

**Application Title**

1350 Eggert Road

**Section I: Applicant Background Information**

## Applicant Information - Company Receiving Benefit

Total Project Cost                   **5800000**  
Applicant Name                       **1097 Group, LLC**  
Applicant Address                   **295 Main Street, Suite 210, Buffalo, NY 14203**  
Phone                                 **716-854-0060**  
Fax                                     **716-852-2829**  
E-mail                                 **tfox@ellicottdevelopment.com**  
Website                               **www.ellicottdevelopment.com**  
Fed ID#                               **06-1689254**

## Individual Completing Application

Name                                 **Thomas M. Fox**  
Title                                 **Project Manager, Development**  
Address                               **295 Main Street, Suite 210, Buffalo, NY 14203**  
Phone                                 **716-854-0060**  
Fax                                     **716-852-2829**  
E-Mail                                 **tfox@ellicottdevelopment.com**

## Company Contact (if different from individual completing application)

Name  
Title  
Address  
Phone  
Fax  
E-Mail

## Company Counsel

Name of Attorney                   **Joe Cavan**  
Firm Name                           **Paladino, Cavan, Quinlivan & Pierce**  
Address                               **295 Main Street, Suite 210, Buffalo, NY 14203**  
Phone                                 **716-852-8222**  
Fax                                     **716-852-2829**  
E-Mail                                 **jrc1015@aol.com**

Identify the assistance being requested of the Agency

Exemption from Sales Tax	<b>Yes</b>
Tax Exempt Financing	<b>No</b>
Exemption from Mortgage Tax	<b>Yes</b>
Exemption from Real Property Tax	<b>Yes</b>
Assignment/Assumption of existing PILOT benefits	<b>No</b>

Business Organization

Type of Business	<b>Limited Liability Company</b>
Year Established	<b>2002</b>
State of Organization	<b>New York</b>

List all stockholders, members, or partners with % of ownership greater than 20%  
Please include name and % of ownership.

**50% - 7112 Group, LLC 50% - 1035 Group, LLC**

Business Description

Describe in detail company background, products, customers, goods and services

**The company develops, leases and manages residential and commercial real estate together with its affiliates**

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	<b>0%</b>
Estimated % of sales outside the U.S.	<b>0%</b>

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?  
(You may be asked to provide supporting documentation of the estimated percentage of local purchases)

**100%**

## Section II: Project Description & Details

### Location of proposed project facility

Address                    **1350 Eggert Road**  
 City                        Amherst  
 State                      **New York**  
 Zip Code                 14226  
 SBL Number             67.82-3-9.1  
 Town/City/Village     Eggertsville  
 School District         Amherst  
 Present Project Site Owner    **1097 Group, LLC**

Please provide a brief narrative of the project

**Constructed in 1923, the Eggert Road Elementary School is approximately 56k square feet in size and is predominantly 2-stories in height with a 1-story portion on the south end and 3-story portion on the north end where the grade drops off and exposes a basement level. The rear of the property currently consists of a small playground, surface parking and open green space. The site drops off to the north where it abuts "ECO park" on Crosby Boulevard. Redevelopment plans include a mix of uses including approximately 5k square feet of commercial space and approximately 35 market-rate apartments. Site improvements will include new landscaping throughout, a new expanded surface parking area in the rear to accommodate the proposed uses and relocation of the existing playground to the north end of the property where it will be dedicated to the Town of Amherst. The project site is located within one of the Town of Amherst's identified "Redevelopment Zones" and the project is consistent with the bicentennial comprehensive plan which calls for "Neighborhood Commercial Core/Mixed Use" redevelopment at the existing underutilized project site.**

### Site Characteristics

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

**Asbestos containing materials are present within the building.**

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?  
 (If yes, please provide copy)

**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.**

Will project include leasing any equipment?

**No**

**If yes, please describe equipment and lease terms**

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

**Yes**

**If yes, please attach additional documentation describing the efficiencies achieved.**

Does or will company perform substantial research and development activities on new products/services at the project location?

**No**

**If yes, please explain**

What percentage of annual operating expenses are attributed to the above referenced research and development activities?

**n/a**

Explain why IDA participation is necessary for this project to proceed. Focus on competitiveness issues, project shortfalls, etc.

**The project is not feasible without AIDA assistance for many reasons further detailed as follows. The project is mixed-use with residential and commercial components. Current rental rates do not support the heightened cost of development at this existing structure. Due to the age of the building and its previous solitary use, all HVAC, plumbing and electrical components need either significant upgrades or complete replacement to accommodate the adaptive and divided re-use of the building. Other special costs include asbestos abatement, the addition of an elevator, the addition of a sprinkler system, re-glazing all windows which were previously in-filled with insulated metal panels and significant site work as required by code including a large surface parking lot expansion, storm drainage which currently does not exist and extensive landscaping improvements. The building will also be applied for listing on the National Register of Historic Places and will thus be undertaken as a historic renovation project which will add to the cost of renovation.**

Project Information

Estimated costs in connection with project

Land and/or Building Acquisition **\$ 700000**

**3.80** acres **56000.00** square feet

New Building Construction **\$ 0**

**0.00** square feet

New Building addition(s) **\$ 0**

**0.00** square feet

Renovation **\$ 4194000**

**56000.00** square feet

Manufacturing Equipment **\$ 0**

Non-Manufacturing Equipment: (furniture, fixtures, etc.) **\$ 0**

Soft Costs: (professional services, etc.) **\$ 910000**

Other Cost **\$ 0**

**Explain Other Costs**

**Total Cost 5804000**

**Project Refinancing (est. amount) 4370000**

Select Project Type (check all that apply)

<b>No</b> Industrial	<b>Yes</b> Multi-Tenant	<b>Yes</b> Mixed Use
<b>No</b> Acquisition of Existing Facility	<b>Yes</b> Commercial	<b>No</b> Facility for the Aging
<b>Yes</b> Housing	<b>No</b> Back Office	<b>No</b> Civic Facility (not for profit)
<b>No</b> Equipment Purchase	<b>No</b> Retail	<b>No</b> Other

**SIC Code**

**NAICS Code 531190**

For proposed facility please include # of sq ft for each of the uses outlined below

		<b>Cost</b>	<b>% of Total Cost</b>
Manufacturing/Processing	<b>0</b> square feet	0	0
Warehouse	<b>0</b> square feet	0	0
Research & Development	<b>0</b> square feet	0	0
Commercial	<b>0</b> square feet	0	0
Retail	<b>0</b> square feet	0	0
Office	<b>5000</b> square feet	0	0
Specify Other	<b>51000</b> square feet	0	0

Utilities and services presently serving site. Provide name of utility provider

**Gas**

**Electric Size**

**Water Size**

**Sewer Size**

**Other (Specify)**

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>

What is your project timetable (Provide dates)

Start date : acquisition of equipment

**2014-08-15**

End date : Estimated completion of project

**2015-02-15**

Project occupancy : estimated starting date of operations

**2015-02-15**

Have site plans been submitted to the appropriate planning department for approval?

**Yes**

Have any expenditures already been made by the company?

**Yes**

If yes, indicate particulars (Amherst IDA benefits do not apply to expenses incurred prior to Board approval)

**Architectural services, environmental and geotechnical research and legal.**

Is project necessary to expand project employment?

**Yes**

Is project necessary to retain existing employment?

**No**

Employment Plan (Specific to location):

	Current # of jobs at project location or to be relocated at project location	If project is to retain jobs, number of jobs to be retained	Total # of jobs 2 years after project completion
Full time	0	0	0
Part time	0	0	3
Total	0	0	3

**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.)**

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

Address	Full time	Part time	Total
	0	0	0
	0	0	0
	0	0	0

Payroll Information

Annual payroll

**54000**

Estimated average annual salary of jobs to be retained

**18000**

Average estimated annual salary of jobs to be created

**0**

Estimated salary range of jobs to be created

From **17000** To **19000**

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

Were you offered financial assistance to locate outside of New York State?

**No**

If yes, from whom and what type of assistance was offered

What competitive factors led you to inquire about sites outside of New York State?

Have you contacted or been contacted by other economic or governmental agencies regarding this project?

**Yes**

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

**We are seeking state and federal historic tax credits for the project. A Part 1 HPCA has been submitted to the SHPO and NPS.**

### Section III: Adaptive Reuse Projects

Are you applying for a tax incentive under the Adaptive Reuse Program?

Yes

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

91.00

If yes, number of years vacant?

3

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

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

Does the site have historical significance?

Yes

Briefly summarize the financial obstacles to development that this project faces without Amherst IDA or other public assistance. Please provide the Amherst IDA with documentation to support the financial obstacles to development (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rates compared to regional industrial averages)

**The project is not feasible without AIDA assistance for many reasons further detailed as follows. The project is mixed-use with residential and commercial components. Current rental rates do not support the heightened cost of development at this existing structure. Due to the age of the building and its previous solitary use, all HVAC, plumbing and electrical components need either significant upgrades or complete replacement to accommodate the adaptive and divided re-use of the building. Other special costs include asbestos abatement, the addition of an elevator, the addition of a sprinkler system, re-glazing all windows which were previously in-filled with insulated metal panels and significant site work as required by code including a large surface parking lot expansion, storm drainage which currently does not exist and extensive landscaping improvements. The building will also be applied for listing on the National Register of Historic Places and will thus be undertaken as a historic renovation project which will add to the cost of renovation.**

Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the Amherst IDA with documentation of this support in the form of signed letters from these entities

**We have received support of the proposed redevelopment from the Amherst Town Board and Amherst Zoning Board through approval of the property rezoning necessary to complete the project. Project support has also been strong from nearby residents including the Eggertsville Community Organization.**

Please indicate other factors that you would like the Amherst IDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site or structure is presently delinquent in property tax payments

**The 91 year old structure requires a number of improvements to bring it up to code for the proposed reuse including the addition of an elevator and sprinkler system and significant site improvements to satisfy current parking, landscaping and storm drainage requirements. Other costs include extensive interior demolition, new roofing and all new plumbing, electrical and mechanical systems throughout. Asbestos abatement will also be required.**

### Section IV: Retail Determination

Will project involve the sales of goods or services to customers who personally visit the facility?

**No**

If yes, complete the Retail Questionnaire Supplement below.

Will any portion of the project consist of facilities or property that is primarily used in making sales of goods or services to customers who personally visit the project site?

**No**

If the answer is yes, please continue.

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?

**0.00 %**

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

Will the project be operated by a not-for-profit corporation?

**No**

Is the project likely to attract a significant number of visitors from outside the economic development region in which the project will be located?

**No**

If yes, please provide a market analysis or other documentation supporting your response.

Would the project occupant, but for the contemplated financial assistance from the industrial development agency, locate the related jobs outside the State of New York?

**No**

If yes, please provide documentation regarding investigation of sites outside New York State.

Is the predominant purpose of the project to make available goods or services which would not otherwise be reasonably accessible to the residents of the project municipality?

**No**

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?

**Yes**

Is the project located in a Neighborhood Redevelopment Area?

**Yes**

**Section V: Inter-Municipal Move Determination**

Does this project involve relocation or consolidation of a project occupant from another municipality or abandonment of an existing facility?

**Within New York State No**

**Within Erie County No**

If EITHER IS YES, please complete the following. If BOTH ARE NO, please 'save and continue' to the next section (Section VI: Facility Type - Single or Multi Tenant).

The Agency is required by state law to make a determination that Agency assistance is required to prevent the project occupant from relocating out of the state, or to preserve the project occupant's competitive position in its respective industry.

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 (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, has the project occupant attempted to find a suitable location within the municipality?

**<BLANK>**

Is the project reasonably necessary to preserve the project occupant's competitive position in its industry?

**<BLANK>**

If yes, please explain and provide supporting documentation

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

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 VI: Facility Type - Single or Multi Tenant

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

**Multi-Tenant Facility**

**For Single Use Facility**

Occupant Name

Address

Contact Person

Phone

Fax

E-Mail

Federal ID #

SIC/NAICS Code

**Multi-Tenant Facility**

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

**The project site is located near Main Street (Rt. 5); a busy commercial corridor. It is also surrounded by a well established residential neighborhood.**

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