

**David S. Mingoia**  
Executive Director



May 2, 2025

Mayor Christopher P. Scanlon  
City of Buffalo  
65 Niagara Square – Room 203  
Buffalo, New York 14202

Mayor John L. White  
City of Tonawanda  
200 Niagara Street  
Tonawanda, New York 14150

Supervisor Brian Kulpa  
Town of Amherst  
5583 Main Street  
Williamsville, New York 14221

RE: Benderson Development Company, LLC ("Benderson Development") and Delta  
Sonic Car Wash Systems, Inc. ("Delta Sonic") - Consolidation and Relocation  
Projects

Dear Mayors and Supervisor:

This letter is being provided pursuant to Article VI of the Countywide Uniform Tax Exemption Policy regarding two related projects proposed by Benderson Development and Delta Sonic (each a "Company" and together the "Companies") that involve the: (i) consolidation of their respective office facilities to a single centralized location in the Town of Amherst and (ii) the construction, renovation and expansion of their warehousing and manufacturing capacities at the proposed location in Amherst.

As you are aware, the Town of Amherst Industrial Development Agency ("AIDA") received a request for financial incentives from Benderson Development and Delta Sonic to assist in the consolidation of their City of Buffalo and City of Tonawanda locations to facilities owned by Benderson Development on North Bailey Avenue in the Town of Amherst. We are in receipt of letters from Mayors Scanlon and White acknowledging the proposed relocation from the City of Buffalo and the City of Tonawanda.

The Companies have each submitted an application to the AIDA for financial assistance. As set forth in the project applications (copies of which are enclosed), Benderson Development seeks to preserve its competitive position in the commercial real estate industry by updating its headquarters, as its existing location does not

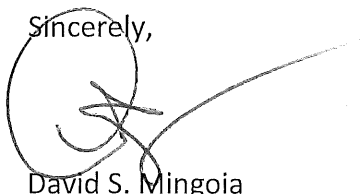
provide the necessary space or infrastructure to achieve this. Delta Sonic has similarly explored renovating their current buildings located in Buffalo and Tonawanda and concluded that it would be cost prohibitive to complete the renovations needed to accommodate their growth requirements. If it does not relocate to Amherst, Delta Sonic would need to consider other relocation options outside Erie County.

The Companies explored other locations in Buffalo, including an option on Hertel Avenue, but were unable to locate a suitable space allowing the Companies to combine their facilities into one campus with sufficient square footage and parking. It is our understanding that representatives from Benderson Development and Delta Sonic met with City of Buffalo and City of Tonawanda officials and explained the options each Company pursued and the reasoning behind creating a campus at property that Benderson Development owns in Amherst. My discussions with the Companies included ensuring that possible solutions in Buffalo and Tonawanda were exhausted before AIDA considered assisting in the expansion of operations in Amherst.

The AIDA Board of Directors welcomes your written or oral comments with regard to these projects and will enter them into the record. The projects are scheduled for public hearings on May 16, 2025 at 8:30 AM and may be considered for action at a future AIDA Board of Directors meeting or meetings.

Please contact me should you require any further information. Thank you again for your cooperation and we look forward to working with you and your respective teams on future economic development projects that benefit the region.

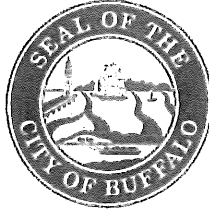
Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line and a small flourish.

David S. Mingoia  
Executive Director/CEO

Enc.

CC: John Cappellino, Erie County Industrial Development Agency  
Nadine Marrero, Executive Director, City of Buffalo Office of Strategic Planning



MAYOR CHRISTOPHER P. SCANLON

April 16, 2025

Amherst Industrial Development Agency  
Attn: David Mingoia, Executive Director  
4287 Main St.  
Amherst, New York 14226

Re: Proposed Relocation of Facilities

Dear Mr. Mingoia:

I am writing to acknowledge the proposed relocation of Benderson Development and Delta Sonic from the City of Buffalo to the Town of Amherst. I have recently met with principals from each company and understand the rationale of consolidating operations to a larger facility that will house their respective corporate headquarters as well as Delta Sonic's ancillary operations. While I don't often support *any* business moving their operations out of Buffalo, this move is important to the continued success of both applicants and significant contributions to the region.

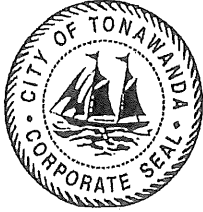
Additionally, Benderson and Delta Sonic maintain substantial property holdings in the city, and they have stressed their commitment to continued investment in Buffalo, despite moving to a neighboring municipality. Their proactive engagement with my office and transparency throughout the process is also appreciated.

If you have any questions, please do not hesitate to contact Deputy Mayor Brian Gould at (716) 851.5749 or email: [bgould@buffalony.gov](mailto:bgould@buffalony.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris P. Scanlon", written in a cursive style.

Christopher P. Scanlon  
Mayor, City of Buffalo



**CITY OF TONAWANDA, NEW YORK**  
**OFFICE OF THE MAYOR**

200 Niagara Street Tonawanda, New York 14150-1099

Phone: (716) 695-8645 Fax: (716) 695-8314

E-mail: [mayor@tonawandacity.com](mailto:mayor@tonawandacity.com)

**JOHN L. WHITE**  
Mayor

**SHARON R. STUART**  
Administrative Assistant

**JUDY A. KURTZWORTH**  
Executive Secretary

April 24, 2025

Amherst Industrial Development Agency  
Attn: David Mingoia, Executive Director  
4287 Main St.  
Amherst, New York 14226

***Re: Proposed Relocation of Facilities***

Dear Mr. Mingoia:

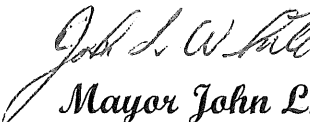
I am writing to acknowledge the proposed relocation of Benderson Development and Delta Sonic from the City of Buffalo to the Town of Amherst. Principals from each company have explained the rationale of consolidating operations to a larger facility that will house their respective corporate headquarters as well as Delta Sonic's ancillary operations. While I don't often support *any* business moving their operations, this move is important to the continued success of both applicants and significant contributions to the region.

Additionally, Benderson maintains substantial property holdings in the City of Tonawanda, and they have stressed their commitment to continued investment in Buffalo, Amherst and Tonawanda despite moving to a neighboring municipality.

We have a good working relationship with Benderson Development and support any move they are considering.

If you have any questions, please do not hesitate to contact me at 716-695-8645 or email [mayor@tonawandacity.com](mailto:mayor@tonawandacity.com).

Regards,

  
**Mayor John L. White**

City of Tonawanda  
200 Niagara St  
Tonawanda, NY 14150



## BDC Amherst Office

[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>	BDC Amherst Office
<b>Project Summary</b>	Applicant looks to remodel its current Property to relocate and consolidate BDC's and Delta Sonic's current operations to Amherst which includes constructing an approximate 10,000 sf warehouse addition. We are looking to start construction on this project in July, 2025 with a completion date of approximately the end of July, 2027. The Project will include building and site work improvements for office space for Benderson Development employees ("BDC"). The Project will be a first class, clean office space for BDC's business. The IDA benefits will be paramount to the success of the Project by enabling BDC to provide newly-remodeled, first class office space to expand its business.
<b>Applicant Name</b>	Mississippi ADP, LLC
<b>Applicant Address</b>	570 Delaware Avenue
<b>Applicant Address 2</b>	
<b>Applicant City</b>	Buffalo
<b>Applicant State</b>	New York
<b>Applicant Zip</b>	14202
<b>Phone</b>	(716) 878-9656
<b>Fax</b>	(716) 886-2269
<b>E-mail</b>	ChristianneGawel@benderson.com
<b>Website</b>	benderson.com
<b>NAICS Code</b>	

#### Business Organization

**Type of Business**  
 Limited Liability Company

**Year Established**  
 2012

**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** Christianne Gawel  
**Title** Paralegal  
**Address** 570 Delaware Avenue  
**Address 2**  
**City** Buffalo  
**State** New York  
**Zip** 14202  
**Phone** (716) 878-9656  
**Fax** (716) 886-2269  
**E-Mail** ChristianneGawel@benderson.com

Company Contact- Authorized Signer for Applicant

**Contact is same as individual completing application** No  
**Name** Eric Recoon  
**Title** Vice President, Development and Leasing  
**Address** 570 Delaware Avenue  
**Address 2**  
**City** Buffalo  
**State** New York  
**Zip** 14202  
**Phone** (716) 878-9459  
**Fax** (716) 886-2269  
**E-Mail** EricRecoon@benderson.com

Company Counsel

**Name of Attorney** John Kicinski  
**Firm Name** Benderson Development Company, LLC  
**Address** 570 Delaware Avenue  
**Address 2**  
**City** Buffalo  
**State** New York  
**Zip** 14202  
**Phone** (716) 878-9400  
**Fax** (716) 886-2269  
**E-Mail** JohnKicinski@benderson.com

Benefits Requested (select all that apply).

<b>Exemption from Sales Tax</b>	Yes
<b>Exemption from Mortgage Tax</b>	No
<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%.**

Applicant is a related entity of Benderson Development Company, LLC who is a commercial real estate developer with over 60 years of experience. A portion of Applicant's portfolio consists of office, retail, warehouse, residential and hospitality holdings. Applicant has a proven track record of developing successful projects and currently operates in 40 states throughout the Country.

<b>Estimated % of sales within Erie County</b>	80 %
<b>Estimated % of sales outside Erie County but within New York State</b>	15 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	5 %
<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?**

80

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

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

### Project Location

**Address of Proposed Project Facility**

6000- 6040 North Bailey

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

Amherst

**School District of Project Site**

Sweet Home

**Current Address (if different)****Current Town/City/Village of Project Site (if different)****SBL Number(s) for proposed Project**

54.14-1-19.1/A

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

\$35,968.55 (County) \$58,083.48 (School)

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

Land

\$ 1,970,000

Building(s)

\$ 1,915,000

If available include a copy of current tax receipt.

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

Yes

**If no please explain****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.)**

existing multi-tenant building

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

Applicant looks to remodel its current Property to relocate and consolidate BDC's and Delta Sonic's current operations to Amherst which includes constructing an approximate 10,000 sf warehouse addition. We are looking to start construction on this project in July, 2025 with a completion date of approximately the end of July, 2027. The Project will include building and site work improvements for office space for Benderson Development employees ("BDC"). The Project will be a first class, clean office space for BDC's business. The IDA benefits will be paramount to the success of the Project by enabling BDC to provide newly-remodeled, first class office space to expand its business.

**Municipality or Municipalities of current operations**

Buffalo, NY

**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?**

Yes

(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:**

The scope of the project as contemplated would be affected without public assistance.

**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 proposed Project's projected costs do not justify proceeding without factoring in the IDA incentives, which will allow us to construct the Project. There are significant risks and costs involved in completing the Project and Applicant would not be able to proceed without factoring in Amherst IDA benefits. Benderson is proposing to invest in this local project, rather than allocating its resources elsewhere. Applicant estimates it will invest approximately \$13,150,000 million dollars factoring in projected improvements. Benderson Development Company, while currently headquartered in Sarasota, FL, was founded in 1949 in Buffalo, NY. Currently employing over 230 people at its Delaware Avenue Regional Headquarters, the Buffalo office actually employs slightly more people than HQ. That being said, issues such as taxation (Florida has no state income tax), office inefficiencies, (dated mechanicals, older building, multi-story) lack of expandability, and parking shortages have created an environment which requires action. The Sarasota HQ property has plentiful free parking in a first-class office setting - with onsite expansion space. Furthermore, it resides a short walk from our University Town Center complex- filled with amenities such as shopping, dining, entertainment, fitness, and hospitality. The opportunity to relocate several of our office functions such as accounting, tax, collections, legal and finance, is a business consideration which remains viable. The proposed relocation to Amherst demonstrates the willingness of Benderson Development to invest in retaining, and growing, its WNY workforce. The new facilities would similarly enjoy plentiful free-parking along with a single-story office complex with plenty of room for growth. Centrally located just off the I-290, and situated across the street from The Boulevard- metro Buffalo's premier retail destination- the new office would also provide walkable shopping, dining, entertainment, fitness and hospitality options. The Amherst property would also allow for a collaborative, campus-like setting with our sister company, Delta Sonic.

**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?**

The proposed Project's projected costs do not justify proceeding without factoring in the IDA incentives, which will allow us to construct the Project. There are significant risks and costs involved in completing the Project and Applicant would not be able to proceed without factoring in Amherst IDA benefits. Benderson is proposing to invest in this local project, rather than allocating its resources elsewhere. Applicant estimates it will invest approximately \$13,150,000 million dollars factoring in projected improvements. Benderson Development Company, while currently headquartered in Sarasota, FL, was founded in 1949 in Buffalo, NY. Currently employing over 230 people at its Delaware Avenue Regional Headquarters, the Buffalo office actually employs slightly more people than HQ. That being said, issues such as taxation (Florida has no state income tax), office inefficiencies, (dated mechanicals, older building, multi-story) lack of expandability, and parking shortages have created an environment which requires action. The Sarasota HQ property has plentiful free parking in a first-class office setting - with onsite expansion space. Furthermore, it resides a short walk from our University Town Center complex- filled with amenities such as shopping, dining, entertainment, fitness, and hospitality. The opportunity to relocate several of our office functions such as accounting, tax, collections, legal and finance, is a business consideration which remains viable. The proposed relocation to Amherst demonstrates the willingness of Benderson Development to invest in retaining, and growing, its WNY workforce. The new facilities would similarly enjoy plentiful free-parking along with a single-story office complex with plenty of room for growth. Centrally located just off the I-290, and situated across the street from The Boulevard- metro Buffalo's premier retail destination- the new office would also provide walkable shopping, dining, entertainment, fitness and hospitality options. The Amherst property would also allow for a collaborative, campus-like setting with our sister company, Delta Sonic.

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

Site Characteristics

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

Yes

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

bus line

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

Yes

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

Yes

**Describe the present zoning/land use**

Research & Development and Light Industrial

**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?**

No

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?**

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.

**Will onsite child daycare facilities be available on the project site?**

No

If yes, please describe.

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.

<b>Retail Sales</b>	No	<b>Services</b>	No
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Please check any and all end uses as identified below.

<b>No Acquisition of Existing Facility</b>	<b>No Assisted Living</b>	<b>Yes Back Office</b>
<b>No Civic Facility (not for profit)</b>	<b>No 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>No Market Rate Housing</b>	<b>Yes Mixed Use</b>	<b>Yes Multi-Tenant</b>
<b>No Retail</b>	<b>No Senior Housing</b>	<b>Yes Manufacturing</b>
<b>No Renewable Energy</b>	<b>Yes Other</b>	
	<b>First Class Office</b>	

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>	10,069 square feet	\$	894,000	0%
<b>Research &amp; Development</b>	square feet	\$	0	0%
<b>Commercial</b>	153,833 square feet	\$	834,000	0%
<b>Retail</b>	square feet	\$	0	0%
<b>Office</b>	45,313 square feet	\$	5,450,000	0%
<b>Specify Other</b>	square feet	\$	0	0%

**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)**

&lt;BLANK&gt;

**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** No

What is the estimated project timetable (provide dates).

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

7/1/2025

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

7/31/2027

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

7/31/2027

### Capital Project Plan / Budget

#### **Estimated costs in connection with Project**

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

\$ 0

square feet

acres

##### **2.) New Building Construction**

\$ 0

square feet

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

\$ 1,000,000

10,069 square feet

##### **4.) Reconstruction/Renovation**

\$ 6,750,000

199,146 square feet

##### **5.) Manufacturing Equipment**

\$ 0

##### **6.) Infrastructure Work**

\$ 5,000,000

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

\$ 0

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

\$ 400,000

##### **9.) Other Cost**

\$ 0

**Explain Other  
Costs**

**Total Cost** \$ 13,150,000

### Construction Cost Breakdown:

**Total Cost of Construction** \$ 12,750,000 (sum of 2, 3, 4 and 6 in Project Information, above)

**Cost of materials** \$ 5,737,500

**% sourced in Erie County** 85%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** \$ 5,737,500

**Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):** \$ 502,031

\*\* 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):** \$ 13,150,000

**Bank Financing:** \$ 0

**Tax Exempt Bond Issuance (if applicable):** \$ 0

**Taxable Bond Issuance (if applicable):** \$ 0

**Public Sources (Include sum total of all state and federal grants and tax credits):** \$ 0

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

**Total Sources of Funds for Project Costs:** \$13,150,000

**Have you secured financing for the project?** No

Mortgage Recording Tax Exemption Benefit:

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

**Mortgage Amount (include sum total of construction/permanent/bridge financing).** n/a

**Lender Name, if Known**

**Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):** \$0

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):** n/a

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?**

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 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	231	231	10	10
Part time	0	0	0	0
Total	231	231	10	

**If you estimated new job growth over the next 2 years, please provide a short description of how those estimates were calculated (i.e. jobs per square foot, new contracts/increased revenues, etc.)**

Anticipated natural growth through continued operations

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	41	\$ 176,992	\$ 11,803	0	\$ 0	\$ 0
Professional	93	\$ 96,448	\$ 9,130	0	\$ 0	\$ 0
Administrative	77	\$ 50,485	\$ 5,790	1	\$ 32,368	\$ 4,092
Production	20	\$ 72,804	\$ 8,449	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Other	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Total	231			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):

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

Payroll Information

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

23,726,849

**Estimated average annual salary of jobs to be retained (Full Time)**

93,376

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

0

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

62,000

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

0

**Estimated salary range of jobs to be created**

<b>From (Full Time)</b>	45,760	<b>To (Full Time)</b>	150,000
<b>From (Part Time)</b>	0	<b>To (Part Time)</b>	0

### Section III: 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**

This project is instrumental in driving the development of our company and creating a synergy between BDC and its sister company, Delta Sonic, with a campus-like setting, plentiful free parking and locating us within the heart of our Boulevard and Boulevard South centers.

**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

<b>Tenant Name</b>	<b>Current Address (city, state, # of sq ft and % of total to be occupied at new projet site)</b>	<b>SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.</b>
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\*fill out table for each tenant and known future tenants



## Section IV: Tenant Information

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

**Tenant Name**

Benderson Development Company, LLC

**Property Address:**

570 Delaware Avenue

**City/Town/Village**

Buffalo, NY 14202

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)**

36,142

**What percentage of the building does this represent?****Are terms of lease:**

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

**Estimated date of occupancy**

12/31/1969

### PART 2 TO BE COMPLETED BY PROPOSED TENANT

**Company Name:**

Benderson Development Company, Inc.

**Local Contact Person:**

Eric Recoon

**Title:**

Vice President, Development and Leasing

**Current Address:**

570 Delaware Avenue, Buffalo, NY 14202

**Phone:**

(716) 886-0211

**Fax:**

(716) 886-2269

**E-Mail:**

EricRecoon@benderson.com

**Website:**

benderson.com

**Company President/General Manager:**

Randall Benderson

**Number of employees moving to new project location:****Full-Time:**

231

**Part-Time:**

0

**Total:**

231

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:

Benderson Development is a real estate company known for its long-term vision and ownership, leasing, award-winning property management and its ability to transform properties or "Bendersize" them into highly successful assets. They specialize in modern retail, flexible office, warehouse and industrial parks, aiming to support business needs. They also manage and operate a diverse portfolio of over 1,000 properties nationwide, including retail, office and industrial space. Through our commitment to long-term ownership and continuous reinvestment in our properties, we are able to cater to the business needs of today and tomorrow. Here's a more detailed breakdown: • Real Estate Development: Benderson develops and owns various types of properties, including commercial and residential spaces, including a focus on industrial parks and warehouse spaces. • Property Management: They manage and operate their extensive portfolio of properties, ensuring they meet business needs and tenant requirements. • Business Support: Benderson focuses on providing solutions to support the workforce and cater to the evolving needs of businesses. • National Presence: While rooted in Western New York, Benderson Development has expanded nationally, owning and operating properties in 40 states, with a portfolio of over 55 million square feet. • Retail Development: They are also known for their retail development, including retail boulevards and shopping centers.

Attach additional information as necessary.

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

Benderson Development Company, LLC is a commercial real estate developer with over 60 years of experience. A portion of Applicant's portfolio consists of office, retail, warehouse, residential and hospitality holdings. Applicant has a proven track record of developing successful projects and currently operates in 40 states throughout the Country.

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

36,142

**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.**

The IDA benefits will be paramount to the success of the Project by enabling BDC to provide newly-remodeled, first class office space to expand its business.

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

Yes

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

BDC will work to lease out our existing facility

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

12/31/1969

**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 V: 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 VI: Adaptive Reuse Projects

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

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

No

## Section VII: 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

570 Delaware Avenue

### 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?**

Yes

**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:**

In order for BDC to maintain its competitive position in the commercial real estate industry, it needs to update and improve efficiencies its current regional headquarters. Its existing location does not provide the necessary available space nor infrastructure to enable it to achieve this goal. This project is instrumental in driving the development of our company and creating a synergy between BDC and its sister company, Delta Sonic with a campus-like setting, plentiful free parking and locating us within the heart of our Boulevard and Boulevard South centers.

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

**Within New York State**

Yes

**Within Erie County**

Yes

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

In order for BDC to maintain its competitive position in the commercial real estate industry, it needs to update and improve efficiencies its current regional headquarters. Its existing location does not provide the necessary available space nor infrastructure to enable it to achieve this goal. This project is instrumental in driving the development of our company and creating a synergy between BDC and its sister company, Delta Sonic with a campus-like setting, plentiful free parking and locating us within the heart of our Boulevard and Boulevard South centers.

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

Yes

**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.)**

In order for BDC to maintain its competitive position in the commercial real estate industry, it needs to update and improve efficiencies its current regional headquarters. Its existing location does not provide the necessary available space nor infrastructure to enable it to achieve this goal. This project is instrumental in driving the development of our company and creating a synergy between BDC and its sister company, Delta Sonic, with a campus-like setting, plentiful free parking and locating us within the heart of our Boulevard and Boulevard South centers.

**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.)**

Amherst Development Park has all the key factors to allow us to consolidate BDC's and Delta Sonic's current operations such as a single-story building with plentiful free parking, a campus-like setting and locating us within the heart of our Boulevard and Boulevard South Centers.

**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?**

Yes

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

We were looking for a single-story building that allows us to co-locate with our sister company, Delta Sonic. The plentiful free parking, campus-like setting and proximity to nearby amenities make Amherst Development Park ideal for our future needs and growth.

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

BDC will actively work to lease out its current facility

**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.**

Hertel Commerce Park: 699 Hertel Ave, Buffalo, NY- Insufficient available square footage- Insufficient parking- Was not able to combine with sister company Delta Sonic in a campus-like setting

## Section VIII: 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 IX: 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