

93 NYRPT LLC (Benderson Development) / Erie 1 BOCES**\$ 75,500,000****PRIVATE INVESTMENT INDUCEMENT RESOLUTION****ELIGIBILITY**

- NAICS Section – 236220

COMPANY INCENTIVES

- Approximately \$ 833,778 in real property tax savings
- Up to \$ 4,375,000 in sales tax savings

JOBS & ANNUAL PAYROLL

- Current Jobs: 280 FT
- Annual Payroll: \$ 14,832,114
- Projected retained jobs:280
- Est. salary/yr. of jobs retained: \$65,520
- Projected new jobs: 81
- Est. salary/yr. of jobs created: \$40,700
- Total jobs after project completion: 361
- Construction Jobs: 329

PROJECTED COMMUNITY BENEFITS*

- Term: 10 YEARS
 - NET Community Benefits: \$372,326,220
 - Spillover Jobs: 401
- Total Payroll: \$350,951,041

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

Incentives: \$5,128,487

Community Benefit: \$338,240,780

Cost: Benefit Ratio

- 1:66

Project Title: Benderson Development – Erie 1 BOCES

Project Address 2911 Walden Ave, Depew, NY 14043

(Cheektowaga School District)

Agency Request

A sales tax and real property tax abatement in connection with the renovation of an existing building and the construction of an addition to enhance the educational environment & to optimize resources to better support students with diverse needs.

Building Addition	\$ 6,000,000
Reconstruction / Renovation	\$ 54,000,000
Infrastructure	\$ 2,500,000
Non- Manufacturing Equipment	\$ 10,000,000
Soft Costs/Other	<u>\$ 3,000,000</u>
Total Project Cost	<u>\$ 75,500,000</u>

85% \$ 64,175,000

Company Description

Benderson Development Company, LLC is a commercial real estate developer with over 60 years of experience operating in over 40 states throughout the Country. Benderson's real estate portfolio includes office, retail, warehouse, residential and hospitality holdings. The applicant 93 NYRPC, LLC is a related entity that has entered into a long-term lease agreement with the Board of Cooperative Educational Services (BOCES) to utilize existing (vacant) space at 2911 Walden Ave, Depew. A 40K SF addition is also contemplated.

Project Description

Erie 1 BOCES offers various career programs for adults and more than 25 programs to high school students. School districts also partner with Erie 1 BOCES to provide alternative and special education programs. As a liaison office for NYS' Dept of Education, educators often visit Erie 1 BOCES' campuses for training on technology integration, NYS standards and reporting. Erie 1 BOCES currently leases space from 3 existing schools in: West Seneca, Tonawanda and Cheektowaga. A total of 153,000 SF of space currently being leased at these locations, will be reclaimed by the school districts.

This project serving BOCES' special education K – 12 students involves the renovation of an existing 179,144 SF building and the construction of 39,975 SF of space. The new facility will enhance the educational environment and optimize resources to better support students with diverse needs. The new construction will create 3 gymnasiums, 6 courtyards, and 2 playfields at the site. This project will allow BOCES to accommodate more students and to provide specialized space designed to foster education and promote social & emotional development. Special uses within the project include specialized classrooms for work-based learning, sensory-friendly zones, therapy rooms and multifunctional spaces for academic and extracurricular activities.

This project involves the consolidation of Erie 1 BOCES sites located within public schools in West Seneca, Tonawanda and Cheektowaga into a single site in the Village of Depew. The Agency's Countywide Uniform Tax Exemption Policy (UTEP) procedures related to Intermunicipal Moves were followed for this project.

Economic Impact: Inform Analytics Cost-Benefit Analysis

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

Cost: Incentives

COSTS	Tax Exemption	Amount
	Property	\$ 833,778
	Sales	\$4,375,000
	Total	\$5,208,778
	Discounted at 2%	\$5,128,487

Benefit: Projected Community Benefit*

BENEFITS	Region	Recipient	Revenue Type	\$ Amount **
	Erie County	Individuals	Payroll Construction	\$ 46,310,740
			Payroll Permanent	\$304,640,301
		Public	Property Taxes	\$ 208,444
			Sales Taxes	\$ 2,917,281
			Other Muni Revenue (NFTA)	\$ 0
	New York State	Public	Income Taxes	\$ 15,792,797
			Sales Taxes	\$ 2,456,657
			Total Benefits to EC + NYS***	\$372,326,220
			Discounted at 2%	\$338,240,780

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

Discounted Cost \$ 5,128,487
Discounted Benefit \$338,240,780
Ratio 1:66

Conclusion: The Cost Benefit for this project is: 66:1. For every \$1 in costs (incentives), this project provides \$66 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$103 in benefits to the community.**

New Tax Revenue Estimated

Current Yearly Taxes	Estimated New Assessed Value	Additional County Revenue over abatement period	Additional Local Revenue Over abatement period	Additional School Revenue Over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
\$ 415,862	\$ 15,195,000	\$ 560,152	\$ 2,551,744	\$ 1,807,866	\$ 520,084
Combined Tax Rate: \$ 34.227332					

Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total project amount = \$75,500,000 85% = \$ 64,175,000
Employment	Coincides with 10-year PILOT	Maintain Base = 280 FTE Create 85% of Projected Projected = 81 FTE 85% = 68 FTE Recapture Employment = 348 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 10 year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 10 year PILOT	Adherence to Policy
<u>Recapture Period</u>	Coincides with 10 year PILOT	Recapture of Real Property Tax, and State & Local Sales Taxes

Recapture applies to:

State and Local Sales Taxes
Real Property Tax

Recapture

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

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained 280 FTE jobs and created 68 FTE jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

ECIDA Project History

- 7/30/2025: Public hearing held.
- 8/27/25: Inducement Resolution presented to Board of Directors adopting a Negative Declaration in accordance with SEQRA
- 8/27/25: Lease/Leaseback Inducement Resolution presented to the Board of Directors

ECIDA Prior Project History

- 2/22/2017: 570 Associates VI LLC (Benderson Development) \$20.745M private investment for the demolition, renovation and reuse of the former Graden Village Plaza in Cheektowaga NY. Real property tax and sales tax abatement approved. Active Project, Expiration: 12/31/2029
- 5/25/2016: Trahwen-G LLC (Benderson Development) \$5.38M private investment for the construction of a spec building in Cheektowaga, NY. Real property tax and sales tax abatement approved. Inactive Project, Expiration: 12/31/2024
- 4/22/2015: 93 NYRPT, LLC (Benderson Development) \$6.48M private investment for the construction of 2 multi-tenant facilities in the Broadway Development Park in Cheektowaga NY. Real property tax and sales tax abatement approved. Inactive Project, Expiration: 12/31/2024