

NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, a public hearing will be conducted electronically, as hereinafter described, by the Erie County Industrial Development Agency (the “Agency”) on April 26, 2021 at 9:30 a.m. regarding the project, as described below, said public hearing, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, to now be conducted electronically as hereinafter described. **PLEASE NOTE the special hearing logistics and instructions included at the end of this notice.**

MCG Real Estate Holdings, LLC, and/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 on 293 Grote Street, City of Buffalo, Erie County, New York (the “Land”), (ii) the historic adaptive reuse of the vacant Buerk Tool Machine Shop which consists of a 0.74 acre lot with a 31,665+/- sq. ft. two-story building and approximately 11,000+/- sq. ft. gravel parking area to be converted into 33 market rate apartments with 12 of the one-bedroom units to be below 80% AMI (the “Improvements”), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the “Equipment”; and, together with the Land 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, mortgage recording tax exemption benefits, and real property tax abatement benefits consistent with the policies of the Agency.

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

In accordance with Section 859-a of the NYS General Municipal Law, a representative of the Agency will present a copy of the Company's project Application which is also available for viewing on the Agency's website at www.ecidany.com under tab Events/Public Hearings & Meetings. However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the NYS General Municipal Law requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, and pursuant to Governor Cuomo's Executive Order 202.15 issued on April 9, 2020 authorizing the conduct of public hearings through use of telephone conference, video conference and/or other similar service, the Agency will livestream the Public Hearing for those wanting to listen only at <https://www.ecidany.com/streaming>. The Agency will provide

public access to provide oral comments during the Public Hearing at <https://www.ecidany.com/public-comment-and-registration>. If you would like to make oral comments at the Public Hearing, please register to do so no later than 12:00 p.m. on April 23, 2021. After registering, you will receive a confirmation email containing information about joining the call to provide oral comments. Finally, the Agency also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record. Any written comments may be sent on the Agency's website, or mailed to the Agency at 95 Perry Street-Suite 403, Buffalo, NY 14203 until the comment period closes at 4:00 p.m. on May 25, 2021.

Erie County Industrial Development Agency



293 Grote Street

[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	293 Grote Street
Project Summary	Adaptive reuse of former Visco Meter Factory/Buerk Tool Factory Building in the Black Rock neighborhood. The Building will be converted into 33 apartments.
Applicant Name	MCG Real Estate Holdings, LLC
Applicant Address	455 Cayuga Road, Suite 100
Applicant Address 2	
Applicant City	Buffalo
Applicant State	New York
Applicant Zip	14225
Phone	(716) 341-6238
Fax	
E-mail	mowens@mcguiredevelopment.com
Website	
NAICS Code	

Business Organization

Type of Business	Limited Liability Company
Year Established	2008
State in which Organization is established	New York

Individual Completing Application

Name	Maria Owens
Title	Senior Project Manager
Address	455 Cayuga Road Suite 100
Address 2	
City	Buffalo
State	New York
Zip	14225
Phone	(716) 829-1900

Fax**E-Mail** mowens@mcguiredevelopment.comCompany Contact (if different from individual completing application).**Name****Title****Address****Address 2****City****State****Zip****Phone****Fax****E-Mail**Company Counsel**Name of Attorney** Danielle E. Shainbrown**Firm Name****Address** 455 Cayuga Road Suite 100**Address 2****City** Buffalo**State** New York**Zip** 14225**Phone** (716) 829-1900**Fax****E-Mail** dshainbrown@mcguiredevelopment.comBenefits Requested (select all that apply).

Exemption from Sales Tax	Yes
Exemption from Mortgage Tax	Yes
Exemption from Real Property Tax	Yes
Tax Exempt Financing*	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 Applicant of this project is MCG Real Estate Holdings, LLC. The ownership structure of this entity is as follows: F. James McGuire 1% Jenna McGuire 7% Ryan McGuire 7% Jackie Gurney 15% Kelly McGuire 15% Jeannie Marie McGuire 15% Michael McGuire 15% Kathleen McGuire 15% James F. Dentinger 10% While the applicant is the owner of the parcel, McGuire Development Company will be overseeing the work on this project. Since beginning operations in 2007, McGuire Development Company has been committed to offering a level of service that is above and beyond the industry standard. We have spent the last decade creating a first-in-class program for development services and are excited to tackle this new project in Buffalo. We recently worked with the Buffalo School district on the successful completion of the Emerson School of Hospitality and Management as well as the Buffalo City Mission. Both of the previously mentioned projects aligned with our core values of projects that will make a positive impact on the community. We believe that this project at 293 Grote street will also accomplish the same goal.

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%)

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?

100

Describe vendors within Erie County for major purchases

Guys Lumber, 84 Lumber, Irr Supply, Greybar Electric, Quambek Electric, Fancher Supply, Best Tile, Advantage Flooring, County Limestone.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

293 Grote Stree

Town/City/Village of Project Site

Buffalo

School District of Project Site

Buffalo

Current Address (if different)

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

SBL Number(s) for proposed Project

89.21.-1-1

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

\$6,934.78

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

Land

\$

Building(s)

\$

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?

Yes

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

This is an existing, but vacant, building.

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)

This is a historic adaptive reuse project. The vacant Buerk Tool machine shop will be transformed into 33 apartments. The Site consists of a 0.74-acre lot with a 31,665 SF two-story building and approximately 11,000 SF gravel parking area. The Building consists of a main U-shaped portion constructed in 1925 and a one-story, high-bay garage addition on the east side. The Building operated as a machine shop up until early 2020. This building will be transformed into 33 market rate apartments that celebrate the historic elements of the building's former use. The project will consist of a full gutted rehabilitation of the Building, and involve extensive site work, ground floor slab replacement, new utility connections, complete window and door replacement, masonry repair, roof replacement, new MEP/FP systems, conveyance system, and finishes. We have focused on maximizing efficiency within the units to celebrate the historic character of the complex. Through this creative design process, and in an effort to better serve the community, 12 of our one bedroom units are below 80% AMI.

Municipality or Municipalities of current operations

Buffalo

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:**

N/A

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)

The Agency's financial assistance is necessary to successfully complete this historic rehabilitation of this vacant building. Without the incentives available through the Agency, this type of investment in a project of this nature is not feasible and will result in significant shortfalls that prevent the project from moving forward. This incentive is necessary to address shortfalls that result from a project of this nature with a relatively small number of units, and the inefficiency associated with the adaptive reuse plan for this historic building. Furthermore, it is this company's goal to continue aiding in the renaissance and revitalization of Buffalo and this Project will allow for the furtherance of this goal by transforming this currently blighted and abandoned building.

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 Financial Assistance for the Project is not granted by the Agency, then the Applicant will not be able to move forward with its plans to redevelop this vacant and blighted building. The Building would likely remain vacant until a commercial user or users were found, but the market does not support the commercial rent levels needed to undertake significant improvements with this Building. The end result would likely be a warehouse or partial space usage without the Applicant being able to improve the site or exterior appearance of the building.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

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)

Bus line #20 (Elmwood)

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

Yes

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.

If No, list the ECIDA as an “Involved Agency” on the related EAF that will be submitted to the appropriate municipality and/or planning department for site plan approval.

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

Yes

Describe the present zoning/land use

Present zoning/land use is N-1S, which allows for the proposed multifamily use.

Describe required zoning/land use, if different

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

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

There are PCBs on the site and inside of the building as well as an underground storage tank that needs removal and remediation. We have engaged Benchmark Turnkey to address any and all environmental concerns as we work our way through the Brownfield Cleanup Program requirements.

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?

No

If yes, describe the efficiencies achieved

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.

Retail Sales No

Services No

Please check any and all end uses as identified below.

No Acquisition of Existing Facility No Assisted Living No Back Office

\$ 0

square feet

4.) Reconstruction/Renovation

\$ 6,164,214

31,665 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.)

\$ 1,300,000

9.) Other Cost

\$ 0

**Explain Other
Costs****Total Cost** \$ 8,258,268Construction Cost Breakdown:

Total Cost of Construction	\$ 6,164,214 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	\$ 3,000,000.00
% sourced in Erie County	100%

Sales and Use Tax:

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	\$ 3,000,000
Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):	\$ 262,500

** 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.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only) \$ 0

Have any of the above costs been paid or incurred as of the date of this Application? No

If Yes, describe particulars:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	\$ 2,981,415
Bank Financing:	\$ 4,000,000
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):	\$ 2,852,976

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources) 0

Total Sources of Funds for Project Costs: \$9,834,391

Have you secured financing for the project? 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). 4,500,000

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$33,750

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 real property tax exemption benefit will be utilized other than the Agency's PILOT.

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

We support the need to create healthy community involvement in the development and construction of this important project. We are committed to successfully implementing a plan to ensure that certified minority and women-owned businesses (MWBEs) are encouraged to participate in this exciting project. Our team currently services the MWBE business community through proactive and comprehensive monitoring, training, and outreach activity on a number of current and past projects. We're proud of our record in achieving diversity on our projects and we are committed to continuing that success on this project via our proven strategy. The strategy involves outreach and assistance efforts that take place during the design and preconstruction phases. Furthermore, Kulbacks has always met or exceeded any MWBE requirements for any project it is involved in.

Is project necessary to expand project employment?

No

Is project necessary to retain existing employment?

No

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 Genesee.

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).

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	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 **
Full time	0	0	0	0
Part time	0	0	1	1
Total	0	0	1	

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	0	\$ 0	\$ 0	\$ 0	\$ 0
Professional	0	\$ 0	\$ 0	\$ 0	\$ 0
Administrative	0	\$ 0	\$ 0	\$ 0	\$ 0
Production	0	\$ 0	\$ 0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	\$ 0	\$ 0
Other	1	\$ 0	\$ 0	\$ 20,000	\$ 5,000

** 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	Part time	Total
	0	0	0
	0	0	0
	0	0	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

20,000

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)

0

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

20,000

Estimated salary range of jobs to be created

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

4/15/2021

The Erie County Industrial Development Agency (ECIDA)

From (Part Time) 20,000

To (Part Time) 25,000

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

293 Grote Street Buffalo, NY

Name and Address of Owner of Premises

MCG Real Estate Holdings, LLC 455 Cayuga Road Suite 100, Buffalo NY 14225

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

Industrial space, location of former machine shop. There are no wetlands, rivers, or streams.

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 building was constructed in 1921. Check with Part 1 application.

Describe all known former uses of the Premises

The building was formerly a machine shop.

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

PCBs were discovered, see attached reports.

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

N/A

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

N/A

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

N/A

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

N/A

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

There is a registered underground storage tank at the Premises. This tank will be removed as a part of our remediation efforts per the plan submitted for the Brownfield Cleanup Program.

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

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?

Yes

If yes, relate all the circumstances

See attached reports.

Do the Premises have any asbestos containing materials?

Yes

If yes, please identify the materials

See attached reports.

Section IV: Facility Type - Single or Multi Tenant

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

Multi-Tenant Facility

Multi-Tenant Facility (to be filled out by developer).

Please explain what market conditions support the construction of this multi-tenant facility

Per the market study conducted as a part of our due diligence for this project, recent developments in the area, including Houk Lofts, ARCO Lofts, and The Foundry Lofts are at 97% occupancy, which strongly supports our plan for the site.

Have any tenant leases been entered into for this project?

No

If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

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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*fill out table for each tenant and known future tenants

■ 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.

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?

Yes

What is the age of the structure (in years)? 100

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)

Yes

If vacant, number of years vacant.

2

If underutilized, number of years underutilized.

18

Describe the use of the building during the time it has been underutilized:

In 2002 Buerk Tool Works was sold to Buerk Tool LLC. The business started having problems due to poor management around 2008. At that time, employment was cut down to 5 employees from an average employment of 40. During the war years employment was much higher. In 2019 the company filed for bankruptcy. During the Buerk Tool LLC, the company that took ownership after the bankruptcy, the entire second floor was abandoned and a quarter of the first floor operations were consolidated into a smaller space.

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)

No

If yes, please provide dollar amount of income being generated, if any

If apartments are planned in the facility, please indicate the following:

	Number of Units	Sq. Ft. Range Low to High	Rent Range Low to High
1 Bedroom	24	496 - 838	\$925 - \$1,400
2 Bedroom	9	903 - 1,131	\$1,100 - \$1,800
3 Bedroom	0	-	\$ - \$
Other	0	-	\$ - \$

Does the site have historical significance?

Yes

If yes, please indicate historical designation

The building was determined to be SR/NR eligible by the Commissioner of the Office of Parks, Recreation and Historic Preservation on 10/29/2020. We received Part I approval on 3/12/2021.

Are you applying for either State/Federal Historical Tax Credit Programs?

Yes

If yes, provide estimated value of tax credits

\$2,258,686

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)

To put it simply, without the assistance of the ECIDA, this project is not feasible. The efficiency of the building makes unit layout challenging and, without the historic and Brownfields tax credits, as well as the ECIDA assistance, there is just no possible way to get an appropriate return on investment in this market.

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

We have met with both Councilmember Golombek and Brendan Mehaffy from the Mayor's Office of Strategic Planning. Both the Councilmember and Mr. Mehaffy are supportive of this project and what it will mean to the continued growth and development of the City of Buffalo.

Indicate other factors that you would like the Agency to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, structure presents significant costs associated with building code compliance

Currently, the site is vacant and blighted. Our plans for development will allow for much needed historic rehabilitation to an area and building that has been underutilized for many years.

Indicate census tract of project location

56

Indicate how project will eliminate slum and blight

We will transform a this currently vacant building into 33 market rate apartments while honoring the historic and industrial elements of the building's prior use.

If project will be constructed to LEED standards indicate renewable resources utilized

N/A

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

293 Grote Street

City/Town

Buffalo

State

New York

Zip Code

14207

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.)

N/A

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?

N/A

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

N/A

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.

N/A

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