

## PUBLIC HEARING SCRIPT

<b>425 Michigan Avenue, LLC Project</b>
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Public Hearing to be held on June 28, 2013 at 8:30 a.m.,  
at the Agency's offices located at 143 Genesee Street, Buffalo, New York 14203

### **ATTENDANCE**

Danielle Shainbrown, McGuire Development Company  
Richard Tobe, Erie County  
Karen Fiala, ECIDA  
John Cappellino, ECIDA

☐ Members of the General Public

### **Second Option: To be followed when Members of the Public are in attendance:**

#### ☒ **1. WELCOME:** Call to Order and Identity of Hearing Officer.

Hearing Officer: *Welcome. This public hearing is now open; it is 8:35 a.m. My name is Grant Lesswing. I am the Business Development Officer of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing.*

#### ☒ **2. PURPOSE:** Purpose of the Hearing.

Hearing Officer: *We are here to hold the public hearing on the 425 Michigan Avenue, LLC project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Tuesday, June 18, 2013.*

#### ☒ **3. PROJECT SUMMARY:** Description of Project and Contemplated Agency Benefits.

Hearing Officer: *The proposed project (the "Project") consists of: (i) a 8.7+/- acre parcel of land located at 425 Michigan Avenue, Buffalo, New York 14204 (the "Land") improved thereon with an existing 160,000+/- SF structure known as "The Sheehan Hospital" (the "Existing Improvements"), (ii) the construction and/or renovation, upgrading and equipping of the Existing*

*Improvements thereon for the development of a multi-tenant, mixed-use facility for commercial back-office space, health sciences, technology and engineering space (the "Improvements"), and (iii) the acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property (the "Equipment," and collectively with the Land, the Existing Improvements and the Improvements, the "Facility").*

*The proposed financial assistance contemplated by the Agency includes sales and use tax exemptions, mortgage recording tax exemptions, and a partial real property tax abatement (in compliance with Agency's uniform tax exemption policy).*

☒ **4. FORMAT OF HEARING:** Review rules and manner in which the hearing will proceed.

Hearing Officer: *All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to the Agency at 143 Genesee Street, Buffalo, New York 14203 until the comment period closes on July 12, 2013. There are no limitations on written comments.*

☒ **5. PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: *If anyone is interested in making a comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep comments to 5 minutes, and if possible, 3 minutes.*

**The Hearing Officer calls on those who raise their hand.**

This is Danielle Shainbrown, Vice President of McGuire Development Company. Our affiliate entity 425 Michigan Avenue LLC took title to the property at 425 Michigan Avenue on December 4, 2012 following our successful bid at the bankruptcy auction in November 2012 as the stalking horse and sole bidder involved in Sheehan Hospital's bankruptcy and dissolution. At the auction we took possession of the property which is located on approximately 8½ acres of land in a highly distressed neighborhood located on the Michigan Street African American Heritage corridor and contained thereon was a 136,931 sq. ft. hospital building. We have

endeavored to create an adaptive reuse plan based upon the fact that this property was constructively vacant for more than 10 years following the Berger Commission's decommissioning of the building as an inoperative hospital. The neighborhood and elected officials and community leaders have implored us to consider converting this from a health care facility into a center of excellence for job and career path development which we are now heavily invested in doing. We are seeking assistance from the Erie County Industrial Development Agency at this point just for sales tax abatement to assist us in the massive renovation of the structure which has been necessitated by its dilapidated state over the past 10 years. It requires major infrastructure improvements to become habitable for any commercial tenants. We also have signed a lease with University Pediatric Dentistry which would be the only anticipated retail user but that entity will not be benefiting at all from the sale tax abatement as that facility was built out using New York State HEAL Grant dollars and Oishei funds in 2010 and we felt an obligation to resurrect that facility to make use of those funds. The rest of the facility is intended to be back office and educational based to facilitate job force creation. We are investing approximately \$10 million dollars in the exterior infrastructure and approximately \$7.7 million dollars in anticipated tenant improvements. We are near the end of negotiating a lease with Time Warner Cable Northeast for a 40,000 sq. ft. back office operation that is expected to hire 150 new jobs immediately followed by between 20-40 jobs per year over the next 5 years. Thank you.

☒ **6. ADJOURNMENT.**

As there were no further comments, the Hearing Officer closed the public hearing at 8:45 a.m.

**SIGN IN SHEET**

**PUBLIC HEARING**

June 28, 2013 at 8:30 a.m.  
at the Agency's offices located at 143 Genesee Street,  
Buffalo, New York 14203  
regarding:

**425 Michigan Avenue, LLC**

Project Location: 425 Michigan Avenue, Buffalo, New York 14204

Name	Company and/or Address
Danielle Shainbrown	560 Delaware Avenue Buffalo, New York 14202 McGuire Development Company
Richard Tobe	Errie County
Karen Trask	ECIDA
John Cappellino	ECIDA