractors for construction yet, but the Company will use its best efforts to incorporate MWBE/SDVE contractors into the construction procurement.

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

No

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

Yes

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

Employment Plan (Specific to the proposed project location)

You must include a copy of the most recent NYS-45 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return. 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</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</b>	<b>Estimate number of residents of the Labor Market Area in which the project is located</b>
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	relocated at project location		24 months (2 years) after Project completion	that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time	124	124	0	0
Part time	0	0	0	0
<b>Total</b>	124	124	0	

Salary and Fringe Benefits for Jobs to be Retained and Created

Category of Jobs to be Retained and/or Created	# of Employees Retained and/or Created	Average Salary for Full Time	Average Fringe Benefits for Full Time	Average Salary for Part Time (if applicable)	Average Fringe Benefits for Part Time (if applicable)
Management	31	\$ 73,210	\$ 32,795	\$ 0	\$ 0
Professional	90	\$ 48,621	\$ 21,935	\$ 0	\$ 0
Administrative	3	\$ 43,735	\$ 16,132	\$ 0	\$ 0
Production	0	\$ 0	\$ 0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	\$ 0	\$ 0
Other	0	\$ 0	\$ 0	\$ 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.

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

Address			
Full time	0	0	0
Part time	0	0	0
<b>Total</b>	0	0	0

Payroll Information

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

6,776,602

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

54,650

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

0

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

0

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

0

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

From (Full Time) 0 To (Full Time) 0

From (Part Time) 0 To (Part Time) 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**

150 & 200 Milens Rd, Tonawanda NY 14150

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

Coca-Cola Beverages Northeast, Inc. 1 Executive Park Drive Bedford, NH 03110

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

Approximately 78% of the property is paved and used for wholesale trucking. There is a small area of wetlands that was delineated by Earth Dimensions, Inc. and that wetlands is not regulated under current federal rules.

#### **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**

150 Milens Rd was constructed in 1959 as a trucking terminal. 200 Milens Rd was constructed in 1962 as a Coca-Cola Production and warehouse facility. In 2018 production was discontinued and 150 Milens Road was vacated.

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

See above. Prior to the construction of the building the area was an airfield, prior to that the area was agricultural.

#### **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**

See Haley & Aldrich Environmental Site Assessment Phase I report.

#### **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**

Proposed floor drains in cooler service and fleet garage run through a sand/oil/grease basin before discharging to the public sewer - single point of discharge. Sanitary Discharge (3,000gpd), Cooling Water (400gpd), boiler blowdown (500gpd) and process wastewater (12,000gpd) all discharged to Town of Tonawanda sewer system.

**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**

**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**

10,000 gallon diesel fuel above ground storage tank. Historical fuel tanks were underground and removed or abandoned in place.

**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**

See Haley & Aldrich Environmental Site Assessment Phase I Report.

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**

See Haley & Aldrich report dated August 11, 2017.

## 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** Coca-Cola Beverages Northeast, Inc.  
**Address** 1 Executive Park Drive, Bedford, NH 03110  
**Contact Person** Mark Smith  
**Phone** (603) 627-7871  
**Fax**  
**E-Mail** msmith@cokenortheast.com  
**Federal ID #** 04-2614952  
**SIC/NAICS Code** 424490

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## **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

150 & 200 Milens Rd

### City/Town

Tonawanda

### State

New York

### Zip Code

14150

**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?**

<BLANK>

**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