

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 March 29, 2017 at 11:00 a.m. at the Agency's offices located at 95 Perry Street, Suite 403, Buffalo, New York 14203 regarding:

Pilgrim Village Associates III, L.P., Pilgrim Village Associates IV, L.P. and Campus Square Housing Development Fund Company, Inc. and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its/their 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) an approximately 12+/- acre parcel of land (the "Land") located at 1100 Michigan Avenue and 903 Ellicott Street in the City of Buffalo, Erie County and the improvements thereon currently known as Pilgrim Village Apartments (the "Existing Improvements"); (ii) the demolition of 5 existing buildings comprising 25 affordable units, (iii) rehabilitation by the Company of the 57 remaining affordable units, (iv) the construction on the Land of a six-story apartment complex comprised of 92 affordable units to be owned by the Company and 69 other units consisting of 14 affordable units and 55 market-rate units and 42,000+/- SF of commercial space and site improvements for which Agency assistance is not being sought to be owned by Trammell Campus Square, LLC or an affiliate thereof (the "Improvements"), all to constitute a residential rental project consisting of 218 rental units and related amenities; (v) the acquisition of and installation in the Facility of various machinery, equipment and furnishings (the "Equipment" and together with the Land, the Existing Improvements, and the Improvements, the "Facility").

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 exemptions consistent with the policies of the Agency.

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. Written comments may be submitted at this public hearing or delivered to the Agency at 95 Perry Street, Suite 403, Buffalo, NY 14203 until the comment period closes on April 25, 2017. 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

**Pilgrim Redevelopment / Campus Square****Section I: Applicant Background Information**Applicant Information- Company Receiving Benefit**Project Name****Applicant Name**

Pilgrim Village Associates, III, LP, ("PVIII"), Campus Square Housing Development Fund Company, Inc. ("HDFC") and Pilgrim Village Associates IV L.P. ("PVIIV")

Applicant Address

91 Nora Lane, Buffalo, New York 14209

Applicant Address 2**Applicant City****Applicant State****Applicant Zip****Phone**

716-884-0488

Fax

716-884-0487

E-mail

markt@localnet.com

Website**Federal ID#****NAICS Code**

531311 / 531312

Will a Real Estate Holding Company be utilized to own the Project property/facility No

What is the name of the Real Estate Holding Company

Federal ID#

State and Year of Incorporation/Organization

List of stockholders, members, or partners of Real Estate Holding Company

Individual Completing Application

Name Mark H. Trammell

Title

Address 91 Nora Lane, Buffalo, NY 14209

Address 2

City

State

Zip	
Phone	716-884-0488
Fax	716-884-0487
E-Mail	markt@localnet.com

Company Contact (if different from individual completing application)**Name****Title****Address****Address 2****City****State****Zip****Phone****Fax****E-Mail**Company Counsel**Name of Attorney**

Anthony D. Mancinelli

Firm Name

Harter, Secrest & Emery, LLP

Address

50 Fountain Plaza, Suite 1000

Address 2**City**

Buffalo

State

New York

Zip

14202

Phone

716-853-1616

Fax

716-853-1617

E-Mail

amancinelli@hselaw.com

Identify the assistance being requested of the Agency**Exemption from Sales Tax**

Yes

**Exemption from Mortgage
Tax**

No

**Exemption from Real
Property Tax**

No

Tax Exempt Financing*

No

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

Business Organization**Type of Business**

Pv III and PV IV = LP, HDPC-NFP

Type of Ownership**Year Established**

2017

State of Organization

New York

List all stockholders, members, or partners with % of ownership greater than 20%

Please include name and % of ownership.

See attached charts. Charts do not reflect market-rate project.

Applicant Business Description

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility

Entity is owner and developer of an expanding, mixed-use development.

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%)

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation of the estimated percentage of local purchases

90%

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Municipality or Municipalities of current operations

Buffalo

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

Yes

In which Municipality will the proposed project be located

Buffalo

Address

903 Ellicott Street

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?

<BLANK>

If the Proposed Project is located in a different Municipality 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 Retail Section of this application)

SBL Number for Property upon which proposed Project will be located

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

\$10,000

Assessed value of land

\$500,000.

Assessed value of building(s)

Are Real Property Taxes current?

Yes

If no please explain

Town/City/Village of Project Site

Buffalo

School District of Project Site

Buffalo

Does the Applicant or any related entity currently hold fee title to the Project site?

No

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

Pilgrim Village Associate, LP

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

Yes

Describe the present use of the Proposed Project site

Currently, site is used exclusively for low- income housing.

Please provide narrative of the proposed project and the purpose of the proposed project (new build, renovations, 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 Buffalo Niagara Medical Campus (BNMC) is expanding rapidly. Projects with a value exceeding \$800 million will join the recently completed \$291 million Gates Vascular Institute on the 120-acre campus. Current developments in the area include Conventus, a new Roswell Park Research Facility, new University at Buffalo Medical School and Women's and Children's Hospital. These investments support health-care businesses, research centers and service providers who are flocking to the area. The developments will bring more than 5,000 new jobs to the district including approximately 2,000 staff, faculty and students associated with the University at Buffalo Medical School expected to open in 2017. This influx of workers and potential residents has not been matched by residential and retail commercial redevelopment. In fact, some of the development taking place displaces existing residential and commercial uses. The owners and partners in Pilgrim Village have announced their intention to help meet the need for affordable, clean and safe housing for workers, students and seniors from the BNMC and the adjoining neighborhoods. Pilgrim Village is an existing 90-unit subsidized housing complex bounded by Michigan, Best, North and Ellicott streets. The redevelopment of Pilgrim Village is a carefully planned urban redevelopment strategy to reposition one of Buffalo's private Section 8 housing developments into a multi-use, mixed-income, multigenerational living center. The first phase of Pilgrim Village's redevelopment, is known as Campus Square. It involves the demolition of five buildings comprising 25 units to be replaced by a \$90 million six-story 152-unit apartment complex. There will be 90 affordable units and 62 market units. 65 of the existing apartments will remain resulting in 217 total apartments (155 or 71% are affordable). No tenants will be displaced by the project. Pilgrim Village is currently a 12-acre development that was built in 1980 and is comprised of 90 townhome units in 17 buildings plus a maintenance building. Campus Square's location, on the northend of the BNMC, represents an excellent redevelopment opportunity within the immediate BNMC neighborhood. The site is directly across the street from Gates Vascular Institute at North and Ellicott streets and easy walking distance from Buffalo General Medical Center and Roswell Park Cancer Institute in the BNMC. Public transportation, including bus and light rail are located nearby. The first floor of Campus Square has approximately 42,000 square feet of commercial space. In addition, there are over 300 garage and surface parking spaces to more than cover the increased activity. The commercial space will house a grocery store, family restaurant, dental office and coffee shop. These businesses will be operated by experienced managers and business owners who have many years of local experience. Each element has its own importance: Grocery- The grocery will focus on fresh produce and packaged foods including takeaway foods. A bright and open concept is planned to complement the overall building design. The grocery will be a key component of the Campus Square development as well as for other neighborhood residents. More than half of the renters in this census tract have no access to a vehicle (Census 2000). Their neighborhood grocery shopping choices are currently limited to a handful of tiny groceries and gas stations. The grocery will generate thirty to forty, full- and part-time jobs. Family Restaurant- The Family Restaurant will provide quality, affordable meals to the BNMC and surrounding neighbors. It has local, experienced ownership and will create 25 to 30 full-time and part-time jobs. Coffee Shop- In addition to coffee, light meals and beer and wine will be available. There are an anticipated fifteen to twenty jobs associated with operations of the coffee shop. Dental Office- An established and accomplished local dentist intends to relocate his office to Campus Square. Most nearby dental offices and clinics are located west of Main Street. Access to dental care in Buffalo, particularly in its impoverished neighborhoods, and especially for children, has been recognized as a health care issue by the Community Health Foundation of Western and Central New York as well as the American Dental Association. There will be Cultural Components In addition to the commercial components. Two cultural institutions central to the African American community in Buffalo will relocate to the Campus Square. This is an exciting opportunity for the institutions to each finally have enough space for rehearsal and training for students of all ages: Muhammad School of Music- Henri L. Muhammad, founder of the music school that bears his name, is a classically trained violinist and Buffalo native. He founded the Muhammad School of Music to encourage African American and minority youths in the study of classical music. The Muhammad School of Music is an important weapon in the war on poverty: research has showed that children who study music have improved cognition, drop out of school less and are have better social relations than children who do not. Miss Barbara's School of Dance: Barbara Glover, founder and owner of Miss Barbara's School of Dance, focuses on nurturing the bodies as well as the minds of her students. The Miss Barbara School of Dance features classes for children and youths in gymnastics, tap and Jazz. She also offers classes for all ages in traditional West African dance. The team work, discipline and determination that Miss Barbara instills in her students pay dividends through their lives.

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 how the Financial Assistance enables the company to undertake the Project to facilitate investment, job creation and/or job retention. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

The IDA's participation is essential because of the sales tax incentives and the community support that it represents. The project is not economically feasible without the incentives. This type of project has not been developed in Buffalo. The incentives of sales tax relief allows the project some appreciated breathing room; benefits which can be passed on to the various tenants allowing them a greater chance for commercial success.

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?

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

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

Yes

Describe the present zoning/land use

CM-General Commercial District

Describe required zoning/land use, if different

CM- General Commercial District

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

Change was not required. Only made to accommodate future phases and make things easier.

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

Brownfield Cleanup Agreement executed.

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?

Yes

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, please explain.

What percentage of annual operating expenses are attributed to the above referenced research and development activities?

0%

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

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Determination contained in Section IV of the Application.

Please check any and all end uses as identified below.

Retail Sales	Yes	Services	Yes
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For purposes of this question, 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.

No Manufacturing

No Multi-Tenant

Yes Mixed Use

Yes Acquisition of Existing Facility

Yes Commercial

No Facility for the Aging

Yes Housing

No Back Office

No Civic Facility (not for profit)

No Equipment Purchase

No Retail

No Other

Project Information**Estimated costs in connection with project****Land and/or Building Acquisition**

\$ 6,800,000 90,000 square feet 12 acres

New Building Construction

\$ 60,348,835 356,000.00 square feet

New Building addition(s)

\$ 0 square feet

Infrastructure Work

\$ 0

Renovation

\$ 0 square feet

Manufacturing Equipment

\$ 0

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

\$ 0

Soft Costs: (professional services, etc.)

\$ 28,758,552

Other Cost

\$ 0

Explain Other Costs**Total Cost**

\$ 95,907,387

Project Refinancing; estimated amount (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:

Yes, for legal, architectural, utility relocation and demolition.

Sources of Funds for Project Costs:**Equity (excluding equity that is attributed to grants/tax credits):**

\$ 0

Bank Financing:

\$ 0

Tax Exempt Bond Issuance (if applicable):

\$ 0

Taxable Bond Issuance (if applicable):

\$ 0

Public Sources (Include sum total of all state and federal grants and tax credits):

\$ 0

Identify each state and federal grant/credit:**Total Sources of Funds for Project Costs:**

\$0

Has a financing preapproval letter or loan commitment letter been obtained?

<BLANK>

Mortgage Recording Tax Exemption Benefit:**Estimated Mortgage Amount (Sum total of all financing – construction and bridge).*****Amount of mortgage, if any, that would be subject to mortgage recording tax.**

\$

Lender Name, if Known**Estimated Mortgage Recording Tax Exemption Benefit (% of estimated mortgage amount stated above):**

\$0

Construction Cost Breakdown:**Total Cost of Construction**

\$ 59,450,000 (sum of 2,3,4,5, and/or 7 in Question K, above)

Cost for materials

\$ 24,000,000

% sourced in Erie County

100%

% sourced in State

100% (including Erie County)

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

\$ 24,000,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):

\$ 2,100,000

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:**For proposed facility please include # of sq ft for each of the uses outlined below

		Cost	% of Total Cost
Manufacturing/Processing	square feet	\$ 0	0
Warehouse	square feet	\$ 0	0
Research & Development	square feet	\$ 0	0
Commercial	55,000 square feet	\$ 8,000,000	15
Retail	square feet	\$ 0	0
Office	square feet	\$ 0	0
Specify Other	359,000 square feet	\$ 51,450,000	85

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

Will project result in significant utility infrastructure cost or uses

Yes

What is your project timetable (Provide dates)

Start date : acquisition of equipment or construction of facilities

6/15/2017

End date : Estimated completion date of project

2/1/2019

Project occupancy : estimated starting date of operations

3/1/2019

Have construction contracts been signed?

No

Have site plans been submitted to the appropriate planning department for approval?

Yes

Has the Project received site plan approval from the appropriate planning department?

Yes

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be CREATED upon TWO years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PT jobs to be created upon TWO Years after Project Completion **
Full time	4	0	35	31
Part time	2	0	80	78
Total	6	0	115	

** The Labor Market Area includes the Counties of Erie, Niagara, Genesee, Cattaraugus, Wyoming and Chautauqua. For the purposes of this question, please estimate the number of FTE and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column.

***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).

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

Category of Jobs to be Retained and Created	Average Salary	Average Fringe Benefits
Management	\$ 0	\$ 0
Professional	\$ 0	\$ 0
Administrative	\$ 0	\$ 0
Production	\$ 0	\$ 0
Independent Contractor	\$ 0	\$ 0
Other	\$ 0	\$ 0

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
Total	0	0	0

Will any of the facilities described above be closed or subject to reduced activity?

No

Payroll Information

Annual Payroll at Proposed Project Site

\$ 2,650,000

Estimated average annual salary of jobs to be retained

\$ 35,000

Estimated average annual salary of jobs to be created

\$ 40,000

Estimated salary range of jobs to be created

From

\$ 25,000

To \$ 80,000

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

What competitive factors led you to inquire about sites outside of New York State?

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

Do you anticipate applying for any other assistance for this project?

Yes

If yes, what type of assistance (Historic Tax Credits, 485(a), Grants, Utility Loans, Energy Assistance, Workforce Training)

LIHTC, Brownfield Credits

Section III: Facility Type - Single or Multi Tenant**Is this a Single Use Facility or a Multi-Tenant Facility?**

Multi-Tenant Facility

For Single Use Facility**Occupant Name****Address****Contact Person****Phone****Fax****E-Mail****Federal ID #****SIC/NAICS Code**Multi-Tenant Facility**Please explain what market conditions support the construction of this multi-tenant facility**

Project site is an 11.41 acre parcel located on the Buffalo Niagara Medical Campus. Both residential and commercial demand exists at this location.

Have any tenant leases been entered into for this project?

No

If yes, please fill out a tenant form in section VII, for each tenant.

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

Section V: Environmental Questionnaire

General Background Information

Address of Premises 903 Ellicott Street

Name and Address of Owner of Premises Pilgrim Village Associates, LP 91 Nora Lane, Buffalo, NY 14209

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

The premise is an approximate 12 acre parcel located in the mid-town section of Buffalo. It is unremarkable in its site characteristics. Currently, the improvements are 17, wood-framed, town homes and a maintenance garage.

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 improvements were completed in two phases in 1980. The predominant use is multi-family, residential.

Describe all known former uses of the Premises

N/A

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?

No

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

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

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

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 VI: 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.

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 or abandonment of an existing facility?

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 docks 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 VII: Adaptive Reuse Projects

Are you applying for tax incentives under the Adaptive Reuse Program?	No
What is the age of the structure (in years)?	0
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)	<BLANK>
If vacant, number of years vacant.	0
If underutilized, number of years underutilized.	0
Describe the use of the building during the time it has been underutilized:	
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)	<BLANK>
If yes, please provide dollar amount of income being generated, if any	\$
Does the site have historical significance?	No
Are you applying for either State/Federal Historical Tax Credit Programs?	No
If yes, provide estimated value of tax credits	\$
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)	
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	
Please indicate other factors that you would like ECIDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments	

Section VIII: Senior Citizen Rental Housing Projects

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

<BLANK>

Has the project received written support from the city, town or village government in which it is located?

<BLANK>

Describe the location of the project as it relates to the project's proximity to the town / village / city center or to a recognized hamlet.

Is the project consistent with the applicable municipal master plan?

<BLANK>

If yes, please provide a narrative identifying the master plan (by name) and describing how the project aligns with the plan details

Does the project advance efforts to create a walkable neighborhood and community in proximity to important local amenities and services?

<BLANK>

If yes, please provide a narrative describing the walkable nature of the project including access seniors would have to specific neighborhood amenities.

Has a market study shown that there is a significant unmet need in the local community or specific neighborhood where seniors are unable to find appropriate housing opportunities?

<BLANK>

Is the project located in an area (defined as a 1 – 5 mile radius of the project site) where there are significant local resident populations that are at or below the median income level?

<BLANK>

If yes, please describe how you made this determination based upon census tract and other relevant third party data.

Does the project provide amenities that are attractive to seniors and differentiates the project from standard market rate housing?

<BLANK>

If yes, please describe these amenities (examples may include: community rooms, social / recreational activity areas, senior-oriented fixtures and safety amenities, security systems, call systems, on site medical services)

Are there impediments that hinder the ability to conventionally finance this project and /or negatively impact the project's return on investment?

<BLANK>

If yes, please briefly summarize the financial obstacles to development that this project faces without IDA or other public assistance. Please provide the IDA 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)

Will the project target (and maintain during the incentive period) a minimum 50% occupancy rate of senior citizens whose income is at or below 60-80% of the median income for Erie County?

<BLANK>

If yes, please describe provide a narrative citing key facts that substantiate this finding.

Section IX: Retail Determination

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? Yes

If yes, complete the Retail Questionnaire Supplement below.

What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 15 %

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

Will the project be operated by a not-for-profit corporation? <BLANK>

Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located? <BLANK>

If yes, please provide a third party market analysis or other documentation supporting your response.

Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services? <BLANK>

If yes, please provide a market analysis supporting your response.

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York? <BLANK>

If yes, explain

Is the project located in a Highly Distressed Area? <BLANK>