



**Erie County Industrial Development Agency  
Meeting of the Membership**

**ECIDA Offices  
95 Perry Street, 4<sup>th</sup> Floor Conference Room  
Buffalo, New York 14203**

**February 25, 2026  
at 12:00 p.m.**

**1.0 Call to Order**

- 1.1 Call to Order Meeting of the Membership
- 1.2 Welcome New Board Members  
Hon. Sean Ryan – Mayor, City of Buffalo  
Hon. Shawn Lavin - Supervisor, Town of Amherst

**2.0 Approval of Minutes**

- 2.1 Approval of Minutes of January 28, 2026, Meeting of the Membership (Action Item) (Pages 2-4)
- 2.2 Policy Committee Update (Informational) (Pages 5-8)
- 2.3 Adaptive Reuse Housing Policy (Informational) (Pages 9-17)

**3.0 Amendatory Inducement Resolution(s):**

- 3.1 (None)

**4.0 Inducement Resolution(s):**

|  | <b>ECIDA<br/>Incentives</b> | <b>Private<br/>Investment</b> | <b>Municipality</b> |
|--|-----------------------------|-------------------------------|---------------------|
| 4.1 110 Pearl/Swan & Pearl, LLC (Pages 18-70)            | \$ 505,187                  | \$14,190,120                  | Buffalo             |
| 4.2 432 Franklin, LLC/Hamlin House (Pages 71-117)        | \$ 96,250                   | \$ 3,416,810                  | Buffalo             |
| 4.3 North Eastern Alliance Redevelopment (Pages 118-155) | \$3,806,618                 | \$33,068,293                  | Alden               |

**5.0 Reports / Action Items / Information Item(s):**

- 5.1 Financial Report (Informational) (Pages 156-158)
- 5.2 Governance Committee Update (Informational)

**6.0 Management Team Report(s):**

- 6.1

**7.0 Adjournment- Next Meeting – March 25, 2026**

**MINUTES OF THE MEETING  
OF THE  
MEMBERSHIP OF THE  
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
(ECIDA or AGENCY)**

- DATE AND PLACE:** January 28, 2026, at the Erie County Industrial Development Agency, 95 Perry Street, 4<sup>th</sup> Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Dr. LaVonne Ansari, Rev. Mark Blue, Grace Bogdanove, Lorry Goldhawk, Tyra Johnson, Brenda McDuffie, Hon. Brian Nowak, Hon. Mark Poloncarz, Kenneth Schoetz and Hon. Taisha St. Jean Tard
- EXCUSED:** Jonathan Dandes, Hon. Joseph Emminger, Hon. Joel Feroletto, Dottie Gallagher, Gregory Inglut, Hon. Shawn Lavin, Glenn Nellis and Hon. Sean Ryan
- OTHERS PRESENT:** John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Beth O’Keefe, Vice President of Operations; Jerry Manhard, Chief Lending Officer; Grant Lesswing, Director of Business Development; Carrie Hocieniec, Operations Assistant/Assistant Secretary; Brian Krygier, Director of Information Technology; Noah Cliff, Business Development Officer; Lori Szewczyk, Director of Grants; Soma Hawramee, Compliance Portfolio Manager; Michelle Moore, Compliance Associate; Talia Johnson-Huff, Project Manager and Robert Murray, Esq., General Counsel/Harris Beach Murtha
- GUESTS:** Zaque Evans and Daniel Castle on behalf of Erie County; Barbara Piazza on behalf of Erie County; Thomas Baines on behalf of the City of Buffalo; Erik Ekman, Lindsay Munchauer on behalf of McGuire Development; Jonathan Epstein on behalf of Buffalo News and Nicholas Fiume on behalf of D’Youville University

There being a quorum present at 12:08 p.m., the meeting of the members of the Erie County Industrial Development Agency (the “ECIDA” or “Agency”), was called to order by Chair McDuffie.

**MINUTES**

The minutes of the December 17, 2025, meeting of the members were presented. Ms. St. Jean Tard moved, and Rev. Blue seconded to approve of the minutes. Ms. McDuffie called for the vote, and the minutes were unanimously approved.

## **INDUCEMENT RESOLUTIONS:**

Swan & Pearl, LLC, 110 Pearl Street (The Dun Building), Buffalo, New York. Ms. McDuffie noted that this project is tabled.

## **REPORTS / ACTION ITEMS / INFORMATION ITEMS**

Financial and Audit Committee Update. Ms. Profic updated members on the most recent Finance & Audit Committee meeting that consisted of Lumsden McCormick's audit plan presentation and the review/recommendation of the ILDC's D'Youville ILDC bond issuance.

2025 Tax Incentives Induced/Closing Schedule. Mr. Cappellino provided this report to Board members. Ms. McDuffie directed that the report be received and filed.

Approve Resolution to Receive Erie County Funding for Buffalo Southern Railroad Capital Maintenance Project. Mr. Cappellino reviewed the Erie County Funding proposal for the Buffalo Southern Railroad maintenance project to undertake repairs and infrastructure maintenance.

Mr. Poloncarz made a motion and Rev. Blue seconded the motion authorizing the negotiation and execution of a Grant Agreement between the County of Erie and the Agency related to certain maintenance activities at the Buffalo Southern Railroad. Ms. McDuffie called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE NEGOTIATION AND EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF ERIE AND THE AGENCY RELATIVE TO CERTAIN RAILROAD REPAIR AND MAINTENANCE ACTIVITIES TO BE UNDERTAKEN AT THE BUFFALO SOUTHERN RAILROAD (THE "RAILWAY FACILITIES") IN THE AMOUNT OF \$300,000

Erie County Code of Ethics Presentation. Ms. Piazza discussed the Erie County Code of Ethics purposes and policies, including financial disclosure supporting requirements. Mr. Murray reminded members to reference the Agency's Code of Ethics and Conflict of Interest Policy at any time he or she identified a potential, perceived, or actual conflict and emphasized early communication of same with John Cappellino, the Agency's Ethics Officer, or with Mr. Murray, counsel to the Agency.

## **MANAGEMENT TEAM REPORT**

Mr. Cappellino informed members that the Agency has received notice of successful grant applications from Governor Hochul's office related to a \$4,300,000 award for construction of new rail siding at the Welded Tube site within the Renaissance Commerce Park, and a second award in the amount of \$1,700,000 for rail line repair and maintenance activities of five miles of track along

the Buffalo to Gowanda rail line. Mr. Cappellino thanked staff members Lori Szewczyk and Talia Johnson-Huff for their grant writing and facilitation efforts.

Mr. Cappellino also noted that several staff recently attended the Buffalo Construction Exchange's Build Buffalo Conference, which connected MWBE and SDVOB businesses with prime contractors and developers to match make and encourage participation in projects.

There being no further business to discuss, Ms. McDuffie adjourned the meeting of the Agency at 12:27 p.m.

Dated: January 28, 2026

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Elizabeth A. O'Keefe, Secretary

**MINUTES OF A MEETING OF THE  
POLICY COMMITTEE OF THE  
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**DATE AND PLACE:** February 5, 2026, at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

**PRESENT:** Denise Abbott, A.J. Baynes, Grace Bogdanove, Rev. Mark E. Blue, Zaque Evans, Gregory R. Inglut, Dr. Susan McCartney, Brenda W. McDuffie, Glenn R. Nellis, Hon. Brian Nowak, Laura Smith, David State and Lavon Stephens

**EXCUSED:** Peter Petrella

**OTHERS PRESENT:** John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Beth O'Keefe, Vice President of Operations; Grant Lesswing, Director of Business Development; Carrie Hocieniec, Operations Assistant/ Assistant Secretary; Brian Krygier, Director of Information Technology; Soma Hawramee, Compliance Portfolio Manager, Michelle Moore, Compliance Associate, Noah Cliff, Business Development Office; Robbie Ann McPherson, Director of Marketing and Communications and Robert Murray, Esq., as General Counsel/Harris Beach Murtha

**GUESTS:** Jeff Hayes on behalf of Hayes Construction/North Eastern Alliance; Brianne Zhang, Tom Celik on behalf of VisoneCo Site Development and Brandon Cottrell, Zack Dewey on behalf of Hodgson Russ LLP.

There being a quorum present at 9:04 a.m., the Meeting of the Policy Committee was called to order by Chair Abbott.

Ms. Abbott welcomed new committee/board member Grace Bogdanove, new President of the Buffalo Central Labor Council.

**MINUTES**

The minutes of the December 4, 2025 Policy Committee meeting were presented. Upon motion made by Ms. McDuffie to approve of the minutes, and seconded by Dr. McCartney, the Policy Committee meeting minutes were unanimously approved.

**PROJECT MATRIX**

Mr. Cappellino reviewed the Project Matrix with the Committee.

**PROJECT PRESENTATIONS**

VisoneCo Site Development, LLC (Hamlin House). Ms. O’Keefe presented this sales and use tax exemption benefit and mortgage recording tax exemption benefit project involving the adaptive reuse of the historic Hamlin House converting the existing facility into 13 apartments and 3,068 sq. ft. of commercial space.

At this point in time, Rev. Blue joined the meeting.

Ms. O’Keefe confirmed that VisoneCo Site Development, LLC is seeking up to \$96,250 in a sales tax exemption. Although noted as such in the package, the applicant choose (as of the day before the Policy meeting) not to pursue a mortgage recording tax exemption benefit for this project. Total payroll is projected at \$2,834,641 for the direct and indirect jobs created including 12 construction jobs. The resulting cost benefit is 1:26 so for every \$1 of incentives the community benefit is \$26 in payroll & tax revenue. Within Erie County, for every \$1 of incentives the community benefit is \$48.

Ms. O’Keefe stated that in exchange for providing the sales and use tax benefit, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

**Draft Recapture Material Terms**

| Condition                | Term                             | Recapture Provision  |
|--------------------------|----------------------------------|--|
| Total Investment         | At project completion            | Investment amount equal to or greater than 85% of project amount.<br>Total project amount = \$3,416,810<br>85% = \$2,904,288 |
| Employment               | Coincides with recapture period  | Maintain Base = 1 PT<br>Create 85% of Projected<br>Recapture Employment = 1 PT   |
| Affordable Housing Units | Coincides with recapture period  | Total housing units = 13<br># of 80% AMI units = 2 (meets required AMI units)  |
| Local Labor              | Construction period              | Adherence to policy including quarterly reporting  |
| Pay Equity               | Coincides with recapture period  | Adherence to policy  |
| Unpaid Tax               | Coincides with recapture period  | Adherence to policy  |
| Recapture Period         | 2 years after project completion | Recapture of state and local sales taxes   |

General discussion ensued.

Ms. McDuffie moved and Dr. McCartney seconded, to recommend the project as proposed be forwarded to the members of the Agency Board for approval. Ms. Abbott called for the vote and the motion was unanimously approved.

North Eastern Alliance Redevelopment LLC / 11580 Walden Ave LLC. Ms. O’Keefe presented this proposed sales and use tax, mortgage recording tax and real property tax abatement benefits project involving the construction and equipping of a one-story 57,933 sq. ft. cannabis cultivation, processing and distribution facility. The facility will be leased by the applicant, 11580 Walden Ave LLC to its sole member, North Eastern Alliance LLC.

Ms. O’Keefe confirmed that 11580 Walden Ave LLC is seeking approximately \$3,806,618 in assistance including sales tax exemption, mortgage recording tax exemption, and real property tax abatement benefits and is contemplating utilizing the Agency’s Economic Inclusion PILOT program. Total payroll is projected at \$103,333,143 for the direct and indirect jobs created including 129 construction jobs. The resulting cost benefit is 28:1 so for every \$1 of incentives the community benefit is \$28 in payroll & tax revenue. Within Erie County, for every \$1 of incentives the community benefit is \$32 in benefits to the community.

Ms. O’Keefe stated that in exchange for providing the sales and use tax, mortgage recording tax exemption and real property tax abatement benefits, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

**Draft Recapture Material Terms**

| Condition        | Term                         | Recapture Provision  |
|------------------|------------------------------|--|
| Total Investment | At project completion        | Investment amount equal to or greater than 85% of project amount.<br>Total project amount = \$33,068,293<br>85% = \$28,108,049     |
| Employment       | Coincides with 10-year PILOT | Maintain Base = 0<br>Create 85% of Projected<br>Projected = 80 FT, 10 PT = 85 FTE<br>85% = 72 FTE<br>Recapture Employment = 72 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  |
| Recapture Period | Coincides with 10-year PILOT | Recapture of state and local sales taxes, mortgage recording tax and real property tax   |

General discussion ensued.

*Draft*  
*Subject to Committee Approval*

Ms. Smith moved and Mr. Inglut seconded, to recommend the project as proposed be forwarded to the members of the Agency Board for approval. Ms. Abbott called for the vote, Mr. Evans abstained from the vote, and the motion was approved by a vote of 12 to 1.

#### **MANAGEMENT TEAM REPORT**

Mr. Cappellino presented background and history of the Agency's Adaptive Reuse Housing Policy and IDA Housing Tools. The presentation included the number and types of Agency housing projects including types of units and configuration since 2018, including affordable housing (rent controlled), senior housing, continuing care and adaptive reuse projects, totaling 2786 apartment units over the last 8 years. General discussion ensued.

There being no further business to discuss, Ms. Abbott adjourned the meeting at 10:25 a.m.

Dated: February 5, 2026

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Elizabeth A. O'Keefe, Secretary



# *ECIDA POLICY COMMITTEE*

## Adaptive Reuse Policy

Adopted November 26, 2008

Recent local real estate market surveys have indicated that the region's real estate market continues to be dually challenged by old outdated structures which are considered functionally obsolete and a flat relatively low cost market for real estate. This is particularly problematic with the existing building inventory in the urban core office market and regionally in the industrial building inventory. Some estimates place the obsolescence level of the existing industrial building inventory at as much as 50%.

These structures present unique challenges to development and adversely impact the economic viability of the neighborhoods and districts surrounding them by contributing to:

- Slum and blight
- Public safety concerns
- Environmental concerns
- Depression of local real estate values
- Economic viability issues for infill development\

In an effort to advance a regional strategy for development consistent with the Framework for Regional Growth, that outlines a growth, development and investment plan for the region, the ECIDA shall pursue an **Adaptive Reuse Strategy** that encourages the redevelopment of old structures or sites for new purposes consistent with this plan.

This represents a shift in development focus of the ECIDA to assuming an active role in building and site development in targeted areas and for specific purposes in the county.

**Adaptive Reuse** is the process of adapting old structures or sites for new purposes.

Adaptive Reuse Projects present unique challenges to development by private market activity, among these are:

- Higher costs associated with development of sites and structures
  - Environmental Remediation Issues
  - Building Code Issues
  - Physical Development Costs
- Local real estate values that do not support increased upfront development costs

These structures also present many governmental and regional growth issues for the county.

- Public safety concerns from abandoned and deteriorating structures
- Significant costs to local governments for demolition or remediation of sites and buildings that end up in public ownership through abandonment or tax delinquency
- Increased public infrastructure costs associated with new site and building development

Current ECIDA and the Countywide IDA Policy make the use of IDA benefits problematic and difficult to use in Adaptive reuse projects.

- Present policy and state law focus on end use(s) of projects which may not be fully known in adaptive reuse scenarios
- Many adaptive reuse projects are large floor plate structures which typically have a mix of uses making project eligibility determinations difficult
- Market rate housing has been a component of many of the adaptive reuse projects in the urban core

The adoption of a proactive Adaptive Reuse Policy and strategy will create many benefits to the region, including:

- Redevelopment of blighted sites and or structures
- Promoting infill development that utilizes existing public infrastructure, controlling costs for local government support of infrastructure
- Supporting the Framework for Regional Growth Plan
- Creating new economic activity at difficult sites and buildings, helping to eliminate neighborhood slum and blight
- Promoting a green redevelopment strategy, recycling existing buildings and sites
- Helping maintain neighborhood fabric and historic nature of area structures

In implementing an Adaptive Reuse Policy the ECIDA will create a scoring system to evaluate projects for adaptive reuse utilizing evaluation criteria that will include:

**Required Criteria:**

1. Age of structure, structure must be at least 20 years old and present functional challenges to redevelopment
2. Structure has been vacant or underutilized for a minimum of 3 years
  - a. Underutilized being defined as a minimum of 50% of the rentable square footage of the structure being vacant, or structure being utilized for a use for which the structure was not designed or intended for.
3. Structure is not generating significant rental income
  - a. Significant rental income defined as 50% or less than the market rate income average for that property class.
4. Project is in compliance with the investment and growth criteria of the Framework for Regional Growth plan

5. Demonstrated evidence of financial obstacle to development without ECIDA or other public assistance
  - a. Submission of cash flow projections documenting costs, expenses and revenues indicating a below average return on investment rate as compared to regional industry averages.
6. Demonstrated support of local government entities

**Other Factors to be considered:**

7. Structure or site presents significant public safety hazard and or environmental remediation costs
8. Site or structure is located in a distressed census tract
9. Structure presents significant costs associated with building code issues associated with new development making the project financially unfeasible per item#5 above
10. Site or structure is presently delinquent in property tax payments

A report will be prepared and presented to the ECIDA board which will evaluate each project on the above cited criteria, for review and determination of project eligibility and assistance by the ECIDA Board of Directors.

**\*All adaptive reuse projects must comply with existing state law and Countywide IDA eligibility requirements.**

Pursuant to this policy, adaptive reuse projects with the exception of the present Hotel restrictions may include eligibility uses that are presently not considered for ECIDA assistance under non-adaptive reuse project scenarios, i.e. certain retail uses and market rate housing.

**EXHIBIT A**

ADDENDUM NO. 1

[Attached]

## **ADAPTIVE REUSE POLICY**

### **Addendum #1**

Applicability of the Adaptive Reuse Policy to an Adaptive Reuse Project consisting of or containing an element of, for rent residential housing

#### **Objective**

Adaptive Reuse Projects consisting entirely of, or containing an element of, for-rent residential housing (hereinafter, collectively, an “Adaptive Reuse Housing Project”) continue to seek financial assistance from the Erie County Industrial Development Agency (the “Agency”). These project have successfully enabled the Agency to encourage the adaptive reuse of old and often abandoned and blighted structures, being one of the primary purposes of the Agency’s Adaptive Reuse Policy. To help address the growing housing affordability and accessibility challenges faced by many Erie County residents, the Agency will now require Adaptive Reuse Housing Projects to include a certain number of, and potentially a mix of configurations of, workforce/affordable housing units that must be leased to a tenant(s) meeting certain income eligibility limits, subject to the criteria described herein.

#### **Key Definitions/Concepts**

**Adaptive Reuse Housing Project.** An Adaptive Reuse Project consisting entirely of, or containing an element of, for-rent residential housing.

**Area Median Income (“AMI”).** AMI is the median household income for a particular geographic area. The New York State Affordable Housing Corporation (“AHC”) publishes annually the Statewide and regional AMI figures. AMI serves as the benchmark for setting income thresholds that govern eligibility for housing assistance programs in New York. These programs often define their income limits as specific percentages of AMI, such as 50% or 80%, to determine if an individual or household qualifies for aid in covering housing expenses.

**Workforce/Affordable Housing Rental Rate.** For the purposes of this Addendum #1, the Agency defines a housing unit as “affordable” if the total housing costs do not exceed 30% of a household’s gross monthly income. The Workforce/Affordable Housing Rental Rate for a Workforce/Affordable Unit shall equal the product of (i) 30% and (ii) the 80% AMI figure for the year of initial occupancy for each such lease agreement lessee based on the number of occupants of a unit, where it is assumed a studio unit houses one person, a 1BR unit houses one person, a 2BR unit houses two people, and a 3 BR unit houses three people, and then dividing the product by 12.

**Workforce/Affordable Unit.** A residential unit within an Adaptive Reuse Housing Project that is subject to the terms and conditions of this Addendum #1.

### Adaptive Reuse Housing Project Requirements

To qualify for Agency financial assistance, in addition to meeting the existing Adaptive Reuse Policy criteria, an Adaptive Reuse Housing Project must:

- (i) contain a certain number of Workforce/Affordable Unit(s) having rental rates affordable to individuals and families at the Workforce/Affordable Housing Rental Rate; and
- (ii) contain, if possible, a mix of configurations (studio, 1BR, 2BR, 3BR) of Workforce/Affordable Unit(s) to meet housing needs for households of varying size based on a building's internal infrastructure and related financing considerations; and
- (iii) require and restrict, via income verification, the occupancy of the Workforce/Affordable Unit(s) to the leasehold agreement lessee whose annual income is at or below the 80% AMI figure as identified in the AHC table for the initial year of occupancy of each such lease agreement lessee of a Workforce/Affordable Unit.

The required number of Workforce/Affordable Unit(s) for a project to qualify as an Adaptive Reuse Housing Project is as follows:

| Total Number of Units | Number/Percentage of required Workforce/Affordable Units   |
|-----------------------|--|
| 1-10                  | At least one workforce/affordable unit   |
| 11 - 50               | 10%, with the required number to be determined by multiplying 10% by the total number of units and rounding the product up if the product contains a decimal of 0.5 or higher, and rounding the product down if the product contains a decimal of 0.4 or lower |
| 51-100                | 15%, with the required number to be determined by multiplying 15% by the total number of units and rounding the product up if the product contains a decimal of 0.5 or higher, and rounding the product down if the product contains a decimal of 0.4 or lower |
| 101 or more           | 20%, with the required number to be determined by multiplying 20% by the total number of units and rounding the product up if the product contains a decimal of 0.5 or higher, and rounding the product down if the product contains a decimal of 0.4 or lower |

Applicants will be required to certify and confirm, at the time of application and on an annual basis during the term of the Agency's monitoring and compliance period (not to exceed the applicable time period being two years following project completion (certificate of occupancy issuance) or the term of the PILOT Agreement benefit period, or such other term as required by the Agency) that the project will meet and continues to meet the Addendum #1 Adaptive Reuse Housing Project Requirements.

The goal of the Agency's Adaptive Reuse Policy is, ultimately, to encourage the adaptive reuse of existing but abandoned/blighted buildings. Notwithstanding anything contained within this Addendum #1 to the contrary, the Agency reserves the right to waive any or all the terms and conditions of this addendum on a case-by-case basis. This waiver can be granted if the Agency determines that strict adherence to Addendum #1 requirements would jeopardize the adaptive reuse of a building in alignment with the Agency's Adaptive Reuse Policy goals.

**Effective Date**

This Addendum #1 shall be effective and made applicable to all Adaptive Reuse Housing Project applications for Financial Assistance submitted to the Agency on or after August 1, 2024.

## Monthly 80% Area Median Income (AMI) Rental Rates

(based upon 2025 median incomes issued by HUD and effective 4/1/2025)

**Calculation of Monthly 80% AMI Rental Rates based upon # of bedrooms in a unit**

| Unit Type          | # of persons basis | 80% AMI  | % of income for rent | Monthly rental limit for 80% AMI units <sup>1</sup> |
|--------------------|--------------------|----------|----------------------|---|
| Studio / 1 bedroom | 1                  | \$56,600 | 30%                  | \$1,415   |
| 2 bedroom          | 2                  | \$64,600 | 30%                  | \$1,615   |
| 3 bedroom          | 3                  | \$72,700 | 30%                  | \$1,818   |

<sup>1</sup>Monthly Rental Limit formula = (80% AMI / 12) \* .3

### Source Data

| Area                     | 2025 Median Income |                     | 100% HLIL (80% AMI) |          |          |          |          |          |          |           |           |
|--------------------------|--------------------|---------------------|---------------------|----------|----------|----------|----------|----------|----------|-----------|-----------|
|                          | Option             | 100% HLIL (80% AMI) | 1 Person            | 2 Person | 3 Person | 4 Person | 5 Person | 6 Person | 7 Person | 8 Person  |           |
| NYS MEDIAN FAMILY INCOME | Option             | \$110,200           | 100% HLIL (80% AMI) | \$56,600 | \$64,600 | \$72,700 | \$80,800 | \$87,300 | \$93,800 | \$100,200 | \$106,700 |
| NON-METROPOLITAN AREAS   | Option             | \$82,300            | 100% HLIL (80% AMI) | \$41,150 | \$47,300 | \$54,350 | \$60,400 | \$63,650 | \$66,900 | \$70,100  | \$73,350  |
| UNITED STATES            | Option             | \$104,200           | 100% HLIL (80% AMI) | \$52,100 | \$59,100 | \$66,100 | \$73,100 | \$77,100 | \$81,100 | \$85,100  | \$89,100  |
| Erie County              | Option             | \$101,000           | 100% HLIL (80% AMI) | \$50,500 | \$57,500 | \$64,500 | \$71,500 | \$75,500 | \$79,500 | \$83,500  | \$87,500  |

**110 Pearl Street – Swan & Pearl, LLC**  
**\$ 14,190,120**

**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

**ELIGIBILITY**

- NAICS Section – 531390

**COMPANY INCENTIVES**

- Approximately \$ 436,187 in sales tax savings
- Up to 3/4 of 1% of the final mortgage amount estimated at \$ 69,000

**JOBS & ANNUAL PAYROLL**

- Current / Retained Jobs :3 FT, 10 PT (tenant)
- Projected new jobs: 3 PT
- Annual Payroll: \$40,000 (new jobs)
- Total jobs after project completion: 9 FTE
- Construction Jobs: 48

**PROJECTED COMMUNITY BENEFITS\***

- Term: 2 yrs from project completion
- NET Community Benefits: \$10,734,645
- Spillover Jobs: 53
- Total Payroll: 10,107,794

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

- Incentives: \$505,187
- Community Benefit:\$10,626,977
- Cost: Benefit Ratio
- 1: 21

Project Title: 110 Pearl Street – The Dun Building

Project Address: 110 Pearl Street, Buffalo, NY 14202  
 (Buffalo Central School District)

**Agency Request**

A sales tax and mortgage recording tax abatement in connection with the adaptive reuse of a 36,500 SF commercial building located in the City of Buffalo’s East Side.

|                           |                      |
|---------------------------|----------------------|
| Building Acquisition      | \$ 1,850,000         |
| Building Renovation       | \$ 9,977,428         |
| Soft Costs/Other          | \$ <u>2,362,692</u>  |
| <b>Total Project Cost</b> | <b>\$ 14,190,120</b> |
| <br>85%                   | <br>\$ 12,061,602    |

**Company Description**

The applicant Swan & Pearl, LLC is a wholly owned subsidiary of McGuire Development. McGuire Development is a full-service real estate investment and development company based in Buffalo, NY and Fort Lauderdale, FL. McGuire Development Company brings over 17 years of expertise and a commitment to excellence to this project.

**Project Description**

The adaptive reuse of the historic Dun Building – designed by renowned architectural firm Green & Wicks, will convert floors 2 – 10 of the building formerly used for commercial office space into 36 apartments with commercial space planned for the 1<sup>st</sup> floor and an existing restaurant tenant will remain at the basement level. The apartment unit breakdown follows:

| Market Rate | # of Units | SF AVG | Rent Avg | Tenant Utilities | Rent + Utilities |
|-------------|------------|--------|----------|------------------|------------------|
| Studio      | 6          | 407    | \$1,400  | \$50             | \$1,450          |
| 1 bedroom   | 17         | 578    | \$1,700  | \$70             | \$1,770          |
| 2 bedroom   | 9          | 930    | \$2,500  | \$105            | \$2605           |

| Affordable (80% AMI) | # of Units | SF AVG | Rent Avg | Tenant Utilities | Rent + Utilities |
|----------------------|------------|--------|----------|------------------|------------------|
| Studio               | 3          | 396    | \$1,330  | \$50             | \$1,380          |
| 1 bedroom            | 1          | 565    | \$1,345  | \$70             | \$1,415          |

Total = 36 units

The company is pursuing property tax savings through the City’s 485 A program.

\* Cost Benefit Analysis Tool powered by MRB Group

### 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     |
|-------|--------------------|------------|
|       | Sales              | \$ 436,187 |
|       | Mortgage Recording | \$ 69,000  |
|       | Total              | \$ 505,187 |
|       | Discounted at 2%   | \$ 505,187 |

#### Benefit: Projected Community Benefit\*

| BENEFITS | Region         | Recipient   | Revenue Type                  | \$ Amount**  |
|----------|----------------|-------------|-------------------------------|--------------|
|          | Erie County    | Individuals | Payroll Construction          | \$ 7,538,157 |
|          |                |             | Payroll Permanent             | \$ 2,569,637 |
|          |                | Public      | Sales Taxes                   | \$ 93,278    |
|          |                |             | Other - NFTA                  | \$ 173       |
|          | New York State | Public      | Income Taxes                  | \$ 454,851   |
|          |                |             | Sales Taxes                   | \$ 78,550    |
|          |                |             | Total Benefits to EC + NYS*** | \$10,734,645 |
|          |                |             | Discounted at 2%              | \$10,626,977 |

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

Discounted Cost           \$ 505,187  
 Discounted Benefit       \$ 10,626,977  
 Ratio                        1:21

**Conclusion:** The Cost Benefit for this project is: 1:21. For every \$1 in costs (incentives), this project provides \$21 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$39 in benefits to the community.**

#### Retail Determination

| Project Use                                     | Sq Ft  | Cost         | % Project Cost |
|---|--------|--------------|----------------|
| Retail / Commercial                             | 5,500  | \$ 285,125   | 2%             |
| Other: residential housing + building amenities | 31,000 | \$13,904,995 | 98%            |
| Total   | 36,500 | \$14,190,120 | 100%           |

The retail component of the project is less than 30% of the project costs and therefore no sign off is required.

**Draft Recapture Material Terms**

| Condition                | Term                             | Recapture Provision   |
|--------------------------|----------------------------------|---|
| Total Investment         | At project completion            | Investment amount equal to or greater than 85% of project amount.<br>Total project amount = \$ 14,190,120<br>85% = \$12,061,602 |
| Employment               | Coincides with recapture period  | Maintain Base = 3 FT 10 PT (tenant)<br>Projected = 3 PT<br>Create 85% of Projected = 1 FTE<br>Recapture Employment = 9 FTE      |
| Affordable Housing Units | Coincides with recapture period  | Total housing units = 36<br># of 80% AMI units = 4 (meets # units per policy)   |
| Local Labor              | Construction period              | Adherence to policy including quarterly reporting   |
| Pay Equity               | Coincides with recapture period  | Adherence to Policy   |
| Unpaid Tax               | Coincides with recapture period  | Adherence to Policy   |
| <u>Recapture Period</u>  | 2 years after project completion | Recapture of Mortgage recording tax, state and local sales taxes  |

Recapture applies to:

State and Local Sales Taxes & Mortgage Recording 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 8 jobs (FTE) and created 1 job (FTE), iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

**Project ECIDA History**

- 12/02/25 Public hearing held.
- Minor Site Plan Review City of Buffalo Planning Board Approval – No SEQRA compliance required.
- 02/25/26 Lease/Leaseback Inducement Resolution presented to the Board of Directors

**Applicant ECIDA History**

- 08/27/2025: 10 year PILOT - \$34.1 M investment, Project at 1016 E. Delvan Ave, City of Buffalo – construction of a Commissary Kitchen for use by the Buffalo Public School System. (ACTIVE)
- 05/26/2021: 7 year PILOT - \$8.6 M investment, Adaptive Reuse of former 31,555 SF tool facility at 293 Grote Street creating 33 apartment units. (ACTIVE)
- Various inactive projects dating back to 1980s

## EVALUATIVE CRITERIA - ADAPTIVE REUSE

Project:110 Pearl St – The Dun Building

| CRITERIA  | COMMENTS   |
|---|--|
| Age of Structure (must be at least 20 years old and present functional challenges to redevelopment)   | Age of building = 130 years old.   |
| Structure has been vacant or underutilized for a minimum of 3 years (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/ intended). Project promotes the elimination of slum and blight. | The facility has been under utilized for 10 years. Floors 1 -10 are deemed to have been vacant for approx. 5 years. Basement level is utilized as noted below.   |
| Structure is not generating significant income (defined as 50% or less than the market rate income average for that property class)   | Minimal rental income (\$3,875.77 / month) is being collected from the current restaurant tenant located in the basement floor (3,400 SF of space).  |
| Project is in compliance with the investment and growth criteria of the Framework for Regional Growth. The redevelopment supports or aligns with Regional or Local Development Plans  | The project is compliant with the Framework for Regional Growth. The Framework defines Regional Centers = sub areas most favored for future development and public investment– including the City of Buffalo.  |
| Demonstrated evidence of financial obstacle(s) to development without ECIDA or other public assistance (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rate as compared to regional industry averages)                | The building presents many unique challenges that impact the cost of redevelopment and the need for support including; 1) cost for the replacement of the building's cornice, 2) the zero lot line requires additional investment during construction to locate dumpsters and provide staging areas for crew, 3) replacement and upgrades to the buildings systems including existing HVAC and upgraded utilities, 4) flatiron shape and small floorplates constrain efficiencies and limit the size and # of units. |
| Demonstrated support of local government entities   | Letter from Mitchell Nowakowski, Fillmore District Council Member (see attached)   |
| LEED/Renewable Resources  | Project is not seeking LEED certification.   |
| Building or site has historic designation   | The Dun Building has local landmark status and is located in the Joseph Ellicott Historic Preservation District. The building was  |

## EVALUATIVE CRITERIA - ADAPTIVE REUSE

|   |  |
|---|--|
|   | designed by renowned local architecture firm Green & Wicks and is known as Buffalo's first steel framed skyscraper.  |
| Site or structure has delinquent property or other local taxes  | N/A  |
| DEI Questionnaire   | See attached.  |
| Transit Oriented Development  | Project is located less than 50 feet from the Seneca Metro Rail Station and bus stations for routes 8 and 81.  |
| Onsite child daycare facilities on the project site   | No onsite child daycare will be available onsite.  |
| <b>OTHER FACTORS TO CONSIDER:</b>   |  |
| Environmental/Safety Issues: Structure or site presents significant public safety hazard and or environmental remediation costs | The building has a single stair egress which will require significant investment to meet required safety standards.  |
| Site or structure is located in a distressed census tract   | Site is located in a Empire Zone and is adjacent to a highly distressed census tract.  |
| Structure presents significant costs associated w/ building code compliance.  | The single egress stair necessitates pressurization and smoke-evacuation systems, and the building's classification due to floor count triggers a generator. Site constraints and building height also compel the use of a water-source heat pump system, which is typically cost-prohibitive for a project of this scale. |

\*U.S. Census Bureau

DATE OF INDUCEMENT: 02/25/2026

## **EVALUATIVE CRITERIA - ADAPTIVE REUSE**

### **Return on Investment – 110 Pearl Street**

Regional Return on Investment (ROI) numbers vary depending on the interest rate environment, investor availability and risk associated with a project.

The National Development Council, which has experience financing projects in higher risk urban areas across the Northeast, uses 10% - 12% as a benchmark rate of return for urban high-risk projects.

Empire State Development financing officials when reviewing similar projects in the City of Buffalo have used 12% as an acceptable ROI for development projects.

### **Adaptive Reuse Projects**

Many Adaptive Reuse Projects are hampered by upfront development costs that are not typical in new build green field development projects. These upfront costs can hinder the ability of the projects to attract financing and provide cash flow. The upfront costs associated with site contamination, asbestos removal, code compliance, structural deficiencies can make Adaptive Reuse projects difficult to undertake and attract private investment and financing, particularly in real estate markets where rental values are relatively low. Historically real estate projects in the region are difficult to undertake, local real estate developers have indicated that the typical ROI investors and developers seek to achieve in mixed use development projects are in the 10% - 12% range, although they can run higher for projects with significant risk.

### **Public Incentives Requested**

- Sales Tax Savings in the amount of \$ 436,187
- Mortgage Tax Savings in the estimated amount of \$ 69,000

### **ROI**

Applicant has submitted a proforma documenting the expenses and revenues and ROI for the project.

Stated ROI for the project with ECIDA assistance is 4.0%

Stated ROI for the project without ECIDA assistance is 3.6%

# Erie County Industrial Development Agency

## MRB Cost Benefit Calculator



Cost-Benefit Analysis Tool powered by MRB Group

Date: December 11, 2025  
 Project Title: 110 Pearl Street - The Dunn Building  
 Project Location: 110 Pearl Street, Buffalo, New York 14203

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

#### Construction Project Costs

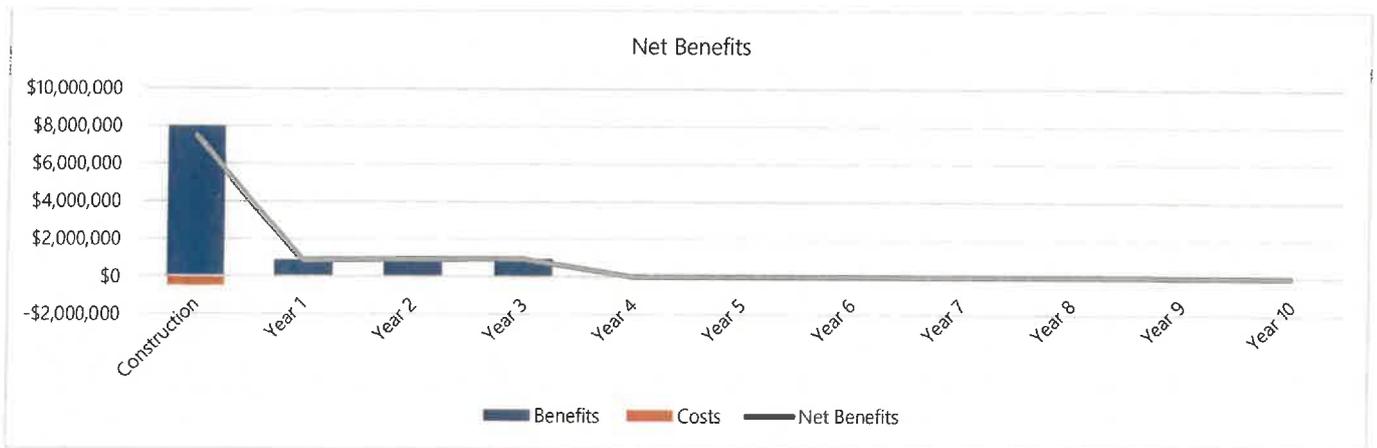
\$14,190,120

|             | Temporary (Construction) |             |              |
|-------------|--------------------------|-------------|--------------|
|             | Direct                   | Indirect    | Total        |
| Jobs        | 48                       | 46          | 94           |
| Earnings    | \$4,722,564              | \$2,815,593 | \$7,538,157  |
| Local Spend | \$12,340,120             | \$8,771,357 | \$21,111,477 |

|          | Ongoing (Operations) |             |             |
|----------|----------------------|-------------|-------------|
|          | Direct               | Indirect    | Total       |
| Jobs     | 10                   | 7           | 17          |
| Earnings | \$1,407,315          | \$1,162,322 | \$2,569,637 |

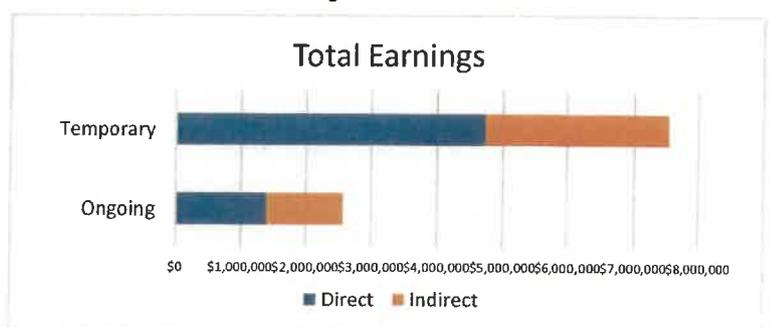
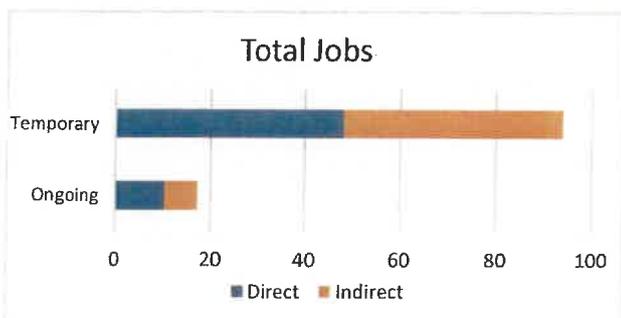
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



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Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

|  | Nominal Value    | Discounted Value* |
|--|------------------|-------------------|
| Property Tax Exemption                 | \$0              | \$0               |
| Sales Tax Exemption                    | \$436,187        | \$436,187         |
| Local Sales Tax Exemption              | \$236,787        | \$236,787         |
| State Sales Tax Exemption              | \$199,400        | \$199,400         |
| Mortgage Recording Tax Exemption       | \$69,000         | \$69,000          |
| Local Mortgage Recording Tax Exemption | \$23,000         | \$23,000          |
| State Mortgage Recording Tax Exemption | \$46,000         | \$46,000          |
| <b>Total Costs</b>                     | <b>\$505,187</b> | <b>\$505,187</b>  |

## State and Local Benefits

|   | Nominal Value       | Discounted Value*   |
|---|---------------------|---------------------|
| <b>Local Benefits</b>                       | <b>\$10,201,244</b> | <b>\$10,099,128</b> |
| To Private Individuals                      | \$10,107,794        | \$10,006,880        |
| Temporary Payroll                           | \$7,538,157         | \$7,538,157         |
| Ongoing Payroll                             | \$2,569,637         | \$2,468,724         |
| Other Payments to Private Individuals       | \$0                 | \$0                 |
| To the Public                               | \$93,450            | \$92,247            |
| Increase in Property Tax Revenue            | \$0                 | \$0                 |
| Temporary Jobs - Sales Tax Revenue          | \$62,661            | \$62,661            |
| Ongoing Jobs - Sales Tax Revenue            | \$30,617            | \$29,417            |
| Other Local Municipal Revenue               | \$173               | \$169               |
| <b>State Benefits</b>                       | <b>\$533,400</b>    | <b>\$527,849</b>    |
| To the Public                               | \$533,400           | \$527,849           |
| Temporary Income Tax Revenue                | \$339,217           | \$339,217           |
| Ongoing Income Tax Revenue                  | \$115,634           | \$111,093           |
| Temporary Jobs - Sales Tax Revenue          | \$52,767            | \$52,767            |
| Ongoing Jobs - Sales Tax Revenue            | \$25,783            | \$24,773            |
| <b>Total Benefits to State &amp; Region</b> | <b>\$10,734,645</b> | <b>\$10,626,977</b> |

## Benefit to Cost Ratio

|                    | Benefit*            | Cost*            | Ratio       |
|--------------------|---------------------|------------------|-------------|
| Local              | \$10,099,128        | \$259,787        | 39:1        |
| State              | \$527,849           | \$245,400        | 2:1         |
| <b>Grand Total</b> | <b>\$10,626,977</b> | <b>\$505,187</b> | <b>21:1</b> |

\*Discounted at the public sector discount rate of: 2%

### Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes  
 Does this project provide onsite childcare facilities? No

# Diversity, Equity and Inclusion Questionnaire

## 1. MWBE Contractors - Construction

The ECIDA encourages applicants to utilize MWBE contractors and suppliers for their projects and when feasible, to set a goal for MWBE participation during the construction period of the project. Below are links to the NYS and Erie County certified MWBE lists, including contractors, that can assist you with your utilization goals:

- New York State MWBE Certified List: <https://ny.newnycontracts.com/>
- Erie County MWBE Certified List: <https://www3.erie.gov/eo/mbe-wbe-resource-list>

By checking this box, I agree to utilize the above listings of certified MWBE contractors 1) as part of the outreach efforts to identify and invite MWBE contractors to participate in the bidding process and 2) to assist in meeting the MWBE utilization goals set by my organization for the project being considered for ECIDA tax incentives.

Please provide additional information regarding your history of setting / meeting MWBE goals on past projects or other relevant information you would like to share - below.

Swan and Pearl, LLC through McGuire Development Company (McGuire) is committed to supporting MWBE utilization goals. McGuire has a strong track record of engaging and working with partners who also share an understanding of the importance of a strong commitment to MWBE utilization goals. Our project team has a history or and plans to continue emphasizing MWBE utilization targets in the bidding process. In addition, our project team has previously engaged in training and community outreach during construction to encourage MWBE participation in projects.

## 2. Minority & Women Employment - Current Workforce & Hiring Practices

The ECIDA encourages the hiring of a diverse workforce, especially for jobs created and retained as part of an ECIDA induced project. Below are some links to sites and organizations that will be helpful in achieving a diverse workforce:

- Northland Workforce Training Center: <https://northlandwtc.org/employers/>
- Workforce Buffalo: <https://www.workforcebuffalo.org/business-services>
- New York State Job Bank: <https://myjobsny.usnlx.com/>
- Local Minority Newspapers: <https://www3.erie.gov/eo/minority-newspaper>

# Diversity, Equity and Inclusion Questionnaire

Please provide detailed information regarding your company's current workforce and hiring practices as it relates to minority and women employees, including, if applicable, the company's Diversity, Equity and Inclusion plan and goals, any strategic partnerships the company has with educational and/or workforce development entities, and company strategies regarding outreach to minorities and women with the dissemination of job openings to the public:

McGuire is an equal opportunity employer and our project team is proud to utilize a strategy that has a proven track record in achieving diversity in our business relationships. Through competitive bidding on all applicable platforms, as well as direct outreach using state-provided databases, the project construction team strives to meet and encourage the utilization goals and provide opportunity for MWBE involvement in our projects.

### **3. Economic Inclusion Program**

The ECIDA's Economic Inclusion Program (EIP) is a voluntary "opt in" program providing an enhanced real property tax abatement to applicants who commit to implementing and meeting MWBE utilization and minority and women employment goals. The mission of the EIP is to enhance the beneficial public impact of projects receiving ECIDA assistance and to further the ECIDA's goal of advancing opportunities for MWBE businesses and minorities and women, in general, in the Erie County workforce. Please note, for a company to be considered an MWBE under the EIP it must be certified as an MWBE by New York State or Erie County.

Under the EIP, the standard ECIDA PILOT Agreement real property tax abatement schedules are enhanced by extending both the term and abatement percentages of the PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. The applicant shall not engage in any unlawful discrimination against any employee or applicant by reason of race, creed, religion, color, age, disability, national origin, sex, gender, or any other characteristic protected by law, including, but not limited to, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in

Employment Act, the Genetic Information Nondiscrimination Act, the New York State Human Rights Law, and any other similar laws, rules, or regulations. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

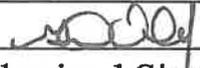
Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals.

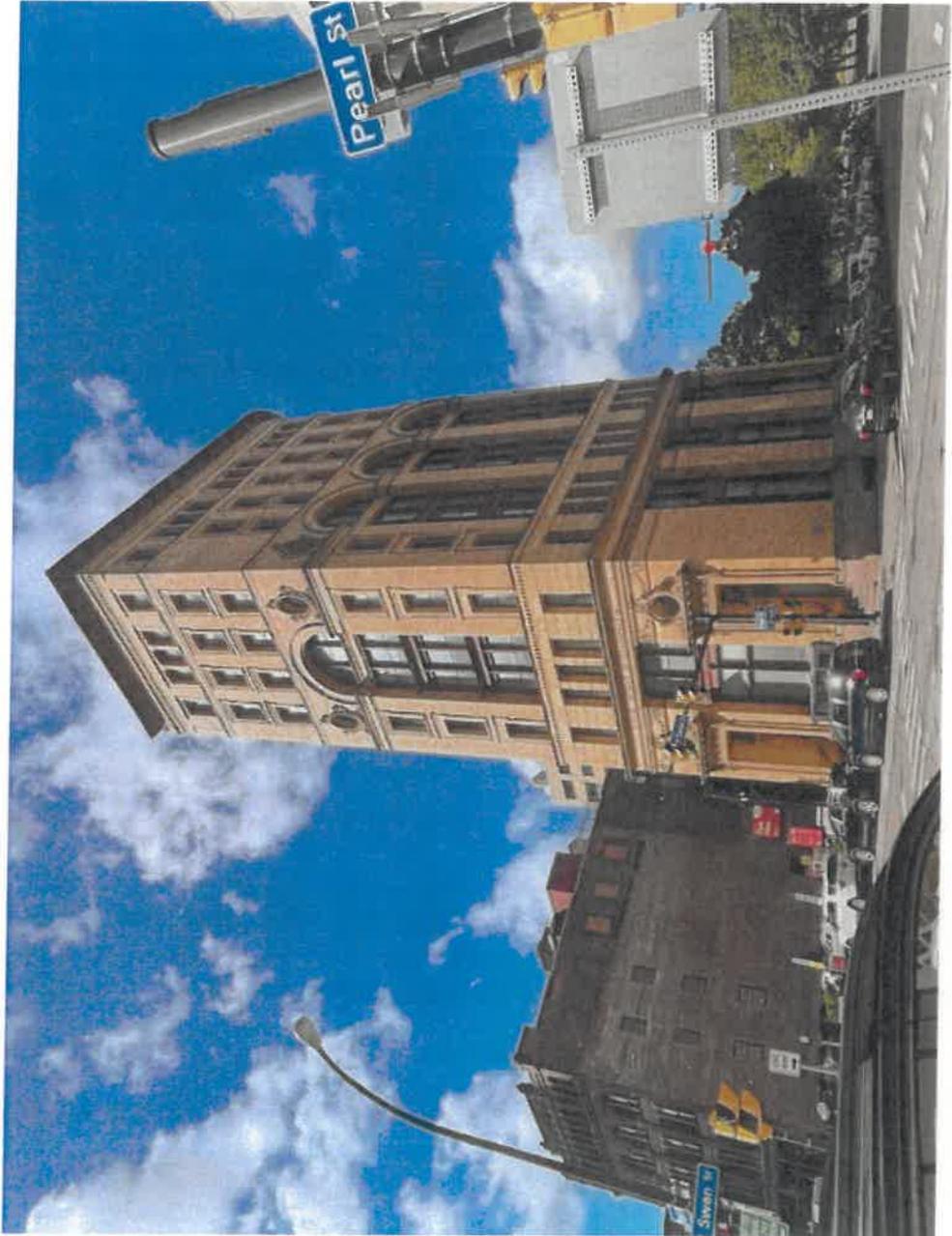
# Diversity, Equity and Inclusion Questionnaire

Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

Please check the box indicating that you have read the attached Economic Inclusion Program summary and FAQ document that can be found at the end of the questionnaire.

Please check the box if you are interested in tentatively opting into the Economic Inclusion Program (nonbinding) and would like further, detailed information on the program and process from your ECIDA business development officer.

Date: October 27, 2025  
Company: Swan and Pearl, LLC  
Name (printed): G. David Von Derau, Jr.  
Signature:   
Title: Authorized Signatory





January 20, 2026

Board of Directors  
Erie County Industrial Development Agency  
95 Perry Street, 4<sup>th</sup> Floor  
Buffalo, New York 14203

**RE: 110 Pearl/Swan & Pearl, LLC Application Supplemental Information**

Dear Members of the Board of Directors:

On behalf of Swan and Pearl, LLC, and as follow-up to the December 17, 2025 ECIDA Board meeting at which our application was considered, I am writing to provide supplemental information and clarification in response to points raised during that discussion.

Our application concerns 110 Pearl Street—The Dun Building—where we propose the adaptive reuse and historic rehabilitation of this long-standing downtown landmark to create 36 apartments and two commercial spaces, one of which is currently occupied by the restaurant K:Dara (the “Project”).

Swan & Pearl, LLC is wholly owned by members of the McGuire family. Their interest in this Project is driven by the opportunity to preserve and invest in a significant historic building, our understanding of continued demand for downtown living, and the potential to achieve a modest return under a long-term hold strategy. The Project’s viability is dependent upon the ability to leverage State and Federal Historic Tax Credits, the 485a tax abatement program, and ECIDA sales tax and mortgage recording tax exemptions. Even with the full menu of available incentives, the Project only marginally “pencils,” and without them it is not financially feasible. These incentives are a “but for” factor in the Project proceeding.

As context, the previous owner of The Dun Building pursued a redevelopment concept consisting of 23 units with significantly larger one- and two-bedroom layouts, averaging approximately 900 square feet for one-bedrooms (versus our 600 square feet) and 1,375 square feet for two-bedrooms (versus our 930 square feet). We ran the numbers on this 23-unit project hoping to relaunch this effort to save time and cost. However, at that unit count and size, the rents needed to support the project would far exceed market levels and, put simply, be unrealistic.

To make the project viable, it was necessary to increase the number of units to reduce rents. We were careful not to reduce unit sizes to the point of impracticability, and considerable time was spent refining layouts to be attractive and marketable.

We were not aware of any ECIDA requirement to provide larger, family-oriented units, such as three-bedroom apartments, and we relied on available written regulations and our experience with going through the process. The physical constraints of The Dun Building further limit the feasibility of such units, as each residential floor only contains approximately 2,600 square feet of net rentable area. By

455 Cayuga Road, Suite 100  
Buffalo, NY 14225  
P: 716.829.1900

AN EXPERIENCE BUILT ON TRUST  
[WWW.MCGUIREDEVELOPMENT.COM](http://WWW.MCGUIREDEVELOPMENT.COM)

7771 W Oakland Boulevard, Suite 214  
Fort Lauderdale, FL 33315  
P: 954.900.5436

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# McGuire

## Development Co

comparison, Trico Building Apartment currently lists a 1,669 square feet three-bedroom unit at \$3,556 per month, exclusive of fees and parking—pricing that we believe is not market viable or transferable to our location. The Dun Building, as wonderful as it is, has its challenges with no on-site parking, drop-off area, or amenities. The nearest covered parking option is located at the 93 Pearl Street garage across the street, which itself is in need of significant renovation.

We feel there is clear demand for the size and type of apartments that we will offer at the Project. While we fully recognize the importance of quality family housing, we also believe that successful downtown revitalization requires a range of housing types thoughtfully matched to the buildings being reused and the financial realities of their rehabilitation. Without the requested incentives, this Project cannot proceed, and the opportunity to preserve and reinvest in the Dun Building in the near term will be lost.

We appreciate the Board's consideration and welcome any additional questions.

Respectfully,



Eric Ekman  
Vice President, Development & Acquisitions  
McGuire Development Company



A COMMUNICATION FROM THE OFFICE OF

# The City of Buffalo Common Council

ACHIEVEMENT • CONCORDIA • KNOWLEDGE

Fillmore District Council Member Mitchell P. Nowakowski

**To:** Members of the Erie County Industrial Development Agency Board  
**From:** Mitchell P. Nowakowski, Fillmore District Council Member  
**Date:** October 24, 2025  
**Subject:** **Letter of Support for the Redevelopment of 110 Pearl (Dun Building)**

To Whom It May Concern:

As the Council Member for the Fillmore District, I am pleased to offer my strong support for Swan and Pearl, LLC and McGuire Development Company's redevelopment of the historic Dun Building at 110 Pearl Street in Downtown Buffalo.

The Dun Building is one of many architectural treasures in Buffalo. For years, it has sat underutilized, with only a single tenant occupying the basement level of this ten-story landmark in the heart of Downtown. The proposed investment of over \$14 million represents an opportunity not only to restore and modernize the structure, but to bring it back into productive use in a way that contributes to and activates our downtown core.

The redevelopment plan will introduce 36 new apartments, ranging from studios to two-bedroom units with 10% of them reserved for households earning 80% of the AMI. By pairing thoughtfully redesigned residences with active ground-floor commercial space—including a continued partnership with K:Dara—the project strikes the right balance between preservation and vibrancy that the neighborhood is in profound need of.

The requested ECIDA incentives for sales and mortgage tax abatements are critical to making this project financially feasible and ensuring the preservation and revitalization of this historic structure.

Thank you for your attention and consideration to this project. For questions, I can be reached at (716) 851-4138 or by email at [mnowakowski@buffalony.gov](mailto:mnowakowski@buffalony.gov).

Sincerely,

Mitchell P. Nowakowski  
Fillmore District Council Member

## PUBLIC HEARING SCRIPT

**Swan and Pearl, LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Public Hearing to be held on December 2, 2025 at 9:00 a.m.,  
at the Agency's offices, at 95 Perry Street, Suite 403, Buffalo, NY 14203

### ATTENDANCE:

Lindsay Munschauer – McGuire Development  
Noah Cliff – ECIDA  
Carrie Hocieniec – ECIDA  
Brian Krygier – ECIDA

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

**Hearing Officer:** Welcome. This public hearing is now open; it is 9:00 a.m. My name is Grant Lesswing. I am the Business Development Officer for the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at [ecidany.com](http://ecidany.com).

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

**Hearing Officer:** We are here to hold the public hearing on the Swan and Pearl, LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. 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 Thursday, November 6, 2025.

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

**Hearing Officer:** The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 110 Pearl Street, City of Buffalo, Erie County, New York and all other lands in the County of Erie (collectively, the "Land") where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project and the existing 36,000+/- square-foot building located thereon (the "Existing Improvements"); (ii) the renovation, reconstruction and refurbishment of the Existing Improvements by converting floors 2-10 into apartments with four apartments planned for each floor consisting of a mix of studio, 1-bed and 2-bed units. The first floor will remain as commercial space and the basement will continue as retail/restaurant space (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 and the Existing Improvements, the “Facility”).

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and mortgage recording tax exemption benefits (in compliance with Agency's uniform tax exemption policy).

4. **FORMAT OF HEARING:** Review the 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. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes at 4:00 p.m. on December 16, 2025. There are no limitations on written statements or comments.

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

**Hearing Officer:** If anyone is interested in making a statement or 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 statements and/or comments to 5 minutes, and if possible, 3 minutes.

Lindsay Munschauer - Project Manager, McGuire Development Company the developer for the planned improvements to 110 Pearl Street -the Dun Building.

Thank you for letting me speak on behalf of this project. We are excited about this project both because it will further regional goals of adding vibrancy and residential density to downtown Buffalo, and because it will restore a significant local landmark.

The Dun Building is one of the city's most charming properties. It was built in the 1890s and was designed by E.B. Green and his firm Green & Wicks as offices for what would become Dun & Bradstreet. It's regarded as Buffalo's first steel frame high rise — and (I just learned this recently) the first curved high rise in the world. Throughout its history, the building has been used for offices with a restaurant space in the basement.

Our plan is to convert floors 2 through 10 of the building into apartments. There will be 4 apartments per floor, totaling 36 apartments. Each floor will have one studio, two one-bedrooms and one two-bed, two-bath apartment. While this is a market rate project, we are planning at least 4 apartments that will be at 80% AMI. All apartments will have the same finishes and appliances, including in-unit washers and dryers. We are maintaining commercial space on the

first floor and in the basement. The first floor will be for an office or retail tenant and the existing restaurant tenant, K:Dara, will continue to operate in the basement space.

With the exception of the existing restaurant space, the project will be a fully gutted renovation of the building. This work will include: utility upgrades, roof replacement, new mechanical systems and finishes. We will take care to restore and maintain any historic details remaining in the building. On the exterior, masonry repairs will be taken to maintain the building's distinctive facade and current plans call for replacement of the building's cornice, which was removed in the 1980s.

We feel strongly that a conversion to a mixed-use is the best and highest use of this building. Currently all the office floors are vacant - and have been for several years. It would take significant investment into the building and its systems to even return the building to an office use. We are encouraged by the reception of other downtown apartment projects and feel that indicates a demand for downtown living.

As a market rate project, the budget for this project is very tight. The increased cost of construction over recent years as well as the increased cost of construction associated with historic rehabs place a financial stress on this project. We are very appreciative of the opportunity to apply for incentives offered by the Agency. The mortgage recording tax and sales tax exemptions along with State and Federal Historic Tax Credits and the 485(a) program are critical elements to allow this project to proceed. Without these programs working together, the project could not support private investment and would be unfeasible.

I thank you for your time and consideration of this project.

**6. ADJOURNMENT:**

As there are no further statements and/or comments, I will close the public hearing at 9:06 a.m.

**SIGN IN SHEET  
PUBLIC HEARING**

December 2, 2025, at 9:00 a.m.  
at the Agency's offices, at 95 Perry Street, Suite 403, Buffalo, NY 14203  
regarding:

**Swan and Pearl, LLC project and/or Individual(s), Affiliate(s),  
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 110 Pearl Street, Buffalo, New York 14202

| Name               | Company and/or Address   | X box to speak/<br>comment |
|--------------------|--|----------------------------|
| Lindsay Munschauer | McGuire Development<br>495 Cayuga Road, Suite 100<br>Buffalo, New York 14225 | X                          |
| Noah Cliff         | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203               |                            |
| Carrie Hocieniec   | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203               |                            |
| Brian Krygier      | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203               |                            |
|                    |  |                            |
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|                    |  |                            |

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
INDUCEMENT RESOLUTION**

**SWAN AND PEARL, LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S),  
SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS  
BEHALF**

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, February 25, 2026 at 12:00 p.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF SWAN AND PEARL, LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE “COMPANY”) IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (v) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, AND (B) A MORTGAGE RECORDING TAX EXEMPTION BENEFIT FOR FINANCING RELATED TO THE PROJECT; AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS

**WHEREAS**, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the “Act”), the ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act; and

**WHEREAS**, SWAN AND PEARL, LLC or on behalf of an affiliated entity formed or to be formed (the “Company”) has submitted an application to the Agency (the “Application”) requesting the Agency’s assistance with a certain project (the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 110 Pearl Street, City of Buffalo, Erie County, New York and all other lands in the County of Erie (collectively, the “Land”) where, by license or easement or other agreement, the Company or its designees are making improvements that

benefit the Project and the existing 36,000+/- square-foot building located thereon (the “Existing Improvements”); (ii) the renovation, reconstruction and refurbishment of the Existing Improvements by converting floors 2-10 into apartments with four apartments planned for each floor consisting of a mix of studio, 1-bed and 2-bed units. The first floor will remain as commercial space and the basement will continue as retail/restaurant space (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 and the Existing Improvements, the “Facility”); and

**WHEREAS**, pursuant to General Municipal Law Section 859-a, on December 2, 2025, at 9:00 a.m., at the Agency’s offices, at 95 Perry Street, Suite 403, Buffalo, NY 14203, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as hereinafter defined) being contemplated by the Agency (the “Public Hearing”) whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

**WHEREAS**, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project pursuant to an Agent and Financial Assistance Project Agreement (the “Agent Agreement”), (ii) negotiate and enter into a lease agreement (the “Lease Agreement”) and related leaseback agreement (the “Leaseback Agreement”) with the Company, pursuant to which the Agency will retain a leasehold interest in the Land, the Existing Improvements, the Improvements, the Equipment and personal property constituting the Facility; and (iii) provide Financial Assistance to the Company in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility, and (b) a mortgage recording tax exemption benefit for the financing related to the Project, (collectively, the sales and use tax exemption benefit and the mortgage recording tax exemption benefit, are hereinafter collectively referred to as the “Financial Assistance”); and

**WHEREAS**, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as “SEQRA”), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

**WHEREAS**, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:**

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company’s application and any other correspondence submitted by the Company to the Agency, public hearing comments, if any, Agency Policy Committee review of and recommendations related to the Project and its December 4, 2025 resolution to recommend Agency approval of the Project subject to the terms and conditions as described herein, the Policy Committee and Agency board member review of

the Project's cost benefit ratio, the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits, and Agency board member review, discussion, and consideration of same, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and/or renovating and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing and/or retaining employment opportunities in Erie County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries, and, to the extent occupants are relocating from one plant or facility to another in another area of the State, the Agency has complied with the Intermunicipal Movement procedures as required in the Countywide Industrial Development Agency Uniform Tax Exemption Policy; and

(F) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project as described herein; and

(G) The Agency has prepared a written cost-benefit analysis satisfactorily identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(H) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions of the Act.

(I) Based upon the information regarding the Project supplied by the Company within its Application and related materials, the Agency determines that the actions relating to the acquiring, renovating and equipping of the Facility consist of actions designed for the preservation of the

Facility and thus the Project is a Type II action pursuant to SEQRA consisting of the maintenance or repair involving no substantial changes in an existing structure or facility (6 NYCRR §617.5(c)(1)) and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site (6 NYCRR §617.5(c)(1)(2)) and, therefore, no findings or determination of significance are required under SEQRA.

(J) The Project is compliant with the Countywide IDA Eligibility Policy, constitutes a commercial facility as defined in the General Municipal Law and will promote employment opportunities and prevent economic deterioration in the City of Buffalo. The Agency has reviewed the opinion of the State Comptroller (OSC Op. 85-51) and hereby specifically finds that the Project will create temporary construction jobs and approximately 3 new part-time jobs, and, by adaptively reusing a vacant, declining and aged structure and rehabilitating it for residential use, will be a physical and economic improvement to this sensitive area of the City of Buffalo.

(K) The Project qualifies for Agency Financial Assistance as it meets the criteria within *Addendum #1 to the Agency's Adaptive Reuse Policy* (said Addendum #1 effective as of August 1, 2024 and hereinafter, the "Adaptive Reuse Policy") because (i) at least 10% of the units will be Workforce/Affordable Unit(s) having rental rates affordable to individuals and families at the Workforce/Affordable Housing Rental Rate, (ii) the Project contains a mix of configurations of Workforce/Affordable Unit(s) to meet housing needs for households of varying size based on a building's internal infrastructure and related financing considerations, and (iii) the Company has agreed to restrict, via income verification, the occupancy of the Workforce/Affordable Unit(s) to lessees whose annual income is at or below the 80% AMI figure as identified in the AHC table for the initial year of occupancy by a lessee of a Workforce/Affordable Unit. For this Project, the Company is committing to a total of four (4) units, consisting of three (3) studio and one (1) one-bedroom unit, to be offered at the workforce/ affordable housing rental rate described above.

(L) The Project qualifies for Agency Financial Assistance as it meets the Agency's evaluative criteria established by the Agency as required under General Municipal Law Section 859-a(5), as evidenced by the following:

(i) *(Age of Structure (must be at least 20 years old and present functional challenges to redevelopment):* Age of building = 130 years old and functional issues related to its age present challenges to its reuse;

(ii) *Structure has been vacant or underutilized for a minimum of 3 years (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). Project promotes the elimination of slum and blight:* The facility has been underutilized for 10 years. Floors 1-10 are deemed to have been vacant for approximately 5 years.

(iii) *Structure is not generating significant rental income (defined as 50% or less than the market rate income average for that property class):* Minimal rental income (\$3,875.77/month) is being collected from the current restaurant tenant located in the basement floor (3,400 SF of space).

(iv) *Project is in compliance with the investment and growth criteria of the Framework for Regional Growth. The redevelopment supports or aligns with Regional or*

*Local Development Plans:* The project is compliant with the Framework for Regional Growth. The Framework defines Regional Centers = sub areas most favored for future development and public investment – including the City of Buffalo.

(ii) *Demonstrated evidence of financial obstacle to development without ECIDA or other public assistance (cash flow projections, documenting costs, expenses and revenues indicating below average return on investment rate as compared to regional industry averages):* The building presents many unique challenges that impact the cost of redevelopment and the need for support including: (1) cost for the replacement of the building’s cornice, (2) the zero lot line requires additional investment during construction to locate dumpsters and provide staging areas for crew, (3) replacement and upgrades to the building’s systems including existing HVAC and upgraded utilities, (4) flatiron shape and small floorplates constrain efficiencies and limit the size and number of units.

(iii) *Demonstrated support of local government entities:* Letter from Mitchell Nowakowski, Fillmore District Council Member (letter was provided to the Agency).

(iv) *LEED/Renewable Resources:* Project is not seeking LEED certification.

(v) *Building or site has historic designation:* The Dun Building has local landmark status and is located in the Joseph Ellicott Historic Preservation District. The building was designed by renowned local architecture firm Green & Wicks and is known as Buffalo’s first steel framed skyscraper.

(vi) *Site or structure has delinquent property or other local taxes:* N/A.

(vii) *DEI Questionnaire:* The Company will utilize competitive bidding on all applicable platforms, as well as direct outreach using state-provided databases, in an effort to meet and encourage the utilization goals and provide opportunity for MWBE participation.

(viii) *Transit Oriented Development:* Project is located less than 50 feet from the Seneca Metro Rail Station and bus stations for routes 8 and 81.

(ix) *Onsite child daycare facilities on the project site:* No onsite child daycare will be available onsite.

(x) *Environmental/Safety Issues: Structure or site presents significant public safety hazard and or environmental remediation costs:* The building has a single stair egress which will require significant investment to meet required safety standards.

(xi) *Site or structure is located in a distressed census tract:* Site is located in an Empire Zone and is adjacent to a highly distressed census tract.

(xii) *Structure presents significant costs associated w/ building code compliance:* The single egress stair necessitates pressurization and smoke-evacuation systems, and the building’s classification due to floor count triggers a generator. Site constraints and building height also compel the use of a water-source heat pump system, which is typically cost-prohibitive for a project of this scale.

Section 2. The Agency hereby authorizes the undertaking of the Project and the provision of the Financial Assistance to the Company as described herein.

Section 3. Subject to the Company executing an Agent Agreement and the delivery to the Agency of a binder, certificate or other evidence of insurance for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and/or renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the authority to appoint the Company to act as agent of the Agency, if said appointment is not duly made, as herein expressed, shall expire one year from the date of this resolution (unless extended for good cause by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, and/or the Assistant Treasurer).

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its application for Financial Assistance, the Agency hereby:

(i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount estimated up to \$4,985,000, and, therefore, the value of the sales and use tax exemption benefits (“sales and use tax exemption benefits”) authorized and approved by the Agency cannot exceed \$436,187, however, the Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and

(ii) authorizes and approves that the value of the mortgage recording tax exemption benefit (“mortgage recording tax exemption benefits”) shall not exceed \$69,000.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local sales and use tax exemption benefits are for property or services not authorized by the Agency as part of

the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; (v) the New York State and local sales and use tax exemption benefits and/or mortgage recording tax exemption benefits, are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment Commitment, the Employment Commitment, the Local Labor Commitment, and/or the Affordable Housing Unit Commitment, said commitments as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, are taken in cases where the Company fails to comply with the Equal Pay Commitment and/or the Unpaid Real Property Tax Policy Commitment, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

C. Commitments. As an additional condition precedent of receiving Financial Assistance, and as a material term or condition as approved by the Agency in connection with the Project, the Company covenants and agrees and understands that it must, subject to potential modification, termination and/or recapture of Financial Assistance for failure to meet and maintain the commitments and thresholds as described below, submit, on an annual basis or as otherwise indicated below through the conclusion of the later of two (2) years following either (i) the construction completion date, or (ii) the termination of the Agent Agreement, a certification, as so required by the Agency, confirming:

- (i) Investment Commitment- the total investment actually made with respect to the Project at the time of Project completion equals or exceeds \$12,061,602 (which represents the product of 85% multiplied by \$14,190,120, being the total project cost as stated in the Company's application for Financial Assistance).
- (ii) Employment Commitment – that there are 3 existing full time equivalent (“FTE”) and 10 existing part time equivalent (“PTE”) employees located at, or to be located at, the Facility as stated in the Company's application for Financial Assistance (the “Baseline FTE”); and
  - the number of current FTE and PTE employees in the then current year at the Facility; and
  - that within two (2) years of Project completion, the Company has maintained and created FTE employment at the Facility equal to 9 FTE employees [representing the sum of (x) 3 Baseline FTE and 10 Baseline PTE (being the equivalent of 5 FTE employees) and (y) 1 FTE employee, being the product of 85% multiplied by 1.5 FTE (being the 3 new PTE employee positions proposed to be created by the Company as stated in its Application)].

To confirm and verify the Company's employment numbers, the Agency requires that, at a minimum, the Company provide employment data to the Agency on a quarterly basis, said information to be provided on the Agency's "Quarterly Employment Survey" form to be made available to the Company by the Agency.

- (iii) Local Labor Commitment - that the Company adheres to and complies with the Agency's Local Labor Workforce Certification Policy on a quarterly basis during the construction period.
- (iv) Equal Pay Commitment – that the Company adheres to and complies with the Agency's Pay Equity Policy.
- (v) Unpaid Real Property Tax Policy Commitment – that the Company is compliant with the Agency's Unpaid Real Property Tax Policy.
- (vi) Affordable Housing Unit Commitment – that the Project includes a minimum of four (4) housing units, as identified above, affordable at 80% AMI.

Section 4. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver (A) an Agent Agreement, (B) the Lease Agreement whereby the Company leases the Project to the Agency, (C) the related Leaseback Agreement whereby the Agency leases the Project back to the Company, and (D) related documents; provided, however, that the rental payments under the Leaseback Agreement to the Company include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project.

Section 5. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance acquisition and Project costs or equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement, and related documents, collectively called the "Agency Documents"); and, where appropriate, the Secretary or the Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the Agency shall approve, the execution thereof by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. The provision by the Agency of Financial Assistance with respect to the Project as described herein is subject to the execution and delivery of the Agency's Administrative Fee Agreement (the "Fee Agreement") and payment by the Company of an administrative fee calculated in accordance with the Fee Agreement, all within sixty (60) days of the date of this resolution. In the event the Agency has not received the executed Fee Agreement and the appropriate fee within such sixty (60) day period, this resolution shall become automatically null and void and of no further effect and the Agency shall have no liability to the Company hereunder or otherwise, unless extended in the discretion of the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, or the Assistant Treasurer for good cause shown.

Section 8. This resolution shall take effect immediately, and shall expire one (1) year from the date hereof unless extended for good cause by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, or the Assistant Treasurer.

Dated: February 25, 2026



**110 Pearl 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

|                            |   |
|----------------------------|---|
| <b>Project Name</b>        | 110 Pearl Street  |
| <b>Project Summary</b>     | Project is the adaptive reuse of the historic Dun Building in downtown Buffalo. Project will convert floors 2-10 of the building into 36 apartments. Commercial space is planned for the building's first floor and the existing restaurant in the basement will be maintained. |
| <b>Applicant Name</b>      | Swan and Pearl, LLC   |
| <b>Applicant Address</b>   | 455 Cayuga Road   |
| <b>Applicant Address 2</b> | Suite 100   |
| <b>Applicant City</b>      | Buffalo   |
| <b>Applicant State</b>     | New York  |
| <b>Applicant Zip</b>       | 14225   |
| <b>Phone</b>               | (716) 361-3141  |
| <b>Fax</b>                 |   |
| <b>E-mail</b>              | lindsay@mcg-dev.com   |
| <b>Website</b>             |   |
| <b>NAICS Code</b>          | 531390  |

### Business Organization

**Type of Business**  
Limited Liability Company

**Year Established**  
2025

**State**  
New York

**Indicate if your business is 51% or more (Check all boxes that apply)**

[No] Minority Owned  
 [No] Woman Owned

**Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)**

[No] NYS Certified  
 [No] Erie Country Certified

Individual Completing Application

**Name** Lindsay Munschauer  
**Title** Project Manager  
**Address** 455 Cayuga Road  
**Address 2** Suite 100  
**City** Buffalo  
**State** New York  
**Zip** 14225  
**Phone** (716) 361-3141  
**Fax**  
**E-Mail** lindsay@mcg-dev.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** No  
**Name** G. David Von Derau, Jr  
**Title** Authorized Signatory  
**Address** 455 Cayuga Road  
**Address 2** Suite 100  
**City** Buffalo  
**State** New York  
**Zip** 14225  
**Phone** (716) 829-1987  
**Fax**  
**E-Mail** david@mcg-dev.com

Company Counsel

**Name of Attorney** Michael Blinkoff  
**Firm Name** Blinkoff & Blinkoff, P.C.  
**Address** 501 John James Audubon Pkwy  
**Address 2** Suite 400  
**City** Amherst  
**State** New York  
**Zip** 14228  
**Phone** (716) 332-6104  
**Fax** (716) 332-6183  
**E-Mail** mblinkoff@blinkoff.com

Benefits Requested (select all that apply).

**Exemption from Sales Tax** Yes  
**Exemption from Mortgage Tax** Yes

|   |    |
|---|----|
| <b>Exemption from Real Property Tax</b> | No |
| <b>Tax Exempt Financing*</b>            | No |

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

Applicant Business Description

**Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.**

The Applicant is Swan and Pearl, LLC. It's a special purpose entity formed for the purchase and redevelopment of 110 Pearl Street. McGuire Acquisitions, LLC is the 100% owner of Swan and Pearl, LLC. F. James McGuire is the General Manager of Swan and Pearl, LLC. While the applicant is the owner of the property, McGuire Development Company will be overseeing work on this project. Operating since 2006, McGuire Development Company has a proven record of delivering high quality projects that aim to make a positive impact on the community. Its most recent development, The Rails, is a transit-oriented mixed used project that added 312 apartments and two new retail businesses to Main Street in Buffalo's University District. McGuire Development Company also successfully oversaw the development of Vintage Flats, an adaptive reuse project that converted a closed machine tool shop into 33 apartments.

|   |       |
|---|-------|
| <b>Estimated % of sales within Erie County</b>                            | 100 % |
| <b>Estimated % of sales outside Erie County but within New York State</b> | 0 %   |
| <b>Estimated % of sales outside New York State but within the U.S.</b>    | 0 %   |
| <b>Estimated % of sales outside the U.S.</b>                              | 0 %   |

(\*Percentage to equal 100%)

**For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?**

90

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

Kamco Supply, VP Supply, SRS Distribution, Floor & Décor, Quaker Millwork, Best Tile, Advantage Flooring, Great Lakes Building Systems, Gypsum Systems, PCS Plumbing, Dival Safety and Supplies, and Allied Mechanical

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

Project Location

**Address of Proposed Project Facility**

110 Pearl Street

**Town/City/Village of Project Site**

Buffalo

**School District of Project Site**

Buffalo Public Schools

**Current Address (if different)**

n/a

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

n/a

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

111.690-2-1

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

\$8,928.10 (County); \$3,679.15 (Mall);

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

Land

\$ 0

Building(s)

\$ 0

If available include a copy of current tax receipt.

**Are Real Property Taxes current at project location?**

Yes

**If no please explain**

\*The ECIDA has an unpaid tax policy and you will be required to certify all taxes and PILOTS are current.

**Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?**

Yes

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

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

No

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

This is an existing building, however the majority of the building-- all floors excluding the basement-- are currently vacant.

**Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)**

The planned project is an adaptive re-use of the historic Dun Building, located at 110 Pearl Street in downtown Buffalo. The Dun Building is a significant city landmark and, at 10-stories is recognized as the first high-rise in Buffalo. It was designed in the 1890s by Green & Wicks as offices for what would become Dun & Bradstreet. The building is approximately 36,000 square feet and the building site is 0.812 acres the building footprint makes up the entirety of the site. Applicant's project will convert floors 2-10 of the building into apartments with four apartments planned for each floor. The apartments will be a mix of studios, 1-beds, and 2-beds. The first floor of the building will remain as commercial space for an office or retail tenant. The basement, which is the only currently occupied portion of the building, is home to a restaurant tenant, K:Dara, who will remain during and after construction. With the exception of the existing restaurant space, the project will be a fully gutted renovation of the building. This work will include: utility upgrades, roof replacement, new MEP/FP systems, elevator repair and replacement, apartment fit-out, and finishes. Care will be taken to maintain and restore any historic details remaining in the building. On the exterior, targeted masonry work will be performed to maintain and preserve the building's distinctive neoclassical façade and current plans call for replacement of the building's cornice, which was removed from the building in the 1980s.

**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 essential to move ahead with Applicant's plan to restore and adaptively reuse the historic Dun Building. Without the mortgage tax and sales tax abatements offered by the Agency, as well as the utilization of historic tax credits, a project of this nature would not be feasible due to overall project costs exceeding a completed market value, thus creating a shortfall in financing and justification with equity investment. In addition, historic rehabilitation and adaptive reuse projects cost more than conventional projects and, overall, construction costs have dramatically increased over recent years. The Dun Building is particularly more expensive from a construction standpoint due to zero lot line conditions; the building's height; small, constrained floorplates; and single egress stair that requires additional life safety measures. The incentives offered by the agency also allow the Applicant to offset the increasing redevelopment costs and maintain rental rates consistent with existing market rate projects and to ensure that 10% of units are available at 80% AMI. Regarding the affordable housing requirement: Applicant respectfully requests approval to satisfy the 80% AMI income-restricted unit requirement through four (4) studio apartments located on separate floors of the building. The project's unit mix consists of 25% studios, 50% one-bedroom apartments, and 25% two-bedroom apartments. As outlined in prior sections, the project is financial dependent on the Agency's mortgage recording tax and sales tax exemptions, together with the State and Federal Historic Tax Credits and the 485(a) program. These incentives collectively represent a critical "but for" factor. Without them, the project would not achieve a value in excess its development cost and therefore would not support private investment. Expanding the income-restricted requirement beyond the studio unit type would prevent the project from achieving its targeted appraised value and would further reduce conventional loan proceeds. Given the nature of this project—a complex historic rehabilitation and adaptive reuse effort—the development budget requires maximum loan proceeds to support contingencies to handle the issues that will inevitably arise during construction. Applicant has already faced significant challenges, including permanent power requirements that threaten schedule and cost, and the need for a sewer line replacement. In addition, the single egress stair necessitates pressurization and smoke-evacuation systems, and the building's classification due to floor count triggers a generator. Site constraints and building height also compel the use of a water-source heat pump system, which is typically cost-prohibitive for a project of this scale. In short, every dollar materially affects both the project budget and future operating cash flows. Applicant will provide four high-quality studio apartments, each located on a different floor, for eligible residents. All apartments in the project will have the same finishes, and the studios will be equipped with a Murphy-bed/sofa systems that convert into a queen-sized bed. Dec 10 2025 Update- Revised Application to allow for the addition of a 1 bedroom unit at 80% AMI. Therefore, the resulting 4 unit at 80% AMI = 3 studio units and 1 1-bedroom unit.

**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 this project is not granted by the Agency, then the Applicant will not be able to move forward with its plans to redevelop this property. The building would remain significantly underused and would become completely vacant. The building's systems will be unable to be maintained long-term in their current condition and without full replacement. The existing office floors and building systems are not suitable for immediate occupancy and significant and costly repairs and replacements are needed to return the building to a usable condition. In addition, the post-COVID market for office space in downtown Buffalo would not support these significant improvements needed to return the building to office use. The only feasible future for the property is as a market-rate residential/mixed use conversion. Without agency assistance, the Applicant would be unable to continue with this project.

**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)**

Yes: less than 500ft from the Seneca Metro Rail Station and bus stations for routes 8 and 81.

**Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?**

No

**If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.**

**If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.**

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

Yes

**Describe the present zoning/land use**

N-1D (Downtown Hub)

**Describe required zoning/land use, if different**

n/a

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

n/a

**Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?**

No

**If yes, please explain**

**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.

**Please explain the extent to which the project provides onsite child care services or otherwise facilitates new child care services.**

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**      Yes

**Services**      Yes

Please check any and all end uses as identified below.

- |  |                           |                                     |
|--|---------------------------|-------------------------------------|
| <b>No Acquisition of Existing Facility</b> | <b>No Assisted Living</b> | <b>No Back Office</b>               |
| <b>No Civic Facility (not for profit)</b>  | <b>Yes Commercial</b>     | <b>No Equipment Purchase</b>        |
| <b>No Facility for the Aging</b>           | <b>No Industrial</b>      | <b>No Life Care Facility (CCRC)</b> |
| <b>Yes Market Rate Housing</b>             | <b>Yes Mixed Use</b>      | <b>Yes Multi-Tenant</b>             |
| <b>Yes Retail</b>                          | <b>No Senior Housing</b>  | <b>No Manufacturing</b>             |

**No Renewable Energy**

**No Other**

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

|                                   |                    |    | <b>Cost</b> | <b>% of Total Cost</b> |
|-----------------------------------|--------------------|----|-------------|------------------------|
| <b>Manufacturing/Processing</b>   | square feet        | \$ | 0           | 0%                     |
| <b>Warehouse</b>                  | square feet        | \$ | 0           | 0%                     |
| <b>Research &amp; Development</b> | square feet        | \$ | 0           | 0%                     |
| <b>Commercial</b>                 | 2,100 square feet  | \$ | 200,000     | 0%                     |
| <b>Retail</b>                     | 3,400 square feet  | \$ | 85,125      | 0%                     |
| <b>Office</b>                     | square feet        | \$ | 0           | 0%                     |
| <b>Specify Other</b>              | 31,000 square feet | \$ | 13,904,995  | 98%                    |

**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** < BLANK >

**Will project result in significant utility infrastructure cost or uses** Yes

What is the estimated project timetable (provide dates).

**Start date : acquisition of equipment or construction of facilities**

1/15/2026

**End date : Estimated completion date of project**

3/15/2027

**Project occupancy : estimated starting date of occupancy**

3/15/2027

Capital Project Plan / Budget

**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

\$ 1,850,000 square feet acres

**2.) New Building Construction**

\$ 0 square feet

**3.) New Building addition(s)**

\$ 0 square feet

**4.) Reconstruction/Renovation**

\$ 9,977,428 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.)**

\$ 2,362,692

**9.) Other Cost**

\$ 0

**Explain Other  
Costs**

**Total Cost** \$ 14,190,120

Construction Cost Breakdown:

|                                   |   |
|-----------------------------------|---|
| <b>Total Cost of Construction</b> | \$ 9,977,428 (sum of 2, 3, 4 and 6 in Project Information, above) |
| <b>Cost of materials</b>          | \$ 4,985,000  |
| <b>% sourced in Erie County</b>   | 100%  |

Sales and Use Tax:

|   |              |
|---|--------------|
| <b>Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit</b> | \$ 4,985,000 |
| <b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>  | \$ 436,187   |

\*\* 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:

|  |                      |
|--|----------------------|
| <b>Equity (excluding equity that is attributed to grants/tax credits):</b>   | \$ 4,990,121         |
| <b>Bank Financing:</b>   | \$ 7,500,000         |
| <b>Tax Exempt Bond Issuance (if applicable):</b>   | \$ 0                 |
| <b>Taxable Bond Issuance (if applicable):</b>  | \$ 0                 |
| <b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>   | \$ 1,700,000         |
| <b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b> | Historic Tax Credits |
| <b>Total Sources of Funds for Project Costs:</b>   | \$14,190,121         |

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

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

**Mortgage Amount (include sum total of construction/permanent/bridge financing).** 9,200,000

**Lender Name, if Known**

**Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):** \$69,000

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 (485-a, 485-b, other):** The project will seek 485-a tax abatement

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.

**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)

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).

|                  | <b>Current # of jobs at proposed project location or to be relocated at project location</b> | <b>If financial assistance is granted – project the number of FT and PT jobs to be retained</b> | <b>If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion</b> | <b>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 **</b> |
|------------------|--|---|--|---|
| <b>Full time</b> | 0  | 0   | 0  | 0   |
| <b>Part time</b> | 0  | 0   | 3  | 0   |
| <b>Total</b>     | 0  | 0   | 3  |   |

Salary and Fringe Benefits for Jobs to be Retained and Created

| <b>Job Categories</b>  | <b># of Full Time Employees retained and created</b> | <b>Average Salary for Full Time</b> | <b>Average Fringe Benefits for Full Time</b> | <b># of Part Time Employees retained and created</b> | <b>Average Salary for Part Time</b> | <b>Average Fringe Benefits for Part Time</b> |
|------------------------|--|-------------------------------------|--|--|-------------------------------------|--|
| Management             | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| Professional           | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| Administrative         | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| Production             | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| Independent Contractor | 0  | \$ 0                                | \$ 0   | 0  | \$ 0                                | \$ 0   |
| Other                  | 0  | \$ 0                                | \$ 0   | 3  | \$ 20,000                           | \$ 5,000                                     |
| <b>Total</b>           | 0  |                                     |  | 3  |                                     |  |

\*\* 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.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

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

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

Payroll Information

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

40,000

**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**

|                         |        |                       |        |
|-------------------------|--------|-----------------------|--------|
| <b>From (Full Time)</b> | 0      | <b>To (Full Time)</b> | 0      |
| <b>From (Part Time)</b> | 18,000 | <b>To (Part Time)</b> | 20,000 |

### 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**

110 Pearl Street, Buffalo, NY 14202

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

Swan and Pearl, 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.)**

The Premises consist of a 10-story steel frame and masonry mid-rise building. The building covers the entirety of the lot; there is no greenspace, wetlands or streams at the Premises.

##### **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 between 1893 and 1895. It's Applicant's understanding that only interior renovations have taken place over the history of the building, with the latest major renovation happening approx. 30-40 years ago.

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

The building was constructed to be, and has been used throughout its history, as an office building. The basement of the building houses a restaurant; it's applicant's understanding that the basement has been a restaurant space for many decades.

##### **Does any person, firm or corporation other than the owner occupy the Premises or any part of it?**

Yes

##### **If yes, please identify them and describe their use of the property**

All Under Heaven LLC is the owner of K:Dara, a restaurant currently operating in the basement of the building.

##### **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**

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**

None aware of

**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?**

Yes

**If yes, please identify the materials**

A roofing material was identified as asbestos containing during building HazMat testing; this will be abated during the Project.

**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**

Applicant's market research and due diligence indicate that demand for downtown market-rate residential properties is growing with recent developments, including The Police Apartments, Seneca One Apartments, TRICO Building Apartments, and 130 Pearl all maintaining strong occupancy rates. In addition, this project directly aligns with municipal efforts to revitalize Buffalo's downtown core and build a strong residential base that will add increased vibrancy and support continued retail development in the downtown districts.

**Have any tenant leases been entered into for this project?**

Yes

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, # of sq ft and % of total to be occupied at new projet site zip) | SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co. |
|-------------|--|--|
|-------------|--|--|

\*fill out table for each tenant and known future tenants

**Section V: Tenant Information**

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

All Under Heaven, LLC dba K:Dara

**Property Address:**

110 Pearl Street

**City/Town/Village**

Buffalo

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

3,405

**What percentage of the building does this represent?**

9

**Are terms of lease:**

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

Tenant is a restaurant operator who has operated out of 110 Pearl since 2022.

**Estimated date of occupancy**

8/1/2022

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

All Under Heaven, LLC dba K:Dara

**Local Contact Person:**

Jen Laban

**Title:**

Owner

**Current Address:**

110 Pearl Street, Buffalo, NY 14202

**Phone:**

(716) 510-9040

**Fax:**

**E-Mail:**

alluheavenllc@gmail.com

**Website:**

**Company President/General Manager:**

**Number of employees moving to new project location:**

**Full-Time:**

3

**Part-Time:**

10

**Total:**

13

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

The business is a currently operating restaurant.

12/12/25, 11:10 AM

The Erie County Industrial Development Agency (ECIDA)

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

Business has been operating at 110 Pearl Street since 2022. Prior to that it operated out of the Sidway building on Main Street.

**Please list the square footage which the proposed tenant will lease at the Project location**

3,405

**Please list the square footage which the proposed tenant leases at its present location(s)**

**Describe the economic reason for either the increase or decrease in leased space.**

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

No

**If owned, what will happen to the existing facility once vacated?**

**If leased, when does lease expire?**

12/31/2027

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

**If yes, please provide details as to location, and amount of leased space, how long leased?**

**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?**

Yes

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

**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?**

2 %

If the answer to this is **less than 33%** do not complete the remainder of the page, proceed to the next section.

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>

**Section VII: Adaptive Reuse**

**What is the age of the structure (in years)?** 130

**Are you applying for tax incentives under the Adaptive Reuse Program?**

Yes

**What is the age of the structure (in years)?** 130

**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.**

0

**If underutilized, number of years underutilized.**

10

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

The only portion of the building with an operating tenant is an approximately 3,400 SF restaurant located in the basement of the building. Floors 1-10 of the building are currently vacant office space, with each floor designed for a single office tenant. Over the past 12 years, office tenants have vacated the building as their leases expired. Applicant understands that floors 1-10 of the building have been vacant for approximately 5 years.

**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)**

Yes

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

\$3,875.77/mo. from the current restaurant tenant.

**Does the site have historical significance?**

Yes

**If yes, please indicate historical designation**

The Dun Building has local landmark status and is located in the Joseph Ellicott Historic Preservation District. It was designed by renowned local architecture firm Green & Wicks and is known as Buffalo's first steel-framed skyscraper.

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

Yes

**If yes, provide estimated value of tax credits**

\$3,800,000

**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)**

This project cannot be completed as planned without assistance from the Agency's incentives as well as state and federal historic tax credits. The costs created with the renovation and adaptive reuse of this historic structure are otherwise too high to support a conventional financing and equity structure.

**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 Councilmember Nowakowski about his support for the project and a letter of support is attached.

**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**

This building presents many unique challenges that impact the cost of redevelopment and the need for support through Agency incentives. Critically, care is being taken in this project to protect and preserve the historic integrity of a local landmark and important building in Buffalo's skyline. Plans call for the replacement of the building's cornice, which was removed in the 1980s, leaving only metal supports visible. Additionally, this is a zero-lot-line building, which necessitates additional investment during construction to locate dumpsters and provide staging areas for crews. Significant replacement and upgrades are required for the building's systems. The building's existing HVAC system has reached the end of its useful life and utility services will have to be upgraded to support continued use of the building in any context. The distinctive flatiron shape of the building and small floorplate puts constraints on efficiency of floorplan and limits size and number of units, impacting rental rates. The building is also a single-stair egress, which will require significant investment to meet required safety standards.

**Indicate census tract of project location**

Census Tract 165 City of Buffalo lists as: 0165001

**Indicate how project will eliminate slum and blight**

This project will reactivate a significantly underused building located in the heart of downtown Buffalo, increasing residential density and reactivating a ground floor space for office or retail use. In addition, as custodians of the property, ownership will improve maintenance of exterior of the building, including: picking up litter and better maintaining trash and recycling receptacles.

**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**

110 Pearl Street

**City/Town**

Buffalo

**State**

New York

**Zip Code**

14202

**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:**

n/a

**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**

n/a

**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?**

12/12/25, 11:10 AM

The Erie County Industrial Development Agency (ECIDA)

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: Housing**

1 Bedroom

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 17              | 578             | \$1,700      | \$70                                   |
| 80% AMI         | 1               | 565             | \$1,345      | \$70                                   |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total 1 Bedroom | 18              |                 |              |  |

2 Bedroom

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 9               | 930             | \$2,500      | \$105                                  |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total 2 Bedroom | 9               |                 |              |  |

3 Bedroom

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 0               | 0               | \$0          | \$0                                    |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total 3 Bedroom | 0               |                 |              |  |

Studio

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 6               | 407             | \$1,400      | \$50                                   |
| 80% AMI         | 3               | 396             | \$1,330      | \$50                                   |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total Studio    | 9               |                 |              |  |

Other

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 0               | 0               | \$0          | \$0                                    |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total Other     | 0               |                 |              |  |

Totals

|                   | Number of Units | % of Units |
|-------------------|-----------------|------------|
| At Market Rate    | 32              | 89%        |
| Below Market Rate | 4               | 11%        |
| Total Units       | 36              | 100%       |

**Section X: 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

## **Section XI: Tax Exempt Bonds**

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

**Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?**

No

**432 Frankin LLC / VisoneCo Site Development, LLC**  
**\$ 3,416,810**

**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

**ELIGIBILITY**

- NAICS Section - 236220

**COMPANY INCENTIVES**

- Up to \$ 96,250 in sales tax savings

**JOBS & ANNUAL PAYROLL**

- Current / Retained Jobs: None
- Projected new jobs: 1 PT
- Est. salary/yr. of jobs created: \$20,000
- Total jobs after project completion: 1 PT
- Construction Jobs: 12

**PROJECTED COMMUNITY BENEFITS\***

- Term: 2 yrs from project completion
- NET Community Benefits: \$3,010,917
- Spillover Jobs: 14
- Total Payroll: \$2,834,641

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

Incentives: \$96,250  
 Community Benefit: \$2,969,515  
 Cost: Benefit Ratio  
 • 1: 31

**Project Title:** Hamlin House  
**Project Address:** 432 Franklin St, Buffalo, NY 14202  
 Buffalo City School District

**Agency Request**

A sales tax abatement in connection with the adaptive reuse of a 44,000 sq ft commercial building located in the City of Buffalo's West Side.

|                           |                     |
|---------------------------|---------------------|
| Building Acquisition      | \$ 375,000          |
| Building Renovation       | \$ 2, 478,132       |
| Infrastructure            | \$ 154,478          |
| Soft Costs/Other          | <u>\$ 409,200</u>   |
| <b>Total Project Cost</b> | <b>\$ 3,416,810</b> |

85% \$ 2,904,288

**Company Description**

432 Franklin LLC is a single member LLC owned by Lou Visone. Lou Visone is the single member of VisoneCo Site Development, LLC – a premier General Contractor and Real Estate Developer with over 300,000 SF of real estate under management. Lou Visone is a seasoned construction industry heavy highway and general contractor with over 40 years of experience alongside his highly skilled and experienced team.

**Project Description**

This "Italian Villa" style historic structure was built in 1866 and served as the home of the Cicero Hamlin family until 1886. The building later was occupied by the German Orpheus Singing Society and was home to the American Legion Post 665 (bought in 1939). More recently, the Hamlin House restaurant opened inside the Post (1989) and operated there until 2022. The building has been vacant since 2022. The planned use for the facility includes 13 apartments units and 3,068 SF of commercial space.

| Market Rate | # of Units | SF Avg | Rent Avg | Tenant Utilities | Rent + Utilities |
|-------------|------------|--------|----------|------------------|------------------|
| Studio      | 1          | 413    | 1074     | 120              | 1194             |
| 1 Bedroom   | 5          | 672    | 1325     | 150              | 1475             |
| 2 Bedroom   | 5          | 1023   | 1834     | 200              | 2034             |

| Affordable (80% AMI) | # of Units | SF Avg | Rent Avg | Tenant Utilities | Rent + Utilities |
|----------------------|------------|--------|----------|------------------|------------------|
| Studio               | 2          | 370    | 970      | 120              | 1090             |

The company is pursuing property tax savings through the City's 485 A program.

\* Cost Benefit Analysis Tool powered by MRB Group

### 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   |
|-------|------------------|----------|
|       | Sales            | \$96,250 |
|       | Total            | \$96,250 |
|       | Discounted at 2% | \$96,250 |

#### Benefit: Projected Community Benefit\*

| BENEFITS | Region         | Recipient   | Revenue Type                  | \$ Amount** |
|----------|----------------|-------------|-------------------------------|-------------|
|          | Erie County    | Individuals | Payroll Construction          | \$1,858,138 |
|          |                |             | Payroll Permanent             | \$ 976,504  |
|          |                | Public      | Property Taxes                | \$ 0        |
|          |                |             | Sales Taxes                   | \$ 26,447   |
|          |                |             | Other - NFTA                  | \$ 0        |
|          | New York State | Public      | Income Taxes                  | \$ 127,559  |
|          |                |             | Sales Taxes                   | \$ 22,271   |
|          |                |             | Total Benefits to EC + NYS*** | \$3,010,917 |
|          |                |             | Discounted at 2%              | \$2,969,515 |

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

Discounted Cost       \$ 96,250  
 Discounted Benefit   \$2,969,515  
 Ratio                    1:31

**Conclusion:** The Cost Benefit for this project is: 1:31. For every \$1 in costs (incentives), this project provides \$31 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$54 in benefits to the community.**

**Retail Determination**

| Project Uses of Space                           | Sq Ft         | Cost             | % Project Cost |
|---|---------------|------------------|----------------|
| Retail / Commercial                             | 3,068         | 68,337           | 2%             |
| Other: residential housing + building amenities | 12,574        | 3,348,473        | 98%            |
| <b>Total</b>                                    | <b>15,642</b> | <b>3,416,810</b> | <b>100%</b>    |

The retail component of the project is less than 30% of the project costs and therefore no sign off is required.

**Draft Recapture Material Terms**

| Condition                | Term                             | Recapture Provision  |
|--------------------------|----------------------------------|--|
| Total Investment         | At project completion            | Investment amount equal to or greater than 85% of project amount.<br>Total project amount = \$3,416,810<br>85% = 2,904,288 |
| Employment               | Coincides with recapture period  | Projected = 1 PT<br>Create 85% of Projected = 0<br>Recapture Employment = 1 PT   |
| Affordable Housing Units | Coincides with recapture period  | Total Housing Units = 13<br># of 80% AMI units = 2 (meets required AMI units)  |
| Local Labor              | Construction period              | Adherence to policy including quarterly reporting  |
| Pay Equity               | Coincides with recapture period  | Adherence to Policy  |
| Unpaid Tax               | Coincides with recapture period  | Adherence to Policy  |
| <u>Recapture Period</u>  | 2 years after project completion | Recapture of state and local sales taxes   |

Recapture applies to:

State and Local Sales Taxes

**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 created 1 PT job, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

**Project ECIDA History**

- 1/29/2026: Public hearing held.
- 2/25/2026: Inducement Resolution presented to Board of Directors - Minor Site Plan Review City of Buffalo Planning Board Approval – No SEQRA compliance required.
- 2/25/2026: Lease/Leaseback Inducement Resolution presented to the Board of Directors

## EVALUATIVE CRITERIA ADAPTIVE REUSE

Project: 432 Franklin LLC / Hamlin House

| CRITERIA  | COMMENTS  |
|---|---|
| Age of Structure (must be at least 20 years old) and present functional challenges to redevelopment   | The structure is 160 years old with functional challenges to redevelopment including: high costs related to the creation of apartment building system and code compliance within the existing structure.  |
| Structure has been vacant or underutilized for a minimum of 3 years (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). Project promotes the elimination of slum and blight. | The Hamlin homestead was built in 1866 and the Hamlin family resided there until 1886. The building later was occupied by the German Orpheus Singing Society and an American Legion Post that bought the building in 1939. The Hamlin House restaurant opened inside the post in 1989, operated there until Aug 2022. The building has been vacant since that time. |
| Structure is not generating significant rental income (defined as 50% or less than the market rate income average for that property class)  | No income being generated at site.  |
| Project is in compliance with the investment and growth criteria of the Framework for Regional Growth. The redevelopment supports or aligns with Regional or Local Development Plans  | The project is compliant with the Framework for Regional Growth   |
| Demonstrated evidence of financial obstacle(s) to development without ECIDA or other public assistance (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rate as compared to regional industry averages)                  | Cash flow projects have been provided. An analysis revealed below average return on investment of:<br>ROI with ECIDA assistance = 4.6%<br>ROI without ECIDA assistance = 4.1 %  |
| Demonstrated support of local government entities   | Letter of support received from Fillmore District Council Member Michell Nowakowski – see letter attached.  |
| LEED/Renewable Resources  | N/A   |

## EVALUATIVE CRITERIA ADAPTIVE REUSE

|   |   |
|---|---|
| Building or site has historic designation   | 432 Franklin Street is within the City of Buffalo's Allentown Historic District. The applicant is pursuing NYS and Federal Historic Tax Credits for the completion of the renovation project. |
| Site or structure has delinquent property or other local taxes  | N/A   |
| DEI Questionnaire   | See attached.   |
| Transit Oriented Development  | The site is accessible via various NFTA Routes including: #11 (Colvin), #25 (Delaware) and #7 (Main).   |
| Onsite child daycare facilities on the project site   | None.   |
| <b>OTHER FACTORS TO CONSIDER:</b>   |   |
| Environmental / Safety Issues: Structure or site presents significant public safety hazard and or environmental remediation costs | The building has significant damage due to disrepair – including a roof that had gaping holes causing damage throughout the building.   |
| Site or structure is located in a distressed census tract   | This property is located in Census Tract 68.01 which is “Adjacent to Highly Distressed Census Tracts” at several points.  |
| Structure presents significant costs associated w/ building code compliance.  | Higher costs associated with code compliance for this structure are noted in application.   |

\*U.S. Census Bureau

DATE OF INDUCEMENT: February 25, 2026

## EVALUATIVE CRITERIA ADAPTIVE REUSE

### Return on Investment – 432 Franklin LLC / Hamlin House

Regional Return on Investment (ROI) numbers vary depending on the interest rate environment, investor availability and risk associated with a project.

The National Development Council, which has experience financing projects in higher risk urban areas across the Northeast, uses 10% - 12% as a benchmark rate of return for urban high-risk projects.

Empire State Development financing officials when reviewing similar projects in the City of Buffalo have used 12% as an acceptable ROI for development projects.

### Adaptive Reuse Projects

Many Adaptive Reuse Projects are hampered by upfront development costs that are not typical in new build green field development projects. These upfront costs can hinder the ability of the projects to attract financing and provide cash flow. The upfront costs associated with site contamination, asbestos removal, code compliance, structural deficiencies can make Adaptive Reuse projects difficult to undertake and attract private investment and financing, particularly in real estate markets where rental values are relatively low. Historically real estate projects in the region are difficult to undertake, local real estate developers have indicated that the typical ROI investors and developers seek to achieve in mixed use development projects are in the 10% - 12% range, although they can run higher for projects with significant risk.

### Public Incentives Requested

- Sales Tax Savings in the amount of \$ 96,250
- Mortgage Tax Savings in the estimated amount of \$ 20,062

### ROI

Applicant has submitted a proforma documenting the expenses and revenues and ROI for the project.

Stated ROI for the project with ECIDA assistance is 4.6%

Stated ROI for the project without ECIDA assistance is 4.1%

# Erie County Industrial Development Agency

## MRB Cost Benefit Calculator



Cost-Benefit Analysis Tool powered by MRB Group

Date: January 23, 2026  
 Project Title: 432 Frankin LLC / VisoneCo Site Development, LLC  
 Project Location: 432 Frankin Street, Buffalo, New York 14202

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

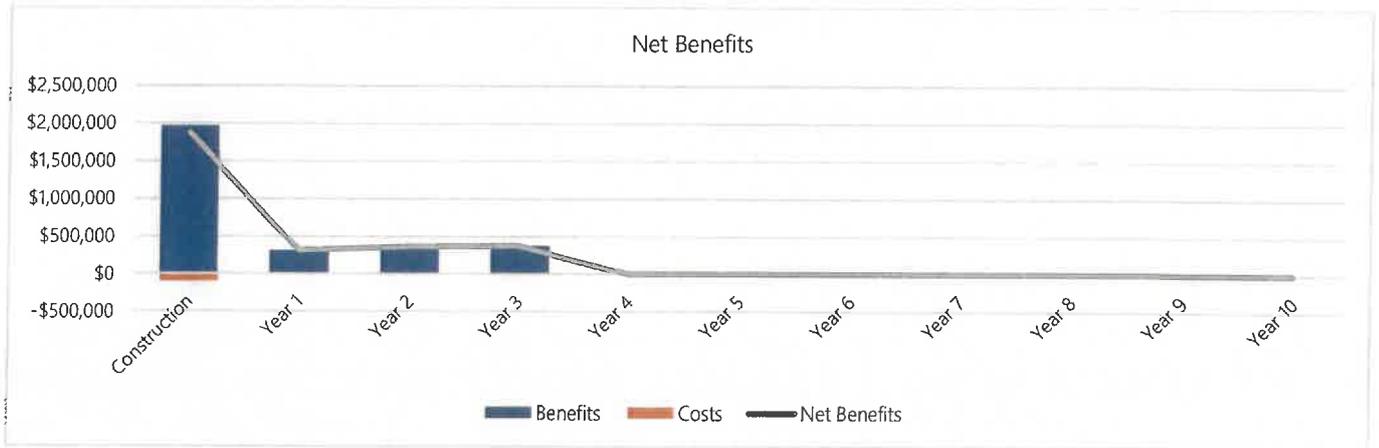
Construction Project Costs  
 \$3,416,810

|             | Temporary (Construction) |             |             |
|-------------|--------------------------|-------------|-------------|
|             | Direct                   | Indirect    | Total       |
| Jobs        | 12                       | 11          | 23          |
| Earnings    | \$1,164,101              | \$694,037   | \$1,858,138 |
| Local Spend | \$3,041,810              | \$2,162,119 | \$5,203,929 |

|          | Ongoing (Operations) |           |           |
|----------|----------------------|-----------|-----------|
|          | Direct               | Indirect  | Total     |
| Jobs     | 4                    | 3         | 7         |
| Earnings | \$529,913            | \$446,591 | \$976,504 |

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

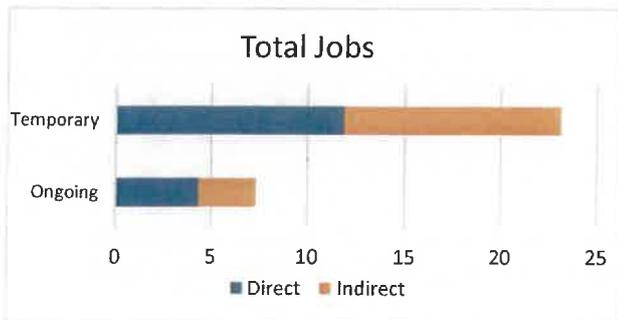


Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

|  | Nominal Value   | Discounted Value* |
|--|-----------------|-------------------|
| Property Tax Exemption                 | \$0             | \$0               |
| Sales Tax Exemption                    | \$96,250        | \$96,250          |
| Local Sales Tax Exemption              | \$52,250        | \$52,250          |
| State Sales Tax Exemption              | \$44,000        | \$44,000          |
| Mortgage Recording Tax Exemption       | \$0             | \$0               |
| Local Mortgage Recording Tax Exemption | \$0             | \$0               |
| State Mortgage Recording Tax Exemption | \$0             | \$0               |
| <b>Total Costs</b>                     | <b>\$96,250</b> | <b>\$96,250</b>   |

## State and Local Benefits

|   | Nominal Value      | Discounted Value*  |
|---|--------------------|--------------------|
| <b>Local Benefits</b>                       | <b>\$2,861,088</b> | <b>\$2,821,800</b> |
| To Private Individuals                      | \$2,834,641        | \$2,795,789        |
| Temporary Payroll                           | \$1,858,138        | \$1,858,138        |
| Ongoing Payroll                             | \$976,504          | \$937,652          |
| Other Payments to Private Individuals       | \$0                | \$0                |
| To the Public                               | \$26,446           | \$26,011           |
| Increase in Property Tax Revenue            | \$0                | \$0                |
| Temporary Jobs - Sales Tax Revenue          | \$15,446           | \$15,446           |
| Ongoing Jobs - Sales Tax Revenue            | \$11,001           | \$10,565           |
| Other Local Municipal Revenue               | \$0                | \$0                |
| <b>State Benefits</b>                       | <b>\$149,830</b>   | <b>\$147,715</b>   |
| To the Public                               | \$149,830          | \$147,715          |
| Temporary Income Tax Revenue                | \$83,616           | \$83,616           |
| Ongoing Income Tax Revenue                  | \$43,943           | \$42,194           |
| Temporary Jobs - Sales Tax Revenue          | \$13,007           | \$13,007           |
| Ongoing Jobs - Sales Tax Revenue            | \$9,264            | \$8,897            |
| <b>Total Benefits to State &amp; Region</b> | <b>\$3,010,917</b> | <b>\$2,969,515</b> |

## Benefit to Cost Ratio

|                    | Benefit*           | Cost*           | Ratio       |
|--------------------|--------------------|-----------------|-------------|
| Local              | \$2,821,800        | \$52,250        | 54:1        |
| State              | \$147,715          | \$44,000        | 3:1         |
| <b>Grand Total</b> | <b>\$2,969,515</b> | <b>\$96,250</b> | <b>31:1</b> |

\*Discounted at the public sector discount rate of: 2%

### Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes  
 Does this project provide onsite childcare facilities? No

# Diversity, Equity and Inclusion Questionnaire

## 1. MWBE Contractors - Construction

The ECIDA encourages applicants to utilize MWBE contractors and suppliers for their projects and when feasible, to set a goal for MWBE participation during the construction period of the project. Below are links to the NYS and Erie County certified MWBE lists, including contractors, that can assist you with your utilization goals:

- New York State MWBE Certified List: <https://ny.newnycontracts.com/>
- Erie County MWBE Certified List: <https://www3.erie.gov/eo/mbe-wbe-resource-list>

By checking this box, I agree to utilize the above listings of certified MWBE contractors 1) as part of the outreach efforts to identify and invite MWBE contractors to participate in the bidding process and 2) to assist in meeting the MWBE utilization goals set by my organization for the project being considered for ECIDA tax incentives.

Please provide additional information regarding your history of setting / meeting MWBE goals on past projects or other relevant information you would like to share - below.

- 1) Our project manager invited many MWBE 's to to participate in the bidding process. We also posted the project on Construction Exchange in October to reach a wider audience.
- 2) We will aim to achieve at least 10% of construction costs utilizing MWBE contractors and suppliers.
- 3) We have proper experience previously met and obtained a goal of 30% of funding goal for MWBE.

## 2. Minority & Women Employment - Current Workforce & Hiring Practices

The ECIDA encourages the hiring of a diverse workforce, especially for jobs created and retained as part of an ECIDA induced project. Below are some links to sites and organizations that will be helpful in achieving a diverse workforce:

- Northland Workforce Training Center: <https://northlandwtc.org/employers/>
- Workforce Buffalo: <https://www.workforcebuffalo.org/business-services>
- New York State Job Bank: <https://myjobsny.usnlx.com/>
- Local Minority Newspapers: <https://www3.erie.gov/eo/minority-newspaper>

Please provide detailed information regarding your company's current workforce and hiring practices as it relates to minority and women employees, including, if applicable, the company's Diversity, Equity and Inclusion plan and goals, any strategic partnerships the

# Diversity, Equity and Inclusion Questionnaire

company has with educational and/or workforce development entities, and company strategies regarding outreach to minorities and women with the dissemination of job

VisoneCo Site Development, LLC is an equal employment opportunity employer. Employment decisions are based on merit and business needs. VisoneCo Site Development, LLC. is committed to diversity, inclusion, and equal opportunity. We take affirmative steps to ensure that all programs and services are open to all persons, free of discrimination based on protected class status, including race, religion/creed, color, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, national origin (including limited English proficiency), age, political affiliation or belief, military or veteran status, disability, predisposing genetic characteristics, marital or family status, domestic violence victim status, arrest record or criminal conviction history, immigration or citizenship status, or any other impermissible basis.

openings to the public:

### **3. Economic Inclusion Program**

The ECIDA's Economic Inclusion Program (EIP) is a voluntary "opt in" program providing an enhanced real property tax abatement to applicants who commit to implementing and meeting MWBE utilization and minority and women employment goals. The mission of the EIP is to enhance the beneficial public impact of projects receiving ECIDA assistance and to further the ECIDA's goal of advancing opportunities for MWBE businesses and minorities and women, in general, in the Erie County workforce. Please note, for a company to be considered an MWBE under the EIP it must be certified as an MWBE by New York State or Erie County.

Under the EIP, the standard ECIDA PILOT Agreement real property tax abatement schedules are enhanced by extending both the term and abatement percentages of the PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. The applicant shall not engage in any unlawful discrimination against any employee or applicant by reason of race, creed, religion, color, age, disability, national origin, sex, gender, or any other characteristic protected by law, including, but not limited to, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in

## Diversity, Equity and Inclusion Questionnaire

Employment Act, the Genetic Information Nondiscrimination Act, the New York State Human Rights Law, and any other similar laws, rules, or regulations. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

Please check the box indicating that you have read the attached Economic Inclusion Program summary and FAQ document that can be found at the end of the questionnaire.

Please check the box if you are interested in tentatively opting into the Economic Inclusion Program (nonbinding) and would like further, detailed information on the program and process from your ECIDA business development officer.

Date:

01 / 07 / 26

Company:

VISONEC SITE DEVELOPMENT LLC

Name (printed):

TOM CELIK

Signature:



Title:

C.O.O.



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9829 Main Street, Clarence, NY 14031 | Phone: 716-759-1715 | Fax: 716-759-1501

**Erie County Industrial Development Agency  
95 Perry Street, 4<sup>th</sup> Floor  
Buffalo, New York 14203**

**RE: 432 Franklin – Hamlin House**

I am writing to provide additional context regarding the affordable housing component of the Hamlin House redevelopment. The Hamlin House, built in 1868 as the residence of Cicero Hamlin, is a significant Civil War-era Italianate Villa that has played many roles in Buffalo's history, including its more recent use as a VFW hall prior to closing. The property has now been vacant for more than three years. Our proposed mixed-use redevelopment seeks to restore and reactivate this historic asset.

The project will include 13 residential units—ranging from studios to one- and two- bedroom apartments, along with an approximately 3,000-square-foot commercial space. At least two of the thirteen residential units (15%) will be offered at below market rate. The two units selected are studio units. While many of the remaining units will be priced close to below-market rents when utilities are included and measured against current Area Median Income (AMI) levels, affordability restrictions across a larger portion of the project are not feasible due to financing constraints.

In today's lending environment, banks are increasingly cautious about projects with rent-restricted units, particularly when those restrictions apply to larger or family-sized apartments. These units carry higher construction costs, greater operating expenses, and increased long-term financial risk when subject to affordability caps. As a result, imposing restrictions on larger units would materially jeopardize the project's ability to secure permanent financing.

Considerable time was spent refining the studio units so that the layouts would be attractive and marketable. However, as part of our work with the State Historic Preservation Office (SHPO) and National Park Service (NPS), the project was subject to significant design limitations inherent to the adaptive reuse of a historic structure. Existing wall locations and historic aspects largely dictated unit sizes and layouts. The more open ballroom was required to be preserved and could not be converted to residential use. These constraints (along with the financial constraints) limited our ability to reconfigure the building for larger unit types and necessitated a unit mix that worked within the historic footprint of the structure.

Beyond the physical design limitations, due to the age and historic nature of the structure, development costs are significantly higher than those associated with new construction. In 2026, we are navigating elevated construction costs and ongoing interest rate uncertainty. The combination of State and Federal Historic Tax Credits, along with the ECIDA sales tax abatement, is what makes this project financially possible. Maintaining lender confidence is therefore essential to ensuring the project moves forward.

This investment will support numerous construction jobs, create a permanent part time property management /leasing position, and generate additional employment through the commercial space. It will bring a long-vacant, historically significant property back to life—returning it to the tax rolls and delivering meaningful economic and societal value to the City of Buffalo.

Sincerely,

*Brianne Zhang*

Director of Real Estate  
VisoneCo Site Development, LLC



A COMMUNICATION FROM THE OFFICE OF

# The City of Buffalo Common Council

ACHIEVEMENT • CONCORDIA • KNOWLEDGE

Fillmore District Council Member Mitchell P. Nowakowski

**To:** Members of the Erie County Industrial Development Agency Board  
**From:** Mitchell P. Nowakowski, Fillmore District Council Member  
**Date:** December 16, 2025  
**Subject:** **Support for 432 Franklin Street – Hamlin House Adaptive Reuse Project**

To Whom It May Concern:

I am writing in strong support of the application submitted by 432 Franklin LLC, led by VisoneCo Site Development LLC, for assistance related to the historic adaptive reuse of the Hamlin House at 432 Franklin Street in the City of Buffalo. This redevelopment stands to preserve historic assets and promote long-term economic growth in the City's historic Allentown neighborhood.

The Hamlin House is a roughly 20,000-square-foot Italianate villa constructed 160 years ago. Following the departure of the American Legion, the property sat vacant and was at risk of further deterioration. Since acquiring the building in 2023, VisoneCo has stabilized and maintained the structure and now proposes a thoughtful \$2.5+ million redevelopment that will return this historic landmark to productive use. The project will create 13 residential units and one approximately 3,100-square-foot commercial space, preserving the building's historic character while modernizing it for contemporary mixed-use purposes. The redevelopment will comply with both local Allentown Historic Preservation requirements and National Historic Preservation standards, ensuring the long-term survival of the property.

This investment delivers clear public benefits by preventing further blight, adding new housing, activating a walkable street-level commercial space on Virginia Place, and expanding the City and County tax base, while the high-quality rehabilitation is expected to strengthen surrounding property values and reinforce Allentown as a model for responsible historic reinvestment.

Thank you for your consideration of this important project. For questions, I can be reached at (716) 851-4138 or by email at [mnowakowski@buffalony.gov](mailto:mnowakowski@buffalony.gov).

Sincerely,

Mitchell P. Nowakowski  
Fillmore District Council Member

## PUBLIC HEARING SCRIPT

**VisoneCo Site Development, LLC project  
and/or Individual(s), Affiliate(s),  
Subsidiary(ies), or Entity(ies) formed or  
to be formed on its behalf**

Public Hearing to be held on January 30, 2026 at 9:00 a.m.,  
at the Erie County Industrial Development Agency's offices located at  
95 Perry Street, Suite 403, Buffalo, NY 14203

### ATTENDANCE:

Brianne Zhang – VisoneCo Site Development, LLC  
Beth O'Keefe – ECIDA  
Michelle Moore – ECIDA  
Brian Krygier – ECIDA

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

**Hearing Officer:** Welcome. This public hearing is now open; it is 9:01 a.m. My name is Noah Cliff. I am the Business Development Officer for the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at [ecidany.com](http://ecidany.com).

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

**Hearing Officer:** We are here to hold the public hearing on the VisoneCo Site Development, LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. 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 Friday, January 16, 2026.

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

**Officer:** The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 432 Franklin Street, City of Buffalo, Erie County, New York and all other lands in the County of Erie (collectively, the "Land") where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project and the existing 15,642+/- square-foot building located thereon (the "Existing Improvements"); (ii) the renovation, reconstruction and refurbishment of the Existing Improvements into 13 apartments and one 3,068+/- square-foot commercial mixed-use space (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 and the Existing Improvements, the "Facility").

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and mortgage recording tax exemption benefits (in compliance with Agency's uniform tax exemption policy).

4. **FORMAT OF HEARING:** Review the 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. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes at 4:00 p.m. on February 24, 2026. There are no limitations on written statements or comments.

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

**Hearing Officer:** If anyone is interested in making a statement or 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 statements and/or comments to 5 minutes, and if possible, 3 minutes.

Good morning. My name is Brianne Zhang from VisoneCo Site Development at 9829 Main Street, Clarence, New York, 14031. I am here representing the development team of VisoneCo Site Development for the historic renovation of 432 Franklin Street, known as the Hamlin House. We would like to thank the ECIDA for the opportunity to speak today and for their diligent work in supporting regional growth. The Hamlin House was built in 1868 in the residence of Cicero Hamlin. The Civil War Era Italianate villa, its 1899 stable house, and the 1913 ballroom have served many purposes, most recently as a home for the VFW before it was forced to close. It has been vacant for over three years. Our over \$2.6 million mixed-use redevelopment project will breathe new life into the underutilized property. We are creating 13 market rate apartments, a mix of studio one, two, and three bedroom apartments, and an approximately 3,000 square foot commercial suite. At least two of the multi-family units will be below market rate. Our goal is to effectively reactivate this property, returning it to the tax rolls with significantly increased economic and societal value while preserving its historic integrity. While we are passionate about this restoration, the reality of real estate development in 2026 is challenging. We are operating in an environment of higher construction costs and interest rate uncertainty. The combination of state and federal tax credits and ECIDA sales tax abatement are what make this project possible. This investment will support numerous construction jobs and permanent property management with further job creation expected within the commercial space. We are incredibly excited to invest in the City of Buffalo. We are grateful for the support we've received thus far from the community, the City of Buffalo Common Council, and the Allentown Historic Preservation Board. And we look forward to restoring the historic building. Thank you.

6. **ADJOURNMENT:**

As there are no further statements and/or comments, I will close the public hearing at 9:05 a.m.

**SIGN IN SHEET  
PUBLIC HEARING**

January 30, 2026 at 9:00 a.m.,  
at the Erie County Industrial Development Agency's offices located at  
95 Perry Street, Suite 403, Buffalo, NY 14203, regarding:

**VisoneCo Site Development, LLC project and/or Individual(s), Affiliate(s),  
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 432 Franklin Street, Buffalo, New York 14202

| Name           | Company and/or Address   | X box to speak/<br>comment |
|----------------|--|----------------------------|
| Brianna Zhang  | VisoneCo Site Development, LLC<br>9829 Main Street<br>Clarence, New York 14031 | X                          |
| Beth O'Keefe   | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203                 |                            |
| Michelle Moore | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203                 |                            |
| Brian Krygier  | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203                 |                            |
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**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
INDUCEMENT RESOLUTION**

**VISONECO SITE DEVELOPMENT, LLC, AND/OR INDIVIDUAL(S) OR  
AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED  
ON ITS BEHALF**

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, February 25, 2026 at 12:00 p.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF VISONECO SITE DEVELOPMENT, LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE “COMPANY”) IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (v) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS

**WHEREAS**, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the “Act”), the ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act; and

**WHEREAS**, VISONECO SITE DEVELOPMENT, LLC or on behalf of an affiliated entity formed or to be formed (the “Company”) has submitted an application to the Agency (the “Application”) requesting the Agency’s assistance with a certain project (the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 432 Franklin Street, City of Buffalo, Erie County, New York and all other lands in the County of Erie (collectively, the “Land”) where, by license or easement or other agreement, the

Company or its designees are making improvements that benefit the Project and the existing 15,642+/- square-foot building located thereon (the “Existing Improvements”); (ii) the renovation, reconstruction and refurbishment of the Existing Improvements into 13 apartments and one 3,068+/- square-foot commercial mixed-use space (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 and the Existing Improvements, the “Facility”); and

**WHEREAS**, pursuant to General Municipal Law Section 859-a, on January 30, 2026, at 9:00 a.m., at the Agency’s offices, at 95 Perry Street, Suite 403, Buffalo, NY 14203, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as hereinafter defined) being contemplated by the Agency (the “Public Hearing”) whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

**WHEREAS**, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project pursuant to an Agent and Financial Assistance Project Agreement (the “Agent Agreement”), and (ii) provide Financial Assistance to the Company in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility (the sales and use tax exemption benefit is hereinafter referred to as the “Financial Assistance”); and

**WHEREAS**, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as “SEQRA”), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

**WHEREAS**, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:**

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company’s application and any other correspondence submitted by the Company to the Agency, public hearing comments, if any, Agency Policy Committee review of and recommendations related to the Project and its February 5, 2026 resolution to recommend Agency approval of the Project subject to the terms and conditions as described herein, the Policy Committee and Agency board member review of the Project’s cost benefit ratio, the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project’s contemplated community benefits, and Agency board member review, discussion, and consideration of same, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and/or renovating and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing and/or retaining employment opportunities in Erie County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries, and, to the extent occupants are relocating from one plant or facility to another in another area of the State, the Agency has complied with the Intermunicipal Movement procedures as required in the Countywide Industrial Development Agency Uniform Tax Exemption Policy; and

(F) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project as described herein; and

(G) The Agency has prepared a written cost-benefit analysis satisfactorily identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(H) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions of the Act.

(I) Based upon the information regarding the Project supplied by the Company within its Application and related materials, the Agency determines that the actions relating to the acquiring, renovating and equipping of the Facility consist of actions designed for the preservation of the Facility and thus the Project is a Type II action pursuant to SEQRA consisting of the maintenance or repair involving no substantial changes in an existing structure or facility (6 NYCRR §617.5(c)(1)) and the replacement, rehabilitation or reconstruction of a

structure or facility, in kind, on the same site (6 NYCRR §617.5(c)(1)(2)) and, therefore, no findings or determination of significance are required under SEQRA.

(J) The Project constitutes a commercial facility as defined in the General Municipal Law and will promote employment opportunities and prevent economic deterioration in the City of Buffalo. The Agency has reviewed the opinion of the State Comptroller (OSC Op. 85-51) and hereby specifically finds that the Project will create temporary construction jobs and approximately one new part-time job, and, by adaptively reusing a vacant, declining and aged structure and rehabilitating it for residential use, it will be a physical and economic improvement to this sensitive area of the City of Buffalo.

(K) The Project qualifies for Agency Financial Assistance as it meets the Agency's evaluative criteria established by the Agency as required under General Municipal Law Section 859-a(5), as evidenced by the following:

(i) *Age of Structure (must be at least 20 years old and present functional challenges to redevelopment):* The structure is 160 years old with functional challenges to redevelopment including high costs related to the creation of apartment building system and code compliance within the existing structure.

(ii) *Structure has been vacant or underutilized for a minimum of 3 years (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). Project promotes the elimination of slum and blight:* The Hamlin homestead was built in 1866 and the Hamlin family resided there until 1886. The building was later occupied by the German Orpheus Singing Society and an American Legion Post that bought the building in 1939. The Hamlin House restaurant opened inside the post in 1989, operated there until August 2022. The building has been vacant since that time.

(iii) *Structure is not generating significant rental income (defined as 50% or less than the market rate income average for that property class):* No income being generated at the site.

(iv) *Project is in compliance with the investment and growth criteria of the Framework for Regional Growth. The redevelopment supports or aligns with Regional or Local Development Plans:* The project is compliant with the Framework for Regional Growth.

(v) *Demonstrated evidence of financial obstacles to development without ECIDA or other public assistance (cash flow projections, documenting costs, expenses and revenues indicating below average return on investment rate as compared to regional industry averages):* Cash flow projections have been provided. An analysis revealed below average return on investment of: ROI with ECIDA assistance = 4.6% and ROI without ECIDA assistance = 4.1%.

(vi) *Demonstrated support of local government entities:* Letter of support received from Fillmore District Council Member Mitchell Nowakowski.

(vii) *LEED/Renewable Resources*: Not Applicable.

(viii) *Building or site has historic designation*: 432 Franklin Street is within the City of Buffalo's Allentown Historic District. The applicant is pursuing NYS and Federal Historic Tax Credits for the completion of the renovation project.

(ix) *Site or structure has delinquent property or other local taxes*: N/A.

(x) *DEI Questionnaire*: The Company aims to achieve at least 10% of construction costs utilizing MWBE contractors and suppliers and notes it has invited MWBE firms to participate in its construction bidding process.

(xi) *Transit Oriented Development*: The site is accessible via various NFTA Routes including #11 (Colvin), #25 (Delaware) and #7 (Main).

(xii) *Onsite child daycare facilities on the project site*: None.

#### **OTHER FACTORS TO CONSIDER:**

(xiii) *Environmental/Safety Issues: Structure or site presents significant public safety hazard and or environmental remediation costs*: The building has significant damage due to disrepair including a roof that had gaping holes causing damage throughout the building.

(xiv) *Site or structure is located in a distressed census tract*: The project is in Census Tract 68.01 which is "Adjacent to Highly Distressed Census Tracts" at several points.

(xv) *Structure presents significant costs associated w/ building code compliance*: Higher costs associated with code compliance for this structure are noted in application.

(L) The Project qualifies for Agency Financial Assistance as it meets the criteria within Addendum #1 to the Agency's Adaptive Reuse Policy (said Addendum #1 effective as of August 1, 2024 and hereinafter, the "Adaptive Reuse Policy") because (i) at least 10% of the units will be Workforce/Affordable Unit(s) having rental rates affordable to individuals and families at the Workforce/Affordable Housing Rental Rate and (ii) the Company has agreed to restrict, via income verification, the occupancy of the Workforce/Affordable Unit(s) to lessees whose annual income is at or below the 80% AMI figure as identified in the AHC table for the initial year of occupancy by a lessee of a Workforce/Affordable Unit. For this Project, the company is committing 2 units to be offered at the workforce/ affordable housing rental rate described above.

Section 2. The Agency hereby authorizes the undertaking of the Project and the provision of the Financial Assistance to the Company as described herein.

Section 3. Subject to the Company executing an Agent Agreement and the delivery to the Agency of a binder, certificate or other evidence of insurance for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and/or renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the authority to appoint the Company to act as agent of the Agency, if said appointment is not duly made, as herein expressed, shall expire one year from the date of this resolution (unless extended for good cause by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, and/or the Assistant Treasurer).

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its application for Financial Assistance, the Agency hereby:

(i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount estimated up to \$1,100,000, and, therefore, the value of the sales and use tax exemption benefits (“sales and use tax exemption benefits”) authorized and approved by the Agency cannot exceed \$96,250, however, the Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits, taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; (v) the New York State and local sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment

Commitment, the Employment Commitment, the Local Labor Commitment and/or the Affordable Housing Unit Commitment, said commitments, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the New York State and local sales and use tax exemption benefits, are taken in cases where the Company fails to comply with the Equal Pay Commitment and/or the Unpaid Real Property Tax Policy Commitment, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

C. Commitments. As an additional condition precedent of receiving Financial Assistance, and as a material term or condition as approved by the Agency in connection with the Project, the Company covenants and agrees and understands that it must, subject to potential modification, termination and/or recapture of Financial Assistance for failure to meet and maintain the commitments and thresholds as described below, submit, on an annual basis or as otherwise indicated below through the conclusion of the later of two (2) years following either (i) the construction completion date, or (ii) the termination of the Agent Agreement, a certification, as so required by the Agency, confirming:

- (i) Investment Commitment- the total investment actually made with respect to the Project at the time of Project completion equals or exceeds \$2,904,288 (which represents the product of 85% multiplied by \$3,416,810, being the total project cost as stated in the Company's application for Financial Assistance).
- (ii) Employment Commitment – that there is at least 1 part time equivalent (“PTE”) employee located at, or to be located at, the Facility as stated in the Company's application for Financial Assistance (the “Baseline FTE”); and
  - the number of current FTE employees in the then current year at the Facility; and
  - that within two (2) years of Project completion, the Company has maintained and created PTE employment at the Facility equal to 1 PTE employee. To confirm and verify the Company's employment numbers, the Agency requires that, at a minimum, the Company provide employment data to the Agency on a quarterly basis, said information to be provided on the Agency's “Quarterly Employment Survey” form to be made available to the Company by the Agency.
- (iii) Local Labor Commitment - that the Company adheres to and complies with the Agency's Local Labor Workforce Certification Policy on a quarterly basis during the construction period.

- (iv) Equal Pay Commitment – that the Company adheres to and complies with the Agency’s Pay Equity Policy.
- (v) Unpaid Real Property Tax Policy Commitment – that the Company is compliant with the Agency’s Unpaid Real Property Tax Policy.
- (vi) Affordable Housing Unit Commitment – that the Project includes a minimum of two housing units affordable at 80% AMI.

Section 4. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver (A) an Agent Agreement and (B) related documents; provided, however.

Section 5. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. The provision by the Agency of Financial Assistance with respect to the Project as described herein is subject to the execution and delivery of the Agency’s Administrative Fee Agreement (the “Fee Agreement”) and payment by the Company of an administrative fee calculated in accordance with the Fee Agreement, all within sixty (60) days of the date of this resolution. In the event the Agency has not received the executed Fee Agreement and the appropriate fee within such sixty (60) day period, this resolution shall become automatically null and void and of no further effect and the Agency shall have no liability to the Company hereunder or otherwise, unless extended in the discretion of the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, or the Assistant Treasurer for good cause shown.

Section 8. This resolution shall take effect immediately, and shall expire one (1) year from the date hereof unless extended for good cause by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, or the Assistant Treasurer.

Dated: February 25, 2026



**432 Franklin**

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

|                            |   |
|----------------------------|---|
| <b>Project Name</b>        | The Hamlin House  |
| <b>Project Summary</b>     | Adaptive reuse and historic renovation of the old Hamlin House which is a civil war era mansion and stablehouse, along with its turn of the century ballroom into a (13) unit apartment and one 3,068SF commercial space mixed-use project. |
| <b>Applicant Name</b>      | VisoneCo Site Development LLC   |
| <b>Applicant Address</b>   | 9829 Main Street  |
| <b>Applicant Address 2</b> |   |
| <b>Applicant City</b>      | Clarence  |
| <b>Applicant State</b>     | New York  |
| <b>Applicant Zip</b>       | 14031   |
| <b>Phone</b>               | (716) 759-1718  |
| <b>Fax</b>                 |   |
| <b>E-mail</b>              | tom@visoneco.com  |
| <b>Website</b>             | www.VisoneCo.com  |
| <b>NAICS Code</b>          | 236220  |

Business Organization

**Type of Business**  
Limited Liability Company

**Year Established**  
2024

**State**  
New York

**Indicate if your business is 51% or more (Check all boxes that apply)**

- [No] Minority Owned
- [No] Woman Owned

**Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)**

- [No] NYS Certified
- [No] Erie Country Certified

Individual Completing Application

**Name** Tom Celik  
**Title**  
**Address** 9829 Main Street  
**Address 2**  
**City** Clarence  
**State** New York  
**Zip** 14031  
**Phone** (716) 759-1715  
**Fax**  
**E-Mail** tom@visoneco.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** Yes

**Name**  
**Title**  
**Address**  
**Address 2**  
**City**  
**State**  
**Zip**  
**Phone**  
**Fax**  
**E-Mail**

Company Counsel

**Name of Attorney** Gary Joseph  
**Firm Name** Sarles, Frey & Joseph  
**Address** 348 Harris Hill Road  
**Address 2** Suite A  
**City** Williamsville  
**State** New York  
**Zip** 14221  
**Phone** (716) 626-5200  
**Fax**  
**E-Mail** gjoseph847@gmail.com

Benefits Requested (select all that apply).

**Exemption from Sales Tax** Yes  
**Exemption from Mortgage Tax** Yes

|   |    |
|---|----|
| <b>Exemption from Real Property Tax</b> | No |
| <b>Tax Exempt Financing*</b>            | No |

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

Applicant Business Description

**Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.**

432 Franklin LLC is a single member LLC owned by Lou Visone. Lou Visone is also the single member of VisoneCo Site Development- a premier general contractor and real estate developer located in Clarence, NY with over 300,000 SF of real estate under management. Lou Visone, is a seasoned construction industry heavy highway and general contractor with over 40 years of experience alongside his highly skilled and experienced team.

|   |      |
|---|------|
| <b>Estimated % of sales within Erie County</b>                            | 80 % |
| <b>Estimated % of sales outside Erie County but within New York State</b> | 20 % |
| <b>Estimated % of sales outside New York State but within the U.S.</b>    | 0 %  |
| <b>Estimated % of sales outside the U.S.</b>                              | 0 %  |

(\*Percentage to equal 100%)

**For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?**

95

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

B&L Wholesale (building supplies), IRR Supply (plumbing supplies), New Enterprise Stone & Lime (concrete & aggregate materials).

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

Project Location

**Address of Proposed Project Facility**

432 Franklin Street

**Town/City/Village of Project Site**

Buffalo

**School District of Project Site**

Buffalo City School District

**Current Address (if different)**

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

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

111.22-4-1

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

\$44,746.55

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

Land

\$ 0

Building(s)

\$ 0

If available include a copy of current tax receipt.

**Are Real Property Taxes current at project location?**

Yes

**If no please explain**

\*The ECIDA has an unpaid tax policy and you will be required to certify all taxes and PILOTS are current.

**Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?**

No

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

Lucian Visone Jr

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

No

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

Vacant existing building previously used by the VFW

**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)**

432 Franklin Street in the City of Buffalo is a civil war era Italianate mansion and stable house along with a turn-of-the-century ballroom addition that was previously used by the VFW for decades until their unfortunate closure due to COVID & post-COVID economic instability. The VFW ceased their operations early 2022 and vacated the building. We purchased the building in October 2023 and have maintained it while we worked on our project design and plan. Our project will renovate the property into (13) market-rate apartments and (1) commercial suite affectively reactivating the property, putting the building back on the tax rolls with increased economic and societal value. We will keep the building's historic design identity and integrity along with our renovations.

**Municipality or Municipalities of current operations**

City of 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:**

**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)**

Erie County IDA's financial support is necessary due to the costs involved in renovating a historic building of this nature. The budgeted total project cost is approximately \$2.8 million, however, due to the intricacies of adaptive reuse and historic renovations, most of the trades and work necessary for the project are above and beyond industry standard costs making the project extremely costly and creating many factors for cost additional overruns that cannot be determined until construction begins. The level of detail and special trades required adds additional hardships to feasibility. Work such as repairing or replacing historic windows, cast iron sills and brick lintels, casings, Corinthian columns, cornices, exterior wooden modillions, ornate wood trims & beltcourses, corbels, wainscoting, doors, ceiling medallions, mantelpieces, and plaster are some of the intricate line items requiring costly design and specialize work beyond other standard new-build or run of the mill renovation projects. Designing and building modern mechanical and electrical systems require painstaking detail and expert execution while minimizing impact on the historic structure to ensure proper operation, code-compliance, and historic integrity continuing to drive costs. We need the ECIDA's financial support to assist the project's overall feasibility.

**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?**

Due to the nature of the market including interest rates and the nature of the high cost in historic renovation, we need ECIDA's financial assistance in supporting the feasibility of this project or it will delay the project possibly indefinitely due to needing the savings in supporting the project's finances.

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

Temporary heaters, generators, lifts, hand tools, scaffolding and other construction equipment.

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)**

NFTA Route 11 (Colvin) & 25 (Delaware) on Delaware Ave and Route 8 (Main) on Main Street.

**Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?**

Yes

**If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.**

**If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.**

Only required Minor Site Plan Review (no sitework, only interior renovation)

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

Yes

**Describe the present zoning/land use**

It is zoned N-2E Mixed Use Edge zone which permits multiple-unit dwelling and commercial 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?**

No

**If yes, please explain**

**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?**

No

If yes, please provide copies of the study.

**If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?**

Yes

**If yes, describe the efficiencies achieved**

All appliances, HVAC units, and LED lighting will be high-efficiency energy efficient. The building will follow New York State's leading efforts in minimizing natural gas usage by being completely electric other than natural gas powered rooftop HVAC units for the commercial space. 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.

**Please explain the extent to which the project provides onsite child care services or otherwise facilitates new child care services.**

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**    Yes

**Services**    Yes

Please check any and all end uses as identified below.

- No Acquisition of Existing Facility**    **No Assisted Living**    **No Back Office**
- No Civic Facility (not for profit)**    **Yes Commercial**    **No Equipment Purchase**
- No Facility for the Aging**    **No Industrial**    **No Life Care Facility (CCRC)**
- No Market Rate Housing**    **Yes Mixed Use**    **Yes Multi-Tenant**
- No Retail**    **No Senior Housing**    **No Manufacturing**
- No Renewable Energy**    **No Other**

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

|                                   |                    |    | <b>Cost</b> | <b>% of Total Cost</b> |
|-----------------------------------|--------------------|----|-------------|------------------------|
| <b>Manufacturing/Processing</b>   | square feet        | \$ | 0           | 0%                     |
| <b>Warehouse</b>                  | square feet        | \$ | 0           | 0%                     |
| <b>Research &amp; Development</b> | square feet        | \$ | 0           | 0%                     |
| <b>Commercial</b>                 | 3,068 square feet  | \$ | 68,337      | 3%                     |
| <b>Retail</b>                     | square feet        | \$ | 0           | 0%                     |
| <b>Office</b>                     | square feet        | \$ | 0           | 0%                     |
| <b>Specify Other</b>              | 12,574 square feet | \$ | 2,550,843   | 97%                    |

**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**    < BLANK >

**Will project result in significant utility infrastructure cost or uses**    Yes

What is the estimated project timetable (provide dates).

**Start date : acquisition of equipment or construction of facilities**

9/1/2025

**End date : Estimated completion date of project**

7/1/2026

**Project occupancy : estimated starting date of occupancy**

7/1/2026

Capital Project Plan / Budget

**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

\$ 375,000 15,246 square feet acres

2.) New Building Construction

\$ 0 square feet

3.) New Building addition(s)

\$ 0 square feet

4.) Reconstruction/Renovation

\$ 2,117,610 15,642 square feet

5.) Manufacturing Equipment

\$ 0

6.) Infrastructure Work

\$ 12,570

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

\$ 0

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

\$ 114,000

9.) Other Cost

\$ 0

Explain Other Costs

Total Cost \$ 2,619,180

Construction Cost Breakdown:

|                                   |   |
|-----------------------------------|---|
| <b>Total Cost of Construction</b> | \$ 2,130,180 (sum of 2, 3, 4 and 6 in Project Information, above) |
| <b>Cost of materials</b>          | \$ 1,100,000  |
| <b>% sourced in Erie County</b>   | 75%   |

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 \$ 1,100,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 96,250

\*\* 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): \$ 622,445

|  |                     |
|--|---------------------|
| <b>Bank Financing:</b>   | \$ 2,060,000        |
| <b>Tax Exempt Bond Issuance (if applicable):</b>   | \$ 0                |
| <b>Taxable Bond Issuance (if applicable):</b>  | \$ 0                |
| <b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>   | \$ 615,000          |
| <b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b> | Historic Tax Credit |
| <b>Total Sources of Funds for Project Costs:</b>   | \$3,297,445         |
| <b>Have you secured financing for the project?</b>   | Yes                 |

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

|  |           |
|--|-----------|
| <b>Mortgage Amount (include sum total of construction/permanent/bridge financing).</b>   | 2,675,000 |
| <b>Lender Name, if Known</b>   |           |
| <b>Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):</b> | \$20,062  |

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):** We are pursuing a 485-a with the City of Buffalo.

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.

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

Yes

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

Yes

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

Temporary heaters, generators, lifts, hand tools, scaffolding and other construction equipment.

Employment Plan (Specific to the proposed project location)

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  |
| <b>Total</b> | 0   | 0  | 1   |  |

Salary and Fringe Benefits for Jobs to be Retained and Created

| Job Categories         | # of Full Time Employees retained and created | Average Salary for Full Time | Average Fringe Benefits for Full Time | # of Part Time Employees retained and created | Average Salary for Part Time | Average Fringe Benefits for Part Time |
|------------------------|---|------------------------------|---------------------------------------|---|------------------------------|---------------------------------------|
| Management             | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| Professional           | 0   | \$ 0                         | \$ 0                                  | 1   | \$ 20,000                    | \$ 3,750                              |
| Administrative         | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| Production             | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| Independent Contractor | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| Other                  | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| <b>Total</b>           | 0   |                              |                                       | 1   |                              |                                       |

\*\* 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.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

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

| Address      | 9829 Main Street, Clarence, NY<br>14031 |   |   |
|--------------|---|---|---|
| Full time    | 31                                      | 0 | 0 |
| Part time    | 4                                       | 0 | 0 |
| <b>Total</b> | 35                                      | 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**

|                         |        |                       |        |
|-------------------------|--------|-----------------------|--------|
| <b>From (Full Time)</b> | 0      | <b>To (Full Time)</b> | 0      |
| <b>From (Part Time)</b> | 20,000 | <b>To (Part Time)</b> | 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**

432 Franklin Street

**Name and Address of Owner of Premises**

Lucian Visone Jr

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

Urban

**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 Hamlin House is a three-story, brick Italianate Villa built c.1868 and expanded several times between 1899 and 1960. A stable house was built c.1899 at the rear of the property, which was later partially demolished to construct the ballroom in 1913. Two small additions were constructed around 1960, one expanding the kitchen on the north side and the other adding bathrooms on the south side, which partially obscures an exterior entry to the ballroom.

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

VFW Post and Cicero Hamlin's residence.

**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 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**

Outlying Erie County multi-family vacancy rates are low according to Costar. The proximity to Buffalo Niagara Medical Campus, a hub for healthcare and research, is driving demand for housing and services in adjacent areas such as Allentown. The site has excellent transport links to the wider Buffalo-Niagara region and is located in the Allentown Historic District which is a vibrant and culturally rich neighborhood driving demand and potential tenants.

**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, # 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. |
|-------------|--|--|
|-------------|--|--|

\*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?**

Yes

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

**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?**

5 %

If the answer to this is **less than 33%** do not complete the remainder of the page, proceed to the next section.

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>

**Section VII: Adaptive Reuse**

**What is the age of the structure (in years)?** 160

**Are you applying for tax incentives under the Adaptive Reuse Program?**

Yes

**What is the age of the structure (in years)?** 160

**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.**

3

**If underutilized, number of years underutilized.**

3

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

The building was vacated by the VFW Post, listed for sale as vacant and sat vacant until we purchased it over a year later. It has been vacant since we've purchased it as we've been in our planning and development stage.

**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**

**Does the site have historical significance?**

Yes

**If yes, please indicate historical designation**

Cicero Hamlin's residence built in 1865 dubbed the Hamlin House.

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

Yes

**If yes, provide estimated value of tax credits**

\$615,000

**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)**

Construction and real estate development is substantially harder now than prior to 2020 due to the exponentially higher construction cost and interest rate environment we are in today. Economic uncertainty with the interest rates are one of the leading factors in delaying or completely shuttering current real estate development projects in our region. These reasons coupled with a project which requires specialized construction methods and trades due to its historic nature create a project that is not feasible without the support of the state and federal historic tax credits as well as the ECIDA's sales tax abatement program.

**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 anticipate receiving state and federal historic tax credits for the completion of the renovation project, we are currently midst finalizing architectural design element comments from NPS in Part 2 of the Historic Tax Credit Renovation program process.

**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**

The age and nature of the historic renovation and adaptive reuse of this building project present significantly high construction costs associated with creation of apartment building systems and code compliance within the existing structure.

**Indicate census tract of project location**

The census tract as of 2023 is estimated to be 32,611 within 1 Mile and 310,125 within 5 Miles of the project site. Projected census by the year 2028 is 34,555 within 1 Mile and 319,997 within 5 Miles of the project site.

**Indicate how project will eliminate slum and blight**

Unfortunately due to the VFW Post's economic circumstances the building fell into disrepair. When we acquired the building it had gapping holes in the roof letting in water which caused significant damage throughout the building. The exterior brick, wood trimwork, and ornamental features were damaged throughout. Our project will bring the building and property back to its original glory along with creating positive economic impact through increased density and a commercial business further adding to the unique and historic Allentown District.

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

**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**

**City/Town**

**State**

**Zip Code**

**Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?**

No

**Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?**

No

**If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:**

**Does this project involve relocation or consolidation of a project occupant from another municipality?**

**Within New York State**

No

**Within Erie County**

No

**If Yes to either question, please, explain**

**Will the project result in a relocation of an existing business operation from the City of Buffalo?**

No

**If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)**

**What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)**

**If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?**

No

**What factors have lead the project occupant to consider remaining or locating in Erie County?**

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

**Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.**

**Section IX: Housing**

1 Bedroom

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 5               | 672             | \$1,325      | \$150                                  |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total 1 Bedroom | 5               |                 |              |  |

2 Bedroom

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 5               | 1,023           | \$1,834      | \$200                                  |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total 2 Bedroom | 5               |                 |              |  |

3 Bedroom

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 0               | 0               | \$0          | \$0                                    |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total 3 Bedroom | 0               |                 |              |  |

Studio

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 1               | 413             | \$1,074      | \$120                                  |
| 80% AMI         | 2               | 370             | \$970        | \$120                                  |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total Studio    | 3               |                 |              |  |

Other

|                 | Number of Units | Average Sq. Ft. | Average Rent | Est. Average Tenant Paid Utility Costs |
|-----------------|-----------------|-----------------|--------------|--|
| Market Rate     | 0               | 0               | \$0          | \$0                                    |
| 80% AMI         | 0               | 0               | \$0          | \$0                                    |
| 70% AMI         | 0               | 0               | \$0          | \$0                                    |
| 60% or less AMI | 0               | 0               | \$0          | \$0                                    |
| Total Other     | 0               |                 |              |  |

Totals

|                   | Number of Units | % of Units |
|-------------------|-----------------|------------|
| At Market Rate    | 11              | 85%        |
| Below Market Rate | 2               | 15%        |
| Total Units       | 13              | 100%       |

## **Section X: 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

## **Section XI: Tax Exempt Bonds**

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

**Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?**

No

**11580 Walden Ave LLC / North Eastern Alliance Redevelopment Project  
\$ 33,068,293**

**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

**ELIGIBILITY**

- NAICS Section – 111419

**COMPANY INCENTIVES**

- Approximately \$ 2,718,020 in real property tax savings
- Up to \$ 976,100 in sales tax savings
- 3/4 of 1% of the final mortgage amount up to \$ 112,500

**JOBS & ANNUAL PAYROLL**

- Current Jobs : 0
- Projected new jobs: 80 FT, 10 PT
- Est. salary/yr. of jobs created: \$ 59,500 FT, \$23,000 PT
- Total jobs after project completion (85% new jobs): 72 FTE
- Annual Payroll at site upon project completion: \$4,800,000
- Construction Jobs: 129

**PROJECTED COMMUNITY BENEFITS\***

- Term: 10 YEARS
  - NET Community Benefits: \$110,282,625
  - Spillover Jobs: 228
- Total Payroll: \$103,333,143

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

Incentives: \$3,544,880  
Community Benefit: \$100,234,166  
Cost: Benefit Ratio  
• 1:28

Project Title: North Eastern Alliance Redevelopment Project

Project Address 11580 Walden Avenue, Alden NY 14004  
(Alden Central School District)

**Agency Request**

A property tax, sales tax, and a mortgage recording tax abatement in connection with the redevelopment of the former Erie County Home and Infirmary (abandoned 2013) into a 58,000 SF cannabis cultivation, processing and distribution facility.

|                              |                   |
|------------------------------|-------------------|
| Building Construction        | \$ 22,868,293     |
| Manufacturing Equipment      | \$ 8,500,000      |
| Non- Manufacturing Equipment | \$ 1,000,000      |
| Soft Costs/Other             | \$ 700,000        |
| <br>Total Project Cost       | <br>\$ 33,068,293 |
| <br>85%                      | <br>\$ 28,108,049 |

**Company Description**

11580 Walden Ave LLC is wholly owned by North Eastern Alliance LLC. North Eastern Alliance LLC is owned by 8586 Partners LLC (30%) and North Mill NY LLC (70%). 8586 Partners is 50%/50% owned by Ryan Rich and Luke Rich. North Mill NY LLC is wholly owned by Dante Domenichelli. The applicant is a group of seasoned industry professionals focused on delivering best in class products and operational excellence.

**Project Description**

The construction and equipping of a one-story 57,933 SF cannabis cultivation, processing and distribution facility on approximately 5 acres of land. The facility will be leased by the applicant, 11580 Walden Ave LLC to its sole member - North Eastern Alliance LLC. By combining deep expertise with efficient, scalable systems, the Applicant will create product of superior value and quality that flows through the supply chain to the end consumer.

\* Cost Benefit Analysis Tool powered by MRB Group

### 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           | \$2,718,020 |
|       | Sales              | \$ 976,100  |
|       | Mortgage Recording | \$ 112,500  |
|       | Total              | \$3,806,618 |
|       | Discounted at 2%   | \$3,544,880 |

#### Benefit: Projected Community Benefit\*

| BENEFITS | Region         | Recipient   | Revenue Type                  | \$ Amount ** |               |
|----------|----------------|-------------|-------------------------------|--------------|---------------|
|          | Erie County    | Individuals | Payroll Construction          |              | \$ 20,200,287 |
|          |                |             | Payroll Permanent             |              | \$ 83,132,855 |
|          |                | Public      | Property Taxes                |              | \$ 679,702    |
|          |                |             | Sales Taxes                   |              | \$ 858,957    |
|          |                |             | Other Muni Revenue (NFTA)     |              | \$ 37,500     |
|          | New York State | Public      | Income Taxes                  |              | \$ 4,649,991  |
|          |                |             | Sales Taxes                   |              | \$ 723,332    |
|          |                |             | Total Benefits to EC + NYS*** |              | \$110,282,625 |
|          |                |             | Discounted at 2%              |              | \$100,234,166 |

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

Discounted Cost           \$3,544,880  
 Discounted Benefit       \$100,234,166  
 Ratio                        1:28

**Conclusion:** The Cost Benefit for this project is: 28:1. For every \$1 in costs (incentives), this project provides \$28 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$32 in benefits to the community.**

#### New Tax Revenue Estimated

| PILOT Type   | Current Yearly Taxes (land only) | Estimated New Assessed Value | Additional County Revenue over abatement period | Additional Town Revenue Over abatement period | Additional School Revenue Over abatement period | New Yearly Taxes Upon Expiration of Abatement Period |
|--|----------------------------------|------------------------------|---|---|---|--|
| 10 Year Standard PILOT                                 | \$14,664                         | \$12,558,000                 | \$ 147,156<br>\$ 73,578*<br>\$ 220,734          | \$ 45,029<br>\$ 22,514*<br>\$ 67,543          | \$ 487,321<br>\$ 243,660<br>\$ 730,981          | \$ 354,416   |
| 10 Year EIP PILOT (Tier 1): has a 11 yr benefit period |                                  |                              | \$ 167,372                                      | \$ 51,215                                     | \$ 554,268                                      |  |

\*added 1 years at full property taxes – for comparison purposes

### Draft Recapture Material Terms

| Condition               | Term                         | Recapture Provision  |
|-------------------------|------------------------------|--|
| Total Investment        | At project completion        | Investment amount equal to or greater than 85% of project amount.<br>Total project amount = \$33,068,293<br>85% = \$ 28,108,049    |
| Employment              | Coincides with 10-year PILOT | Maintain Base = 0<br>Create 85% of Projected<br>Projected = 80 FT, 10 PT = 85 FTE<br>85% = 72 FTE<br>Recapture Employment = 72 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, Mortgage recording tax, state and local sales taxes  |

Recapture applies to:

State and Local Sales Taxes  
Real Property Tax  
Mortgage Recording 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 created 72 FTE jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

### Project ECIDA History

- 1/29/26: Public hearing held.
- 2/25/26 Inducement Resolution presented to Board of Directors adopting a Negative Declaration in accordance with SEQRA
- 2/25/26: Lease/Leaseback Inducement Resolution presented to the Board of Directors

**EVALUATIVE CRITERIA  
AGRICULTURAL, FOOD PROCESSING**

Project: North Eastern Alliance Redevelopment Project

| CRITERIA   | COMMENTS   |
|--|--|
| Wage Rate (above median wage for area) Per capita income = \$41,560                | Estimated average annual salary of FT jobs to be created = \$59,500 and for PT jobs to be created = \$23,000   |
| Regional Wealth Creation (% of sales/customers outside area)                       | Sales are projected to be:<br>15% within Erie County and the remaining 85% outside Erie County but within NYS 100%   |
| In Region Purchases (% of purchases from local growers)                            | Estimated purchases from firms in EC = 55%   |
| Research & Development Activities  | N/A  |
| Investments in Energy Efficiency   | Application response:<br>“Given the new construction involved in the Project, we expect that the new equipment incorporated into the Project will have increased energy efficiency as modern equipment is generally designed to use less power for the same or better output, and less power means less consumption and less emissions.” |
| Locational Land Use Factors, Proximity to Supporting Local Agricultural Production | The Applicant will look to locally purchase grow media (i.e. soil and hydroponics) and fertilizer  |
| LEED/Renewable Resources   | N/A  |
| Retention/Flight Risk  | N/A  |
| DEI Questionnaire  | See attached for details. Customer has a WBE as construction manager and is committed to making all reasonable efforts to meet construction goals of 30% MWBE.   |
| Workforce Access – Proximity to Public Transportation                              | Site is not accessible via public transportation.  |
| Onsite child daycare facilities on the project site                                | None   |

\*U.S. Census Bureau

DATE OF INDUCEMENT: February 25, 2026

# Erie County Industrial Development Agency

## MRB Cost Benefit Calculator



Cost-Benefit Analysis Tool powered by MRB Group

Date: January 27, 2026  
 Project Title: North Eastern Alliance Redevelopment Project  
 Project Location: 11580 Walden Avenue, Alden NY 14004

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

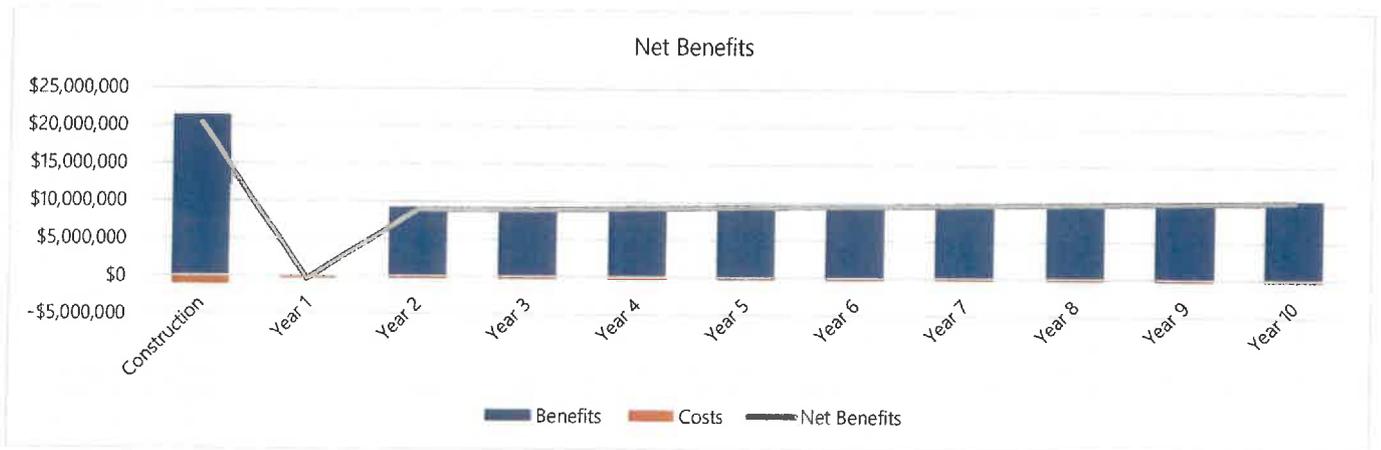
#### Construction Project Costs

\$33,068,293

|             | Temporary (Construction) |              |              |
|-------------|--------------------------|--------------|--------------|
|             | Direct                   | Indirect     | Total        |
| Jobs        | 129                      | 122          | 251          |
| Earnings    | \$12,655,236             | \$7,545,052  | \$20,200,287 |
| Local Spend | \$33,068,293             | \$23,504,943 | \$56,573,236 |

|          | Ongoing (Operations) |              |              |
|----------|----------------------|--------------|--------------|
|          | Direct               | Indirect     | Total        |
| Jobs     | 85                   | 106          | 191          |
| Earnings | \$46,716,974         | \$36,415,881 | \$83,132,855 |

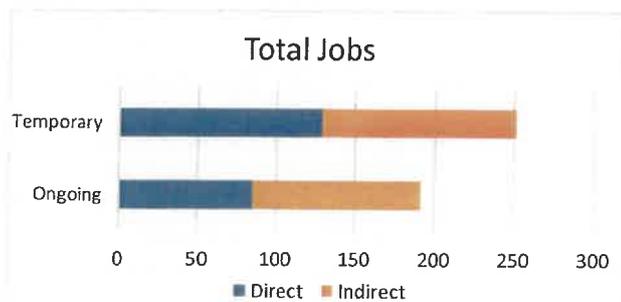
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



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Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

|  | Nominal Value      | Discounted Value*  |
|--|--------------------|--------------------|
| Property Tax Exemption                 | \$2,718,018        | \$2,456,280        |
| Sales Tax Exemption                    | \$976,100          | \$976,100          |
| Local Sales Tax Exemption              | \$529,883          | \$529,883          |
| State Sales Tax Exemption              | \$446,217          | \$446,217          |
| Mortgage Recording Tax Exemption       | \$112,500          | \$112,500          |
| Local Mortgage Recording Tax Exemption | \$37,500           | \$37,500           |
| State Mortgage Recording Tax Exemption | \$75,000           | \$75,000           |
| <b>Total Costs</b>                     | <b>\$3,806,618</b> | <b>\$3,544,880</b> |

## State and Local Benefits

|   | Nominal Value        | Discounted Value*    |
|---|----------------------|----------------------|
| <b>Local Benefits</b>                       | <b>\$104,909,301</b> | <b>\$95,349,487</b>  |
| <b>To Private Individuals</b>               | <b>\$103,333,143</b> | <b>\$93,936,128</b>  |
| Temporary Payroll                           | \$20,200,287         | \$20,200,287         |
| Ongoing Payroll                             | \$83,132,855         | \$73,735,840         |
| Other Payments to Private Individuals       | \$0                  | \$0                  |
| <b>To the Public</b>                        | <b>\$1,576,159</b>   | <b>\$1,413,359</b>   |
| Increase in Property Tax Revenue            | \$679,702            | \$595,751            |
| Temporary Jobs - Sales Tax Revenue          | \$167,915            | \$167,915            |
| Ongoing Jobs - Sales Tax Revenue            | \$691,042            | \$612,929            |
| Other Local Municipal Revenue               | \$37,500             | \$36,765             |
| <b>State Benefits</b>                       | <b>\$5,373,323</b>   | <b>\$4,884,679</b>   |
| <b>To the Public</b>                        | <b>\$5,373,323</b>   | <b>\$4,884,679</b>   |
| Temporary Income Tax Revenue                | \$909,013            | \$909,013            |
| Ongoing Income Tax Revenue                  | \$3,740,978          | \$3,318,113          |
| Temporary Jobs - Sales Tax Revenue          | \$141,402            | \$141,402            |
| Ongoing Jobs - Sales Tax Revenue            | \$581,930            | \$516,151            |
| <b>Total Benefits to State &amp; Region</b> | <b>\$110,282,625</b> | <b>\$100,234,166</b> |

## Benefit to Cost Ratio

|                    | Benefit*             | Cost*              | Ratio       |
|--------------------|----------------------|--------------------|-------------|
| Local              | \$95,349,487         | \$3,023,663        | 32:1        |
| State              | \$4,884,679          | \$521,217          | 9:1         |
| <b>Grand Total</b> | <b>\$100,234,166</b> | <b>\$3,544,880</b> | <b>28:1</b> |

\*Discounted at the public sector discount rate of: 2%

### Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes  
 Does this project provide onsite childcare facilities? No

**PILOT WORKSHEET:**  
**Estimate of Real Property Tax Abatement Benefits\* and**  
**Percentage of Project Costs financed from Public Sector sources**

The PILOT Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

**PILOT Estimate Table Worksheet-11580 Walden Ave LLC**

|   |   |                      |                                    |                      |
|---|---|----------------------|------------------------------------|----------------------|
| Dollar Value of New Construction and Renovation Costs | Estimated New Assessed Value of Property Subject to IDA** | County Tax Rate/1000 | Local Tax Rate: Town Tax Rate/1000 | School Tax Rate/1000 |
| \$22,868,292  | \$12,558,000  | 5.859051             | 1.792824                           | 19.402796            |

\*\*Apply equalization rate to value

| PILOT Year   | % Payment | County PILOT Amount | Town PILOT Amount | School PILOT Amount | Total PILOT      | Full Tax Payment w/o PILOT | Net Exemption      |
|--------------|-----------|---------------------|-------------------|---------------------|------------------|----------------------------|--------------------|
| 1            | 0.05      | \$3,679             | \$1,126           | \$12,183            | \$16,988         | \$339,753                  | \$322,765          |
| 2            | 0.1       | \$7,358             | \$2,251           | \$24,366            | \$33,975         | \$339,753                  | \$305,777          |
| 3            | 0.15      | \$11,037            | \$3,377           | \$36,549            | \$50,963         | \$339,753                  | \$288,790          |
| 4            | 0.15      | \$11,037            | \$3,377           | \$36,549            | \$50,963         | \$339,753                  | \$288,790          |
| 5            | 0.2       | \$14,716            | \$4,503           | \$48,732            | \$67,951         | \$339,753                  | \$271,802          |
| 6            | 0.2       | \$14,716            | \$4,503           | \$48,732            | \$67,951         | \$339,753                  | \$271,802          |
| 7            | 0.25      | \$18,394            | \$5,629           | \$60,915            | \$84,938         | \$339,753                  | \$254,814          |
| 8            | 0.25      | \$18,394            | \$5,629           | \$60,915            | \$84,938         | \$339,753                  | \$254,814          |
| 9            | 0.3       | \$22,073            | \$6,754           | \$73,098            | \$101,926        | \$339,753                  | \$237,827          |
| 10           | 0.35      | \$25,752            | \$7,880           | \$85,281            | \$118,913        | \$339,753                  | \$220,839          |
|              |           |                     |                   |                     |                  |                            |                    |
| <b>TOTAL</b> |           | <b>\$147,156</b>    | <b>\$45,029</b>   | <b>\$487,321</b>    | <b>\$679,505</b> | <b>\$3,397,526</b>         | <b>\$2,718,020</b> |

\*Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff

**Percentage of Project Costs financed from Public Sector Table Worksheet:**

|                    |                          |  |   |   |
|--------------------|--------------------------|--|---|---|
| Total Project Cost | Estimated Value of PILOT | Estimated Value of Sales Tax Incentive | Estimated Value of Mortgage Tax Incentive | Total of Other Public Incentives: Tax Credits, Grants, ESD Incentives, etc. |
| \$33,068,293       | \$2,718,020              | \$976,100                              | \$112,500                                 |   |

Note: special district taxes are not subject to PILOT abatement

**Calculate% = Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: 11.5%**

**PILOT EIP WORKSHEET:**  
**Estimate of Real Property Tax Abatement Benefits\* and**  
**Percentage of Project Costs financed from Public Sector sources**

The PILOT EIP Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

**PILOT EIP Estimate Table Worksheet-11580 Walden Ave LLC**

|   |   |                      |                                    |                      |
|---|---|----------------------|------------------------------------|----------------------|
| Dollar Value of New Construction and Renovation Costs | Estimated New Assessed Value of Property Subject to IDA** | County Tax Rate/1000 | Local Tax Rate: Town Tax Rate/1000 | School Tax Rate/1000 |
| \$22,868,292  | \$12,558,000  | 5.859051             | 1.792824                           | 19.402796            |

\*\*Apply equalization rate to value

| PILOT Year   | % Payment | County PILOT Amount | Town PILOT Amount | School PILOT Amount | Total PILOT      | Full Tax Payment w/o PILOT | Net Exemption      |
|--------------|-----------|---------------------|-------------------|---------------------|------------------|----------------------------|--------------------|
| 1            | 0.05      | \$6,855             | \$2,097           | \$22,699            | \$31,651         | \$354,416                  | \$322,765          |
| 2            | 0.05      | \$6,855             | \$2,097           | \$22,699            | \$31,651         | \$354,416                  | \$322,765          |
| 3            | 0.1       | \$10,533            | \$3,223           | \$34,882            | \$48,639         | \$354,416                  | \$305,777          |
| 4            | 0.1       | \$10,533            | \$3,223           | \$34,882            | \$48,639         | \$354,416                  | \$305,777          |
| 5            | 0.15      | \$14,212            | \$4,349           | \$47,065            | \$65,627         | \$354,416                  | \$288,790          |
| 6            | 0.15      | \$14,212            | \$4,349           | \$47,065            | \$65,627         | \$354,416                  | \$288,790          |
| 7            | 0.2       | \$17,891            | \$5,475           | \$59,248            | \$82,614         | \$354,416                  | \$271,802          |
| 8            | 0.2       | \$17,891            | \$5,475           | \$59,248            | \$82,614         | \$354,416                  | \$271,802          |
| 9            | 0.25      | \$21,570            | \$6,600           | \$71,431            | \$99,602         | \$354,416                  | \$254,814          |
| 10           | 0.25      | \$21,570            | \$6,600           | \$71,431            | \$99,602         | \$354,416                  | \$254,814          |
| 11           | 0.3       | \$25,249            | \$7,726           | \$83,614            | \$116,589        | \$354,416                  | \$237,827          |
|              |           |                     |                   |                     |                  |                            |                    |
| <b>TOTAL</b> |           | <b>\$167,372</b>    | <b>\$51,215</b>   | <b>\$554,268</b>    | <b>\$772,855</b> | <b>\$3,898,578</b>         | <b>\$3,125,724</b> |

\*Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff

**Percentage of Project Costs financed from Public Sector Table Worksheet:**

|                    |                          |  |   |   |
|--------------------|--------------------------|--|---|---|
| Total Project Cost | Estimated Value of PILOT | Estimated Value of Sales Tax Incentive | Estimated Value of Mortgage Tax Incentive | Total of Other Public Incentives: Tax Credits, Grants, ESD Incentives, etc. |
| \$33,068,293       | \$3,125,724              | \$976,100                              | \$112,500                                 |   |

Note: special district taxes are not subject to PILOT abatement

**Calculate% = Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: 12.7%**

# Diversity, Equity and Inclusion Questionnaire

## 1. MWBE Contractors - Construction

The ECIDA encourages applicants to utilize MWBE contractors and suppliers for their projects and when feasible, to set a goal for MWBE participation during the construction period of the project. Below are links to the NYS and Erie County certified MWBE lists, including contractors, that can assist you with your utilization goals:

- New York State MWBE Certified List: <https://ny.newnycontracts.com/>
- Erie County MWBE Certified List: <https://www3.erie.gov/eo/mbe-wbe-resource-list>

By checking this box, I agree to utilize the above listings of certified MWBE contractors 1) as part of the outreach efforts to identify and invite MWBE contractors to participate in the bidding process and 2) to assist in meeting the MWBE utilization goals set by my organization for the project being considered for ECIDA tax incentives.

Please provide additional information regarding your history of setting / meeting MWBE goals on past projects or other relevant information you would like to share - below.

The project will be using Hayes Construction Services Corp, a New York certified woman owned business, as construction manager. We would request that Hayes' engagement satisfy the ECIDA's WBE construction goal.

As to other contractor solicitation, the bidding is in process and the project is committed to using commercially reasonable efforts to meet the ECIDA's construction goals of 30% MWBE / 25% MBE. However, we note that the project involves specialized construction and materials, which means that there are not many contractors that have the required skills, certifications or training to perform the construction or manufacture the materials. The project is committed to utilizing MWBE to the extent realistically practical, and we look forward to working with ECIDA in this regard. We will share solicitation logs throughout the process to demonstrate such commitment.

## 2. Minority & Women Employment - Current Workforce & Hiring Practices

The ECIDA encourages the hiring of a diverse workforce, especially for jobs created and retained as part of an ECIDA induced project. Below are some links to sites and organizations that will be helpful in achieving a diverse workforce:

- Northland Workforce Training Center: <https://northlandwtc.org/employers/>
- Workforce Buffalo: <https://www.workforcebuffalo.org/business-services>
- New York State Job Bank: <https://myjobsny.usnlx.com/>
- Local Minority Newspapers: <https://www3.erie.gov/eo/minority-newspaper>

# Diversity, Equity and Inclusion Questionnaire

Please provide detailed information regarding your company's current workforce and hiring practices as it relates to minority and women employees, including, if applicable, the company's Diversity, Equity and Inclusion plan and goals, any strategic partnerships the company has with educational and/or workforce development entities, and company strategies regarding outreach to minorities and women with the dissemination of job openings to the public:

N/A - the Applicant does not have a current workforce. In staffing the completed project, the Applicant does not anticipate an issues with hiring 30% MWBE, with a minimum 20% MBE, and we are committed to working with ECIDA and the EIP in order to confirm are commitment to reaching such goals.

### **3. Economic Inclusion Program**

The ECIDA's Economic Inclusion Program (EIP) is a voluntary "opt in" program providing an enhanced real property tax abatement to applicants who commit to implementing and meeting MWBE utilization and minority and women employment goals. The mission of the EIP is to enhance the beneficial public impact of projects receiving ECIDA assistance and to further the ECIDA's goal of advancing opportunities for MWBE businesses and minorities and women, in general, in the Erie County workforce. Please note, for a company to be considered an MWBE under the EIP it must be certified as an MWBE by New York State or Erie County.

Under the EIP, the standard ECIDA PILOT Agreement real property tax abatement schedules are enhanced by extending both the term and abatement percentages of the PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. The applicant shall not engage in any unlawful discrimination against any employee or applicant by reason of race, creed, religion, color, age, disability, national origin, sex, gender, or any other characteristic protected by law, including, but not limited to, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in

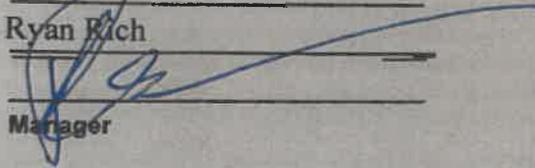
Employment Act, the Genetic Information Nondiscrimination Act, the New York State Human Rights Law, and any other similar laws, rules, or regulations. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

# Diversity, Equity and Inclusion Questionnaire

Please check the box indicating that you have read the attached Economic Inclusion Program summary and FAQ document that can be found at the end of the questionnaire.

Please check the box if you are interested in tentatively opting into the Economic Inclusion Program (nonbinding) and would like further, detailed information on the program and process from your ECIDA business development officer.

Date: October 31, 2025  
Company: 11580 Walden Ave LLC  
By: North Eastern Alliance LLC, its sole member  
Name (printed): Ryan Rich  
Signature:   
Title: Manager

## PUBLIC HEARING SCRIPT

**11580 Walden Ave LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Public Hearing to be held on January 29, 2026 at 9:00 a.m.,  
at the Town of Alden Town Hall, located at 3311 Wende Road,  
Alden, NY 14004

### ATTENDANCE:

Zach Dewey - Hodgson Russ, LLP  
Noah Cliff – ECIDA  
Michelle Moore – ECIDA  
Mark Kerl – Councilperson, Town of Alden  
Hon. Colleen Pautler – Supervisor, Town of Alden

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

**Hearing Officer:** Welcome. This public hearing is now open; it is 9:17 a.m. My name is Grant Lesswing. I am the Director of Business Development for the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency’s website at [ecidany.com](http://ecidany.com).

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

**Hearing Officer:** We are here to hold the public hearing on the 11580 Walden Ave LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. 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 Friday, January 16, 2026.

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

**Hearing Officer:** The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 11580 Walden Avenue, Town of Alden, Erie County, New York and all other lands in the County of Erie where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the “Land”), (ii) the construction on the Land of a one-story approximately 57,933+/- square-foot cannabis cultivation, processing and distribution facility on approximately 5 acres (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 proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits, mortgage recording tax exemption benefits, and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

4. **FORMAT OF HEARING:** Review the 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. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes at 4:00 p.m. on February 24, 2026. There are no limitations on written statements or comments.

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

**Hearing Officer:** If anyone is interested in making a statement or 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 statements and/or comments to 5 minutes, and if possible, 3 minutes.

Zach Dewey, Hodson Russ Counsel for 11580 Walden Avenue, LLC including its sole member Northeastern Alliance, LLC. As Grant kind of introduced in the preamble constructing approximately a 58,000 sq. ft. one-story facility on the former Erie County Home and Infirmary property. The property has been subdivided; the property has been rezoned as a planned unit development limited to just the parcel that will have the facility and its current use. Otherwise, you know, everything will need to go back to the town of Alden for any other uses on the property the county is and has retained the current DPW facility. I believe the sheriffs also use it kind of in the back of the property there. Again, it's not a retail facility-only distribution, cultivation, processing. I think everything else has kind of been set forth in the plans previously, but, you know, it's intended to be an incognito building something kind of out of the ordinary not to attract attention. It is a secure facility, and, you know, intending to create more or less 80 jobs in the area and kind of focusing on local residents and like Grant mentioned as well, kind of seeking property tax, mortgage tax and sales tax benefits.

6. **ADJOURNMENT:**

As there are no further statements and/or comments, I will close the public hearing at 9:22 a.m.

**SIGN IN SHEET  
PUBLIC HEARING**

January 29, 2026, at 9:00 a.m.  
at the Town of Alden Town Hall, located at 3311 Wende Road,  
Alden, NY 14004, regarding:

**11580 Walden Ave LLC project and/or Individual(s), Affiliate(s),  
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 11580 Walden Avenue, Alden, New York 14004

| Name                 | Company and/or Address  | X box to speak/<br>comment |
|----------------------|---|----------------------------|
| Zach Dewey           | Hodgson Russ<br>The Guaranty Building<br>140 Pearl Street<br>Suite 100<br>Buffalo, NY 14202 | X                          |
| Noah Cliff           | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203                              |                            |
| Michelle Moore       | ECIDA<br>95 Perry Street, Suite 403<br>Buffalo, New York 14203                              |                            |
| Mark Kerl            | Town of Alden Town Hall<br>3311 Wende Road,<br>Alden, NY 14004                              |                            |
| Hon. Colleen Pautler | Town of Alden Town Hall<br>3311 Wende Road,<br>Alden, NY 14004                              |                            |
|                      |   |                            |
|                      |   |                            |
|                      |   |                            |
|                      |   |                            |



## North Eastern Alliance Redevelopment Project

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

|                            |  |
|----------------------------|--|
| <b>Project Name</b>        | North Eastern Alliance Redevelopment Project   |
| <b>Project Summary</b>     | The North Eastern Alliance Redevelopment Project will involve the construction of an approximately 57,933 square foot cannabis cultivation, processing and distribution facility on an approximately 5 acre portion of 11580 Walden Avenue, Alden, NY 14004, which is the site of the currently abandoned medical facility formerly known as the Erie County Home and Infirmary. The Facility will be leased by the Applicant (11580 Walden Ave LLC) to its sole member, North Eastern Alliance LLC. |
| <b>Applicant Name</b>      | 11580 Walden Ave LLC   |
| <b>Applicant Address</b>   | 4476 Main Street, Suite 104  |
| <b>Applicant Address 2</b> |  |
| <b>Applicant City</b>      | Amherst  |
| <b>Applicant State</b>     | New York   |
| <b>Applicant Zip</b>       | 14226  |
| <b>Phone</b>               | (207) 232-3745   |
| <b>Fax</b>                 |  |
| <b>E-mail</b>              | CTolford@ggcann.com  |
| <b>Website</b>             | N/A  |
| <b>NAICS Code</b>          | 111419   |

#### Business Organization

##### **Type of Business**

Limited Liability Company

##### **Year Established**

2023

##### **State**

Delaware

##### **Indicate if your business is 51% or more (Check all boxes that apply)**

[No] Minority Owned

[No] Woman Owned

##### **Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)**

[No] NYS Certified  
[No] Erie Country Certified

Individual Completing Application

**Name** Brandon Cottrell (on behalf of 11580 Walden Ave LLC)  
**Title** Attorney  
**Address** 90 Linden Oaks, Suite 110  
**Address 2**  
**City** Rochester  
**State** New York  
**Zip** 14625  
**Phone** (585) 613-3938  
**Fax** (585) 613-3919  
**E-Mail** bcottrel@hodgsonruss.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** No  
**Name** Ryan Rich and Dante Domenichelli  
**Title** Manager of North Eastern Alliance LLC, sole member of Applicant  
**Address** 4476 Main Street, Suite 204  
**Address 2**  
**City** Amherst  
**State** New York  
**Zip** 14226  
**Phone** (716) 768-2911  
**Fax**  
**E-Mail** ryan@24-ventures.com; and DDomenichelli@viridescentcapital.com

Company Counsel

**Name of Attorney** Brandon Cottrell  
**Firm Name** Hodgson Russ LLP  
**Address** 90 Linden Oaks, Suite 110  
**Address 2**  
**City** Rochester  
**State** New York  
**Zip** 14625  
**Phone** (585) 613-3938  
**Fax** (585) 613-3919  
**E-Mail** bcottrel@hodgsonruss.com

Benefits Requested (select all that apply).

**Exemption from Sales Tax** Yes

|   |     |
|---|-----|
| <b>Exemption from Mortgage Tax</b>      | Yes |
| <b>Exemption from Real Property Tax</b> | Yes |
| <b>Tax Exempt Financing*</b>            | No  |

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

Applicant Business Description

**Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.**

11580 Walden Ave LLC is wholly owned by North Eastern Alliance LLC. North Eastern Alliance LLC is owned by 8586 Partners LLC (30%) and North Mill NY LLC (70%). 8586 Partners LLC is owned 50/50 by Ryan Rich and Luke Rich. North Mill NY LLC is wholly owned by Dante Domenichelli. The Applicant is a group of seasoned industry professionals focused on delivering best-in-class products and operational excellence. By combining deep expertise with efficient, scalable systems, the Applicant creates superior value and quality that flows through the supply chain to the end consumer.

|   |      |
|---|------|
| <b>Estimated % of sales within Erie County</b>                            | 15 % |
| <b>Estimated % of sales outside Erie County but within New York State</b> | 85 % |
| <b>Estimated % of sales outside New York State but within the U.S.</b>    | 0 %  |
| <b>Estimated % of sales outside the U.S.</b>                              | 0 %  |

(\*Percentage to equal 100%)

**For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?**

55

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

The Applicant will look to purchase the following from vendors located in Erie County: grow media (i.e. soil and hydroponics); fertilizer procurement; cleaning and janitorial services; security; skilled trades and general contractors.

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

### Project Location

#### **Address of Proposed Project Facility**

11580 Walden Avenue, Alden, New York 14004

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

Town of Alden

#### **School District of Project Site**

Alden Central School

#### **Current Address (if different)**

N/A

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

N/A

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

96.00-2-20.1

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

\$0 (the Project Site was previously owned by Erie County, and as such, was wholly exempt from real estate taxes).

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

Land

\$ 577,500

Building(s)

\$ 23,057,500

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.)**

Currently, the Project site is an abandoned medical facility, formerly known as the Erie County Home and Infirmary. The main nursing home complex has been abandoned since 2013. Erie County has actively been trying to sell the Project site for \$1 in order to incentivize a developer to revitalize the property, which will increase local employment opportunities and increase the local tax base.

#### **Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)**

The proposed project contemplates the construction and equipping of a one-story, approximately 57,933 sq. ft. cannabis cultivation, processing and distribution facility on approximately 5 acres. The proposed project does not involve a retail dispensary. The project will be used by North Eastern Alliance LLC, the sole member of the applicant.

#### **Municipality or Municipalities of current operations**

N/A- the applicant has no current operations.

**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?**

Yes

**If yes, please indicate the Agency and nature of inquiry below**

The Applicant considered, but is no longer seeking, financial assistance from New York Power Authority and Empire State Development

**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)**

In New York, large scale development projects, like this project, are generally not financially viable absent financial assistance from industrial development agencies. The Agency's financial assistance is a crucial part of the Project's capital stack, and helps mitigate the rising costs of construction, thereby causing the Project to remain financially viable.

**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?**

Without receipt of Financial Assistance, the Project in the form described in this Application, is not financially viable and the Applicant will need to reassess all aspects of the Project so that it remains financially viable. If the Project does not move forward, either at all or in a revised form, the local taxing jurisdictions (including Erie County) will receive less taxes than it would otherwise receive if the current form of the Project is constructed, and no new employment opportunities will be created.

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

Various pieces of equipment are likely to be leased pursuant to customary equipment leases. No specific leases are currently contemplated at this stage of development.

Site Characteristics

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

No

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

**Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?**

Yes

**If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.**

**If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.**

July 14, 2025

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

Yes

**Describe the present zoning/land use**

We have received final approval from the Town of Alden Planning Board to rezone the site as a planned unit development ("PUD")

**Describe required zoning/land use, if different**

N/A

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

N/A

**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**

Our Phase I identifies the following recognized environmental conditions: potential environmental impacts from hazardous/regulated materials in connection with use of the project site for equipment repair; former underground storage tanks and documented residual contamination at the project site related thereto; and potential environmental impacts from abandoned septic systems. Bird and bat guano, mold, asbestos and lead based paint also exist throughout the existing vacant buildings.

**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?**

No

If yes, please provide copies of the study.

**If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?**

Yes

**If yes, describe the efficiencies achieved**

Given the new construction involved in the Project, we expect that the new equipment incorporated into the Project will have increased energy efficiency as modern equipment is generally designed to use less power for the same or better output, and less power means less consumption and less emissions.

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.

**Please explain the extent to which the project provides onsite child care services or otherwise facilitates new child care services.**

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.



**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

\$ 0 square feet 152 acres

**2.) New Building Construction**

\$ 22,868,293 57,933 square feet

**3.) New Building addition(s)**

\$ 0 0 square feet

**4.) Reconstruction/Renovation**

\$ 0 0 square feet

**5.) Manufacturing Equipment**

\$ 8,500,000

**6.) Infrastructure Work**

\$ 0

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

\$ 1,000,000

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

\$ 700,000

**9.) Other Cost**

\$ 0

|                            |               |
|----------------------------|---------------|
| <b>Explain Other Costs</b> | N/A           |
| <b>Total Cost</b>          | \$ 33,068,293 |

Construction Cost Breakdown:

|                                   |  |
|-----------------------------------|--|
| <b>Total Cost of Construction</b> | \$ 22,868,293 (sum of 2, 3, 4 and 6 in Project Information, above) |
| <b>Cost of materials</b>          | \$ 10,155,430  |
| <b>% sourced in Erie County</b>   | 61%  |

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** \$ 11,155,430

**Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):** \$ 976,100

\*\* 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:

|  |               |
|--|---------------|
| <b>Equity (excluding equity that is attributed to grants/tax credits):</b>   | \$ 18,068,293 |
| <b>Bank Financing:</b>   | \$ 15,000,000 |
| <b>Tax Exempt Bond Issuance (if applicable):</b>   | \$ 0          |
| <b>Taxable Bond Issuance (if applicable):</b>  | \$ 0          |
| <b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>   | \$ 0          |
| <b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b> | N/A           |
| <b>Total Sources of Funds for Project Costs:</b>   | \$33,068,293  |
| <b>Have you secured financing for the project?</b>   | Yes           |

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

|  |            |
|--|------------|
| <b>Mortgage Amount (include sum total of construction/permanent/bridge financing).</b>   | 15,000,000 |
| <b>Lender Name, if Known</b>   |            |
| <b>Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):</b> | \$112,500  |

Real Property Tax Benefit:

|   |   |
|---|---|
| <b>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):</b> | The Applicant is requesting an 11 year PILOT schedule with EIP Tier 1 enhancement (i.e. 95%, 95%, 90%, 90%, 85%, 85%, 80%, 80%, 75%, 75%, 70%); no other real property tax benefits are contemplated. |
|---|---|

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.

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

Yes

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

No

**Will project include leasing any equipment?**

Yes

|  |   |
|--|---|
| If yes, please describe equipment and lease terms. | Various pieces of equipment are likely to be leased pursuant to customary equipment leases. No specific leases are currently contemplated at this stage of development. |
|--|---|

Employment Plan (Specific to the proposed project location)

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

|              | 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  | 80  | 80   |
| Part time    | 0   | 0  | 10  | 10   |
| <b>Total</b> | <b>0</b>  | <b>0</b>   | <b>90</b>   |  |

Salary and Fringe Benefits for Jobs to be Retained and Created

| Job Categories         | # of Full Time Employees retained and created | Average Salary for Full Time | Average Fringe Benefits for Full Time | # of Part Time Employees retained and created | Average Salary for Part Time | Average Fringe Benefits for Part Time |
|------------------------|---|------------------------------|---------------------------------------|---|------------------------------|---------------------------------------|
| Management             | 4   | \$ 124,500                   | \$ 25,000                             | 0   | \$ 0                         | \$ 0                                  |
| Professional           | 9   | \$ 81,500                    | \$ 25,000                             | 0   | \$ 0                         | \$ 0                                  |
| Administrative         | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| Production             | 67  | \$ 52,800                    | \$ 25,000                             | 10  | \$ 23,000                    | \$ 0                                  |
| Independent Contractor | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| Other                  | 0   | \$ 0                         | \$ 0                                  | 0   | \$ 0                         | \$ 0                                  |
| <b>Total</b>           | <b>80</b>                                     |                              |                                       | <b>10</b>                                     |                              |                                       |

\*\* 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.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

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

| Address      | N/A      | N/A      | N/A      |
|--------------|----------|----------|----------|
| Full time    | 0        | 0        | 0        |
| Part time    | 0        | 0        | 0        |
| <b>Total</b> | <b>0</b> | <b>0</b> | <b>0</b> |

Payroll Information

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

4,800,000

**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)**

59,500

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

23,000

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

|                         |        |                       |         |
|-------------------------|--------|-----------------------|---------|
| <b>From (Full Time)</b> | 55,000 | <b>To (Full Time)</b> | 200,000 |
| <b>From (Part Time)</b> | 0      | <b>To (Part Time)</b> | 23,000  |

### 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**

11580 Walden Avenue, Alden, New York

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

11580 Walden Ave LLC 4476 Main Street, Suite 104 Amherst, NY 14226

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

The property is the site of the former Erie County Home and Infirmary, and as such, is predominately developed. The attached FEAF provides specific details on the features of the Premises, but we note that it is not located in a coastal / waterfront area, there are wetlands and streams located near the Premises, and there are no significant natural resources located on or near the Premises.

##### **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 Applicant intends to construct an approximately 57,933 sq ft cannabis cultivation, processing and distribution facility on approximately 5 acres of the Premises. For the near term, it is anticipated that all existing buildings on site which were used for residential and infirmary purposes, operation of a boiler plant, and a maintenance garage will remain vacant and unused.

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

The Premises were formerly used for residential and infirmary uses by Erie County; additional uses include operation of a boiler plant, a maintenance garage and a wastewater treatment plant.

##### **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**

Please see Phase I for additional detail (which based on the file size, will be emailed under separate cover). There were multiple NYSDEC Spills, which are all either inactive or closed.

##### **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**

All waste generated from operations will be collected for disposal with proper waste management companies; no waste will accumulate or otherwise be stored on site.

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

None.

**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**

Other than sanitary wastewater, which will use the Buffalo Sewer Authority Wastewater Treatment Plant (Erie County Sewer District No. 4), no other discharges are contemplated.

**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**

Other than sanitary wastewater, which will use the Buffalo Sewer Authority Wastewater Treatment Plant (Erie County Sewer District No. 4) and runoff from the building's roof and from parking areas (which will be managed through on-site stormwater systems), no other discharges are contemplated.

**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**

At least 13 petroleum above ground storage tanks are known to have existed at the Premises, with at least one noted during current inspections. The Applicant does not intend to use any existing, or install any new, petroleum storage tanks.

**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**

Please see Phase I for additional detail. There were multiple NYSDEC Spills, which are all either inactive or closed.

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

**Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.**

**Have there been any PCB spills, discharges or other accidents at the Premises?**

No

**If yes, relate all the circumstances**

**Do the Premises have any asbestos containing materials?**

Yes

**If yes, please identify the materials**

Asbestos containing building materials (i.e. drywall, pipe wrap, floor tile and ceiling tile) were used in the construction of the existing buildings on site.

## Section IV: Facility Type - Single or Multi Tenant

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

Single Use Facility

#### For Single Use Facility

**Occupant Name** North Eastern Alliance LLC  
**Address** 11580 Walden Avenue, Alden, New York 14004  
**Contact Person** Chris Tolford  
**Phone** (207) 232-3745  
**Fax**  
**E-Mail** CTolford@ggcann.com  
**Federal ID #** 32-0736914  
**SIC/NAICS Code** 111419

SS

**Section V: Tenant Information**

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

North Eastern Alliance LLC

**Property Address:**

11580 Walden Avenue, Alden, New York 14004

**City/Town/Village**

Town of Alden

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

57,933

**What percentage of the building does this represent?**

100

**Are terms of lease:**

NET

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

N/A

**Estimated date of occupancy**

12/1/2026

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

North Eastern Alliance LLC

**Local Contact Person:**

Chris Tolford

**Title:**

**Current Address:**

11580 Walden Avenue, Alden, New York 14004

**Phone:**

(203) 570-4363

**Fax:**

**E-Mail:**

CTolford@ggcann.com

**Website:**

**Company President/General Manager:**

**Number of employees moving to new project location:**

**Full-Time:**

0

**Part-Time:**

0

**Total:**

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

The tenant will operate a cannabis cultivation, processing and distribution facility. The NAICS Code is 111419. All sales will be wholesale and it is intended for most wholesale to occur within New York State.

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

The Company is owned by a group of seasoned industry professionals focused on delivering best-in-class products and operational excellence. By combining deep expertise with efficient, scalable systems, the Company creates superior value and quality that flows through the supply chain to the end consumer.

**Please list the square footage which the proposed tenant will lease at the Project location**

57,933

**Please list the square footage which the proposed tenant leases at its present location(s)**

0

**Describe the economic reason for either the increase or decrease in leased space.**

There is no increase or decrease as this is a new venture for the Tenant.

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

No

**If owned, what will happen to the existing facility once vacated?**

N/A

**If leased, when does lease expire?**

12/31/2036

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

**If yes, please provide details as to location, and amount of leased space, how long leased?**

## **Section VI: Retail Determination**

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

**Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?**

No

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

## **Section VII: Adaptive Reuse**

**What is the age of the structure (in years)?** 0

**Are you applying for tax incentives under the Adaptive Reuse Program?**

No

**Section VIII: Inter-Municipal Move Determination**

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

**Current Address**

4476 Main Street, Suite 104

**City/Town**

Amherst

**State**

New York

**Zip Code**

14226

**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:**

N/A

**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**

N/A

**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.)**

The project is new construction, so site requirements were specific to why the location is ideal for a cannabis facility. This site is ideal for the following reasons: (1) the facility will be situated almost entirely out of view from nearby public roadways and neighboring properties, and is located away from densely populated residential neighborhoods; (2) the new construction will not substantially increase the intensity of the existing use of the site; (3) the Project does not involve disturbing underutilized farmland or critical environmental areas; (4) the site has sufficient existing infrastructure to support the Project; and (5) the size of the site will allow for future development opportunities on the Property.

**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?**

The primary factors in locating in Erie County where 1) speed to accessing the market; 2) the project's access to all required utilities; and 3) growth opportunities for the local community.

**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- there is no current facility; the project is a new venture of the Applicant.

**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- no other locations were considered as the Applicant was motivated to develop in Erie County and there were no other suitable locations which could be acquired and developed as quickly as this location.

## **Section IX: Housing**

Project **DOES NOT** include residential rental housing units.

## **Section X: 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

## **Section XI: Tax Exempt Bonds**

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

**Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?**

No

**Erie County Industrial Development Agency**  
**Financial Statements**  
As of January 31, 2026

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")**

**Balance Sheet**

January 31, 2026

|   | January 2026                | (Unaudited)<br>December 2025 |
|---|-----------------------------|------------------------------|
| <b>ASSETS:</b>                                  |                             |                              |
| Cash and Equivalents *                          | \$ 6,538,910                | \$ 6,995,073                 |
| Restricted Cash & Investments *                 | 18,413,802                  | 18,142,821                   |
| Due from Affiliates                             | 4,164,664                   | 3,956,316                    |
| Due from Buffalo Urban Development Corp.        | 134,690                     | 127,893                      |
| Other Receivables                               | 217,417                     | 209,591                      |
| Total Current Assets                            | <u>29,469,484</u>           | <u>29,431,694</u>            |
| Grants Receivable                               | 4,839,110                   | 4,839,110                    |
| Lease Receivable                                | 363,302                     | 382,699                      |
| Venture Capital Investments, net of reserves    | 406,247                     | 406,247                      |
| Capital Assets                                  | 1,257,292                   | 1,277,299                    |
| Total Long-Term Assets                          | <u>6,865,951</u>            | <u>6,905,356</u>             |
| <b>TOTAL ASSETS</b>                             | <u><u>\$ 36,335,435</u></u> | <u><u>\$ 36,337,050</u></u>  |
| <b>LIABILITIES &amp; NET ASSETS</b>             |                             |                              |
| Accounts Payable & Accrued Exp.                 | \$ 248,669                  | \$ 505,387                   |
| Lease Payable                                   | 229,759                     | 242,026                      |
| Deferred Revenues                               | 4,042,574                   | 4,040,200                    |
| Funds Held on Behalf of Others                  | 10,935,913                  | 10,513,124                   |
| Total Liabilities                               | <u>15,456,915</u>           | <u>15,300,737</u>            |
| Deferred Inflows of Resources Related to Leases | 363,302                     | 382,699                      |
| Net Assets                                      | <u>20,515,218</u>           | <u>20,653,614</u>            |
| <b>TOTAL LIABILITIES &amp; NET ASSETS</b>       | <u><u>\$ 36,335,435</u></u> | <u><u>\$ 36,337,050</u></u>  |

\* Cash and restricted cash is invested in interest bearing accounts at M&T Bank and obligations of the United States of America at Wilmington Trust. The maximum FDIC insured amount = \$250,000 with the remainder of the cash balance collateralized with government obligations by the financial institution. Collateral is not required for U.S.

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")**  
**Income Statement**  
Year to Date: January 31, 2026

|  | Actual vs. Budget |             |              | Actual vs. Prior Year |              |             |
|--|-------------------|-------------|--------------|-----------------------|--------------|-------------|
|  | Actual            | Budget      | Variance     | Actual                | Prior Year   | Variance    |
| <b>REVENUES:</b>   |                   |             |              |                       |              |             |
| Administrative Fees  | \$ 2,000          | \$ 158,333  | \$ (156,333) | \$ 2,000              | \$ 1,000     | \$ 1,000    |
| Affiliate Management Fees                                    | 51,400            | 59,667      | (8,267)      | 51,400                | 48,600       | 2,800       |
| Rental Income  | 19,261            | 20,275      | (1,014)      | 19,261                | 18,524       | 737         |
| Other Income   | 15,455            | 6,417       | 9,038        | 15,455                | 6,520        | 8,935       |
| Total Revenues   | 88,115            | 244,691     | (156,576)    | 88,115                | 74,644       | 13,471      |
| <b>EXPENSES:</b>   |                   |             |              |                       |              |             |
| Salaries & Benefits  | 202,808           | 209,688     | (6,880)      | 202,808               | 194,211      | 8,597       |
| General Office Expenses                                      | 25,093            | 24,366      | 727          | 25,093                | 22,517       | 2,576       |
| Building Operating Costs                                     | 6,606             | 6,947       | (340)        | 6,606                 | 1,320        | 5,286       |
| Professional Services  | -                 | 4,792       | (4,792)      | -                     | 750          | (750)       |
| Public Hearings & Marketing                                  | 4,129             | 10,000      | (5,871)      | 4,129                 | 1,939        | 2,190       |
| Travel, Mileage & Meeting Expenses                           | 1,197             | 3,125       | (1,928)      | 1,197                 | 1,511        | (314)       |
| Depreciation and amortization                                | 20,007            | 20,024      | (17)         | 20,007                | 19,607       | 400         |
| Other Expenses   | 1,902             | 3,000       | (1,098)      | 1,902                 | 2,297        | (395)       |
| Total Expenses   | 261,744           | 281,941     | (20,198)     | 261,744               | 244,153      | 17,591      |
| <b>SPECIAL PROJECT GRANTS:</b>                               |                   |             |              |                       |              |             |
| Revenues   | 1,467             | 373,432     | (371,965)    | 1,467                 | 34,062       | (32,595)    |
| Expenses   | (547)             | (348,265)   | 347,718      | (547)                 | -            | (547)       |
|  | 920               | 25,167      | (24,247)     | 920                   | 34,062       | (33,142)    |
| <b>NET INCOME/(LOSS) BEFORE OTHER STRATEGIC INVESTMENTS:</b> |                   |             |              |                       |              |             |
|  | \$ (172,708)      | \$ (12,083) | \$ (160,625) | \$ (172,708)          | \$ (135,447) | \$ (37,261) |
| <b>OTHER STRATEGIC INVESTMENTS AND INITIATIVES:</b>          |                   |             |              |                       |              |             |
| <b>NET OPERATING INCOME/(LOSS):</b>                          |                   |             |              |                       |              |             |
|  | (172,708)         | (12,083)    | (160,625)    | (172,708)             | (135,447)    | (37,261)    |
| <b>NON-OPERATING REVENUE:</b>                                |                   |             |              |                       |              |             |
| Interest Income  | 35,321            | 38,644      | (3,323)      | 35,321                | \$ 41,341    | (6,020)     |
| Interest Expense   | (1,008)           | (723)       | (285)        | (1,008)               | (1,606)      | 598         |
|  | 34,312            | 37,920      | (3,608)      | 34,312                | 39,735       | (5,423)     |
| <b>NET INCOME/(LOSS):</b>                                    |                   |             |              |                       |              |             |
|  | \$ (138,396)      | \$ 25,837   | \$ (164,233) | \$ (138,396)          | \$ (95,712)  | \$ (42,684) |