

**TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY**  
**Agenda – 565<sup>th</sup> Meeting**  
**Friday, April 24, 2026-8:30 am**

**James J. Allen Boardroom**  
**Agency Offices – 4287 Main Street, Amherst, NY 14226**

1. Roll Call of Members
2. Reading and Approval of Minutes
3. Bills & Communications
  - I. Town of Amherst 2026 Audit of PILOT Payments
4. Treasurer's Report
5. Public Comment
  - I. Speakers Limited to Three (3) Minutes
6. Executive Director's Report
7. Committee Reports
8. Unfinished Business
9. New Business
  - I. Amendment to Authorization Resolution – 1760 Maple Road, LLC
  - II. Authorization Resolution – 330 Maple Road, LLC
10. Adjournment

**TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY**  
**Minutes of the 564<sup>th</sup> Meeting**  
**Friday, March 20, 2026 – 8:30 am**  
**James J. Allen Boardroom**  
**Agency Offices, 4287 Main Street**

PRESENT: William Tuyn  
Frank LoTempio, III  
Nicole Gavigan  
Jacqueline Berger  
Brian Bray  
David S. Mingoia, Executive Director  
Keving J. Zanner, Hurwitz Fine PC  
Carly D. Brown, Hurwitz Fine PC

EXCUSED: Carlton N. Brock, Jr  
Anthony Agostino

GUESTS : AIDA Staff  
Randall Shepard, Bonadio Group (via zoom)  
Steven Bengart, Town of Amherst attorney

Vice Chairman William Tuyn called the meeting to order and reminded everyone the meeting was being video recorded and live-streamed.

**MINUTES**

Upon a motion by Frank LoTempio, seconded by Jacquie Berger and unanimously carried, the minutes of the January 2026 meeting were approved as presented.

**BILLS & COMMUNICATIONS**

There were no Bills & Communications presented at this meeting.

**TREASURER'S REPORT**

Executive Director David Mingoia presented the Treasurer's Report for January and February 2026.. Upon a motion by Frank LoTempio, seconded by Jacquie Berger and unanimously carried, the Treasurer's Reports for January and February 2026 were approved as presented.

**PUBLIC COMMENT**

There was no public comment at this meeting.

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director David Minogia presented his report.

## **COMMITTEE REPORTS**

### **I. Finance & Audit Committee-Review and Accept the 2025 Audited Financial Statements**

In the absence of the Treasurer, Executive Director Mingoia informed the board that the Audit & Finance Committee had met with the Agency's auditor, Randall Shepard from The Bonadio Group earlier in February.

Mr. Shepard reviewed the 2025 Audited Financial Statements with the board.

Frank LoTempio made a motion to accept the 2025 Audited Financial Statements as presented. Jacquie Berger seconded the motion. Votes to approved and accept the 2025 Audited Financial Statements were cast by Tuyn, LoTempio, Gavigan, Berger and Bray. Motion to approve passed by a vote of 5-0.

### **I. Governance Committee – 2025 Authority Mission and Performance Measurement Report**

The Governance Committee met earlier in the month to review the 2025 Mission Statement and Performance Measurement Report. The Committee recommended the approval of the 2025 Mission Statement and Measurement Report as presented. Jacquie Berger made a motion to approve the 2025 Mission Statement and Measurement Report. Frank LoTempio seconded the motion. Votes to approve were cast by Tuyn, LoTempio, Gavigan, Berger and Bray. Motion to approve passed 5-0.

## **UNFINISHED BUSINESS**

There was no Unfinished Business presented at this meeting.

## **NEW BUSINESS**

### **I. Authorization Resolution – Inducon Holdings, LLC**

The company is proposing to completely renovate a dilapidated existing 37,949 square feet flex building located at 415 Lawrence Bell Drive. A majority of the existing building has been vacant for nearly a decade and has been completely vacant for over 3-years. The company plans to raise the roof on half of the building and completely demolish the interior of the building and rebuild it with new walls, utilities, windows and drive doors which will make the property market ready for tenants. In its current state, there is no market for the space and it will continue to deteriorate.

The applicant intends to transition the use on the property to a product that can attract tenants. A 2023 AIDA project with a different owner (Time Equities) of the property never moved forward on its proposed demolition of the entire building down and construction of a

new 60,000 square feet warehouse. That project never proved feasible and the property was sold to Treetop Companies which is proposing this solution to remedy the property's blight.

Applicant states that AIDA incentives are necessary to offset added construction, material and labor costs. The project will maintain the existing taxes collected on the building, approximately \$22,140, and create new economic value to the community through new taxable assessment, increased property taxes and employment.

Frank LoTempio made a motion to approve the Inducon Holdings, LLC project as presented. Jacquie Berger seconded the motion. After a brief discussion votes to approve the project were cast by Tuyn, LoTempio, Gavigan, Berger and Bray. Motion to approve, passed by a vote of 5-0.

8:46 am – Nicole Gavigan made a motion to adjourn, Frank LoTempio seconded the motion. Motion to adjourn unanimously carried by a vote of 5-0.



## OFFICE OF TOWN COMPTROLLER

Jennifer Adams  
Interim Comptroller  
jadams@amherst.ny.us

5583 Main Street  
Williamsville, New York 14221  
(716) 631-7005

### ***EXAMINATION REPORT*** ***Town of Amherst Industrial Development Agency*** ***Payment In Lieu of Taxes***

***03/26/2026***

#### **Background:**

On February 4<sup>th</sup>, 2008, the Town Board adopted Resolution 2008-193, “Full Accounting of Amherst IDA PILOT Program Payments”.

The Town of Amherst Industrial Development Agency (AIDA) is a public benefit corporation created in 1973 in accordance with Article 18-A of New York State General Municipal Law. The Town of Amherst is the sole member of the corporation and the AIDA is a discretely presented component unit of the Town of Amherst.

The AIDA enters into contractual arrangements with client companies that have outstanding industrial development revenue bonds. The client companies make payments to the AIDA in lieu of taxes. Special District taxes are on the property tax bill sent out by the Town Clerk. The AIDA then collects and remits these payments to the various taxing jurisdictions.

PILOT payments for properties located in the Town of Amherst include the tax rates from the General Fund, Central Alarm, and Highway Fund. For properties located within the Village of Williamsville, the tax rates include the General Fund (Village’s Share) and Central Alarm.

#### **Scope:**

The scope of our exam was to review that the Town of Amherst is receiving in full the PILOTS that are due, the accuracy of such payment calculations, including contractual agreements, and that such PILOT’s assessed value agrees with the Town Assessor’s records. We reviewed the 2026 AIDA PILOT payments.

The Office of the Town Comptroller in the scope of the work performed did not audit and does not express an opinion on the assessed values of properties in the Town of Amherst.

The Office of the Town Comptroller in the scope of the work performed does not express an opinion on the contractual agreements entered into with client companies and the AIDA.

#### **Steps and Procedure Performed:**

1. We read the 2025 Audited Financial Statements of the AIDA.

2. Obtain the PILOT listing for the current year from the AIDA.
3. Obtain the RPS Assessor Data Base listing of exemption code 18020 from the Assessor's Department.
4. We selected a sample of PILOT properties for 2026 and performed the following:
  - a. Re-calculated the PILOT and compared the results with the AIDA calculations.
  - b. Compared the assessed value used by the AIDA to the Assessors RPS listing.
  - c. Traced the PILOTS payments to the cash receipts received by the Town of Amherst.
  - d. Reviewed the contracts/property file of AIDA properties in our sample and compared the tax abatement percentage used in the calculation of taxes to the contract/property file.
5. Compared the PILOT listing from the AIDA with the Assessor's RPS listing for completeness.
6. Reviewed and reconciled all cash receipts with the AIDA listing.

**Findings:**

96.184% or \$557,702.28 of the \$579,829.90 total PILOTS due were collected by February 17<sup>th</sup> due date. The balance consisting of \$22,127.62 was collected past the due date with interest. (89.179% or \$618,988.71 of the \$694,095.54 for 2025, the balance of \$75,106.83 was collected past the due date with interest).

**Conclusion:**

It appears that Amherst Industrial Development Agency is calculating the PILOTS correctly based on the contractual requirements and assessed values of record with the Town of Amherst, and are remitting the proper amounts to the Office of the Town Comptroller, except as noted above.

**Recommendation:**

The Office of the Town Comptroller, on an annual basis, will perform the steps and procedures (as per above) of all new PILOTS added in the current year and a random sample of ten (10) existing PILOTS.

**Other:**

The workpapers of this examination are open for review in the Office of the Town Comptroller.



April 14, 2026

David S. Mingoia, Executive Director/CEO  
Town of Amherst Industrial Development Agency  
4287 Main Street  
Amherst, New York 14226

Re: Mixed-Use Project – 1760 Maple Road  
Applicant/Project Sponsor: 1760 Maple Road, LLC  
File No. 10003.58

Dear Mr. Mingoia:

This letter is being submitted on behalf of 1760 Maple Road, LLC (the “Applicant”) for the purpose of requesting that the IDA Board of Directors adopt a resolution during its next meeting on April 24<sup>th</sup> approving an increase of the mortgage recording tax exemption for the mortgage from Twenty-Eight Million Two Hundred Thousand and No/100 Dollars (\$28,200,000.00) to Twenty-Nine Million Four Hundred Fifty-One Thousand and No/100 Dollars (\$29,451,000.00), which is the amount of the loan to be obtained from Tompkins Community Bank pursuant to the Commitment Letter.

The reason for the requested increase is that the Loan to Value ratio for the construction financing increased to 80% as compared to the 75% Loan to Value ratio what was projected at the time the IDA Board of Directors approved the PILOT and related incentives during its meeting on August 15, 2025. As I mentioned when we spoke this morning, the total project cost has not increased above the approved amount of Thirty-Seven Million Five Hundred Thousand and No/100 Dollars (\$37,500,000.00).

If you have any questions regarding this letter, please feel free to contact me at 510-4338 or via e-mail at [shopkins@hsmlegal.com](mailto:shopkins@hsmlegal.com).

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

A handwritten signature in blue ink, appearing to read "Sean W. Hopkins".

Sean W. Hopkins, Esq.

cc: Kevin Zanner, Esq.  
Carly Brown, Esq.  
Rob Cavallari, 1760 Maple Road, LLC  
Paul Bliss, 1760 Maple Road, LLC

**HOPKINS SORGI & MCCARTHY PLLC**

Attorneys at Law

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**FIRST AMENDATORY RESOLUTION OF THE TOWN OF  
AMHERST INDUSTRIAL DEVELOPMENT AGENCY  
RELATING TO THE 1760 MAPLE ROAD, LLC PROJECT.**

**WHEREAS**, the Town of Amherst Industrial Development Agency (the “Agency”) is authorized under the laws of the State of New York, and in particular the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Section 914-a of the General Municipal Law, as amended (collectively, the “Act”), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and to improve their prosperity and standard of living; and

**WHEREAS**, on August 15, 2025, the Agency adopted an inducement resolution (the “Inducement Resolution”) with respect to a project (the “Project”) consisting of: (i) the acquisition of a leasehold interest in certain property located at 1760 Maple Road in Amherst, New York (SBL No. 56.19-1-5.11) (the “Premises”); (ii) the construction and equipping of a mixed-use project including a four-story mixed-use building, a four-story multifamily building and two (2) two-story townhome buildings (including an aggregate of one hundred eighteen (118) residential units, twenty percent (20%) of which will be designated for workforce housing) and related improvements (collectively, the “Improvements”); and (iii) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and personal property (the “Equipment”); and

**WHEREAS**, the Inducement Resolution approved by the Agency authorized an exemption from New York State and local sales and use taxes for purchases of sales-taxable tangible personal property and services in connection with the Project which do not exceed a total cost of Thirty-Seven Million Five Hundred Thousand and No/100 Dollars (\$37,500,000.00), a partial exemption from mortgage recording tax for one or more mortgages aggregating an amount not to exceed Twenty-Eight Million Two Hundred Thousand and No/100 Dollars (\$28,200,000.00), and an abatement from real property taxes; and

**WHEREAS**, the Agency and the Company entered into that certain project agreement dated as of September 15, 2025 (the “Project Agreement”); and

**WHEREAS**, by letter dated April 14, 2026, the Company has requested from the Agency an increase in the mortgage recording tax benefit for one or more mortgages in an aggregate amount not to exceed Twenty-Nine Million Four Hundred Fifty-One Thousand and No/100 Dollars (\$29,451,000.00); and

**WHEREAS**, the Company has not requested any other changes to the Project or financial assistance; and

**WHEREAS**, the Agency determined that the proposed increase in financial assistance did not require the Agency to conduct a public hearing; and



**WHEREAS**, the Agency desires to adopt this amendatory resolution to make conforming changes to the Inducement Resolution and the Project Agreement.

**NOW, THEREFORE, THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY HEREBY RESOLVES AS FOLLOWS:**

1. The Agency hereby approves the requested increase in the partial exemption from mortgage recording taxes for one or more mortgages having a principal amount not to exceed Twenty-Nine Million Four Hundred Fifty-One Thousand and No/100 Dollars (\$29,451,000.00).
2. Any of the Chairman, Vice Chairman, Executive Director, Secretary, Treasurer and Assistant Secretary of the Agency are each hereby authorized to execute an amendment to the Project Agreement to memorialize the increase in mortgage recording tax benefit as described in this Amendatory Resolution.
3. Except as amended by this Amendatory Resolution, the terms of the Inducement Resolution are unchanged and remain in full force and effect.
4. This Amendatory Resolution shall take effect immediately.

DATED: April 24, 2026

**PROJECT PROFILE:**  
**716 SPORTS COMPLEX**  
**\$79,853,650**  
**April 24, 2026**



**ELIGIBILITY**

- Tourism Project under NYS Law
- Defined as “Recreation Facility” in NYS Law

**COMPANY INCENTIVES (EST.)**

- Property Tax = \$8,552,499 (Building), 1,803,652 (Hotel)
- Sales Tax = \$2,975,000
- Mortgage Tax = \$403,905

**PROJECT BENEFITS (EST.)**

- Property Tax = \$6,882,187 (Building), \$1,061,248 (Hotel)
- Income Taxes = \$6,938,817
- Sales Taxes = \$2,361,125

**EMPLOYMENT**

- 294 Construction and Supply Related Jobs Created
- 52 Full-Time and 85 Part-Time Direct Positions Created, 34 Indirect Positions Created

**PROJECT SCHEDULE (EST.)**

- Work begins May 2026
- Project completion May 2027

**Project Address:**

330 & 500 Maple Road  
 Amherst New York 14225  
 (Sweet Home School District)

**Investment:**

Acquisition:	\$4,905,000
Construction:	\$37,490,868
Infrastructure:	\$9,425,000
Equipment:	\$17,386,582
Soft/Other Costs:	\$10,646,200

**Project Description:**

The 716 Sports Complex is a new-build, large scale sports, recreation, wellness, and hospitality facility constructed on a remediated brownfield site. The approximately 30-acre site was acquired by the Town of Amherst (“Town”) in 2024 from American Campus Communities in preparation for this project. Historically, the property paid minimal property taxes as vacant land and currently is the location of recently constructed Town of Amherst softball diamonds. The development team, which has successfully completed several other real estate projects including the nearby 716 Health Building, acquired approximately 21.3 acres for the sports complex from the Town and Amherst Development Corporation and is in the process of acquiring additional adjacent acreage from the Town for the hotel component.

Two climate controlled domes totaling roughly 275,000 square feet will be positioned on either side of a 56,000 square foot building programmed for recreation adjacent activities (wellness, retail, and community spaces). A 120-room hotel is a key component of the project and is designed to support tournament activity and large events. Programming for each dome includes a 200-meter banked indoor competition track, which is new to the region, along with full-size turf fields for soccer, lacrosse, rugby and other sports. The complex is expected to generate 788,000 annual visits initially growing to nearly 1,000,000 within 5-years. Of these visitors, 90,000 are expected to come from outside the economic development region, and is projected to grow to 130,000 annual sports tourists according to a market analysis by KemperSports.

The applicant indicates the need for financial assistance is necessary to feasibly finance a project of this scope and scale. For over two years, the Town and Amherst IDA worked with development team on structuring land purchases and incentives for this project. Indoor sports facilities are most often municipally owned and financed due to the costs to construct and finance, and limited rates of return for private investment.

**PROJECT PROFILE:  
716 SPORTS COMPLEX  
\$79,853,650**

**AIDA COMPANY HISTORY:**

1. The development team principals led the construction of the 716 Health Complex.

**MATERIAL TERMS:**

1. Investment of not less than \$67,875,603 at the project location as noted in the application.
2. Creation of 95 full-time equivalent jobs and maintenance of those jobs throughout the PILOT term.
3. Compliance with the Agency's Local Labor Policy in connection with the construction of the Project.

**AIDA Project Evaluation Criteria - Warehouse/Distribution**

Market Study:	The development team engaged KemperSports for economic and tourism data.
Regional Wealth Creation:	In addition to new property tax revenues, visitors are expected to generate over \$60,000 in new bed taxes in Year 1 growing to over \$100,000 in Year 5.
In Region Purchases:	Applicant estimates that 70% of its total annual vendor spending will be purchased from firms in Erie County.
Designated Enhancement Zone:	The project is not located in a designated area.
Proximity/Support of Regional Tourism Attractions/Facilities:	The project is expected to attract 90,000-130,000 sports tourists from outside of the economic development region (Counties of Erie, Niagara, Chautauqua, Cattaraugus & Allegany).
Local Official(s), Community Support:	The site received all approvals from the Town of Amherst, which purchased the property to preserve the softball diamonds and create the public private partnership that lead to this project.
LEED/Renewable Resources:	None
Generation of Local Taxes:	The site currently generates \$0 as it was owned by the Town of Amherst. Even with tax incentives, the project will generate over \$325,000 in Year 1 in addition to visitor spending.
Transit Oriented Development:	N/A

# Town of Amherst Industrial Development Agency

## MRB Cost Benefit Calculator

Date: April 2, 2026  
 Project Title: 716 Sports Complex  
 Project Location: 330 & 500 Maple Road, Amherst 14225



Cost-Benefit Analysis Tool powered by MRB Group

## Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

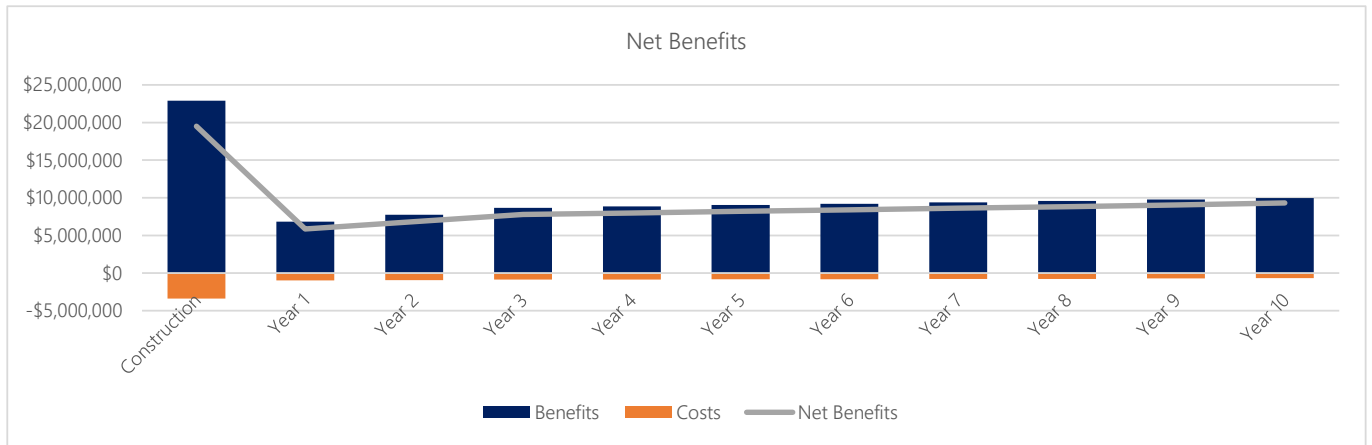
### Construction Project Costs

\$79,853,650

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	153	141	294
Earnings	\$13,550,202	\$8,032,560	\$21,582,762
Local Spend	\$35,186,191	\$25,010,345	\$60,196,536

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	95	34	129
Earnings	\$69,958,417	\$62,654,758	\$132,613,176

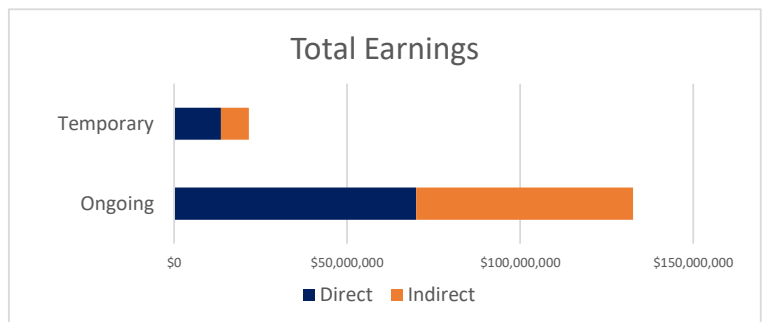
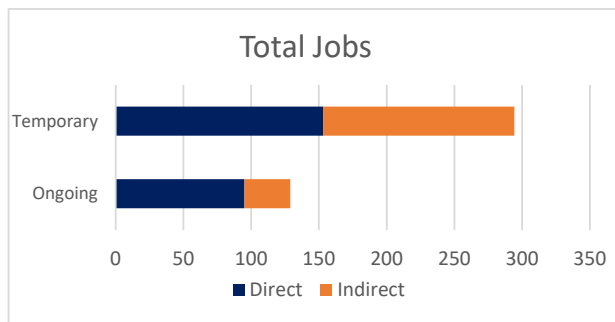
Figure 1



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

Figure 2

Figure 3



# Fiscal Impacts



## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$10,329,150	\$9,069,845
Sales Tax Exemption	\$2,975,000	\$2,975,000
Local Sales Tax Exemption	\$1,615,000	\$1,615,000
State Sales Tax Exemption	\$1,360,000	\$1,360,000
Mortgage Recording Tax Exemption	\$403,905	\$403,905
Local Mortgage Recording Tax Exemption	\$134,635	\$134,635
State Mortgage Recording Tax Exemption	\$269,270	\$269,270
<b>Total Costs</b>	<b>\$13,708,055</b>	<b>\$12,448,750</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$164,821,126</b>	<b>\$143,101,487</b>
To Private Individuals	\$154,195,938	\$134,095,831
Temporary Payroll	\$21,582,762	\$21,582,762
Ongoing Payroll	\$132,613,176	\$112,513,069
Other Payments to Private Individuals	\$0	\$0
To the Public	\$10,625,189	\$9,005,656
Increase in Property Tax Revenue	\$7,943,435	\$6,702,194
Temporary Jobs - Sales Tax Revenue	\$179,407	\$179,407
Ongoing Jobs - Sales Tax Revenue	\$1,102,347	\$935,265
Other Local Municipal Revenue	\$1,400,000	\$1,188,791
<b>State Benefits</b>	<b>\$8,018,189</b>	<b>\$6,972,983</b>
To the Public	\$8,018,189	\$6,972,983
Temporary Income Tax Revenue	\$971,224	\$971,224
Ongoing Income Tax Revenue	\$5,967,593	\$5,063,088
Temporary Jobs - Sales Tax Revenue	\$151,079	\$151,079
Ongoing Jobs - Sales Tax Revenue	\$928,292	\$787,591
<b>Total Benefits to State &amp; Region</b>	<b>\$172,839,315</b>	<b>\$150,074,470</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$143,101,487	\$10,819,480	13:1
State	\$6,972,983	\$1,629,270	4:1
<b>Grand Total</b>	<b>\$150,074,470</b>	<b>\$12,448,750</b>	<b>12:1</b>

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

## Additional Comments from IDA

Prepared by DM, Other Local Taxes is Hotel Bed Taxes Estimates

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

**RESOLUTION OF THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE CONSTRUCTION AND EQUIPPING OF A 331,000 SQUARE FOOT SPORTS, RECREATION, WELLNESS AND HOSPITALITY CAMPUS BY 330 MAPLE RD LLC, AND/OR ONE OR MORE OF ITS AFFILIATES, TO BE LOCATED IN THE TOWN OF AMHERST, NEW YORK, FOR LEASE TO THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY AND SUBSEQUENT LEASE OR RECONVEYANCE TO 330 MAPLE RD LLC AND/OR ONE OR MORE OF ITS AFFILIATES, THE EXECUTION OF LEASE AGREEMENTS, MORTGAGE AGREEMENTS, A NON-STANDARD PILOT AGREEMENT, A STANDARD PILOT AGREEMENT AND THE TAKING OF OTHER ACTIONS.**

**WHEREAS**, the Town of Amherst Industrial Development Agency (the “Agency”) is authorized under the laws of the State of New York, and in particular the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Section 914-a of the General Municipal Law, as amended (collectively, the “Act”), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York and to improve their prosperity and standard of living; and

**WHEREAS**, 330 Maple Rd LLC, for itself and/or one or more affiliates or subsidiaries (together, the “Company”), has requested the Agency to undertake a certain project (the “Project”) consisting of: (i) the acquisition of a leasehold interest in certain property located at 330 Maple Road in Amherst, New York (a portion of SBL No. 55.03-1-10) (“Parcel 1”) and 500 Maple Road in Amherst, New York (a portion of SBL No. 55.04-1-6.11) (“Parcel 2”, and together with Parcel 1, the “Premises”); (ii) the construction and equipping of an approximately three hundred thirty-one thousand (331,000) square foot sports, recreation, wellness and hospitality campus, including two climate-controlled athletic domes and a commercial, wellness and community building on Parcel 1 (the “Sports Complex”), and a one hundred thousand (100,000) square foot hotel with on-site parking and accommodations on Parcel 2 (the “Hotel” and together with the Sports Complex, the “716 Sports Campus”), along with related site improvements (collectively, the “Improvements”); and (iii) the acquisition and installation therein, thereon, or thereabout of certain machinery, equipment and related personal property (the “Equipment”); and

**WHEREAS**, the Company submitted an application and other materials and information (collectively, the “Application”) to the Agency to initiate the accomplishment of the above; and

**WHEREAS**, based on the information set forth in the Application, the Project includes facilities or property which will be primarily used in making retail sales (as defined in Section 862(2) of the New York General Municipal Law) to customers who personally visit such facilities, and the Agency has preliminarily determined that the Agency is permitted to provide financial assistance with respect to the Project because the Project constitutes a “tourism destination,” as such term is defined in Section 862(2)(a) of the General Municipal Law; and

**WHEREAS**, the Agency has reviewed the Application and prepared a written cost-benefit analysis that identifies the extent to which the Project will create permanent, private-sector jobs, the estimated value of any tax exemptions to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the proposed Project in a timely fashion, the extent to which the proposed Project will provide additional sources of revenue for the municipalities and school district and any other public benefits that might occur as a result of the Project; and

**WHEREAS**, the Company has requested that the Agency enter into one or more agreements for payments in lieu of real estate taxes (“PILOT Agreement”) for the Project; and

**WHEREAS**, the Company has requested that the Agency consider entering into a non-standard PILOT for the Sports Complex portion of the Project, which will provide for payments in lieu of taxes by the Company over a term of fifteen (15) years, which deviates from the Agency’s standard PILOT schedule set forth in the Countywide Industrial Development Agency Uniform Tax Exemption Policy, amended and restated as of April 1, 2022 (the “UTEP”); and

**WHEREAS**, Section V of the UTEP provides that the Agency may deviate from its standard PILOT schedule after it: (i) provides prior written notification to the affected taxing jurisdictions of the proposed deviation from the Policy and the reasons for the deviation from this Policy including articulated consideration of the issues identified in Section 874(4)(a) of the GML, and (ii) sets forth in writing the reasons for deviating from the Policy; and

**WHEREAS**, pursuant to Section 874(4)(b) of the General Municipal Law and the UTEP, the Agency duly delivered a notice of deviation to the chief executive officers of each of the affected taxing jurisdictions regarding the proposed non-standard PILOT agreement for the Sports Complex portion of the Project; and

**WHEREAS**, after the giving of all required notices (including published notice), the Agency held a public hearing on the Project on April 9, 2026, and has considered all oral and written presentations made at or in connection with said public hearing; and

**WHEREAS**, the Agency desires to encourage the Company with respect to the consummation of the Project, if by doing so it is able to induce the Company to proceed with the Project; and

**WHEREAS**, the Company will complete the Project by obtaining one or more conventional loans of financing from a third party, and the Company has requested that the Agency execute any and all documents required by the parties, including any collateral mortgages on the Project given to secure a loan(s) obtained by the Company to finance the cost of the Project; and

**WHEREAS**, the Amherst Town Board (the “Town Board”) served as “lead agency” under the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617) (“SEQRA”) for the Sports Complex portion of the Project, determined that the project constituted a Type I action, and on November 20, 2025 issued a negative declaration pursuant to SEQRA that the Sports Complex portion of the Project is not expected to have a

significant adverse effect on the environment, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the Company has requested the rezoning of Parcel 2 by the Town Board and is pursuing site control and the necessary approvals from the Town for the Hotel portion of the Project; and

**WHEREAS**, the Company has submitted to the Agency Part 1 of a short-form environmental assessment form ("Short Form EAF") for the Hotel portion of the Project in accordance with the provisions of SEQRA, a copy of which is attached hereto as Exhibit B; and

**WHEREAS**, the Agency has completed Part 2 of the EAF and the criteria set forth in SEQRA in order to determine whether the Hotel portion of the Project will have a significant effect on the environment and wishes to make the findings required of an agency under SEQRA.

**NOW, THEREFORE, THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** (a) Based upon the Agency's review of the Company's Application, the Town Board's SEQRA determination and the Agency's SEQRA review, the Agency hereby: (i) ratifies and confirms the proceedings undertaken by the Town Board under SEQRA, including the Town Board's determination and issuance of a negative declaration that the Sports Complex portion of the Project is not expected to have a significant adverse impact on the environment; and (ii) adopts the Town Board's negative declaration with regard to the Sports Complex portion of the Project.

(b) Based on the Agency's review of the Company's Application, the Short Form EAF and the Agency's SEQRA review, the Agency hereby resolves that the Hotel portion of the Project will not have a significant adverse impact on the environment for the reasons more particularly set forth in the determination of significance prepared by the Agency. In accordance with SEQRA, the Agency hereby adopts a negative declaration with respect to the Hotel portion of the Project. A copy of the Short Form EAF, including Parts 2 and 3 completed by the Agency, are attached hereto as Exhibit B.

(c) The Agency hereby determines that the provisions of SEQRA that are required to be complied with as a condition precedent to the approval of the Financial Assistance contemplated by the Agency with respect to the Project and the participation by the Agency in undertaking the Project have been satisfied.

**Section 2.** The Project is described in the recitals to this Resolution. The financial assistance to be provided by the Agency in connection with the Project includes: (i) an exemption from sales and use taxes for building materials and machinery, equipment, fixtures and furnishings purchased for incorporation into or use at the Project location having a total cost not to exceed Thirty-Four Million and No/100 Dollars (\$34,000,000.00); (ii) a mortgage recording tax exemption for one or more mortgages in the aggregate principal amount not to exceed Fifty-Three Million Eight Hundred Fifty-Four Thousand and No/100 Dollars (\$53,854,000.00); (iii) a fifteen (15) year abatement from real property taxes on the Sports Complex portion of the Project in accordance with



the non-standard payment in lieu of tax schedule set forth in Exhibit C attached hereto; and (iv) a ten (10) year abatement from real property taxes on the Hotel portion of the Project in accordance with the Agency's standard payment in lieu of tax schedule set forth in Exhibit C attached hereto (the "Financial Assistance"). The payment in lieu of tax arrangements shall be set forth in one or more PILOT Agreements.

In addition to any other covenants, obligations and agreements which may be contained in the Project Documents (as hereinafter defined), the provision by the Agency of the Financial Assistance is made subject to the agreement by the Company to comply with the following covenants and agreements, each of which shall constitute a "Material Factor":

- (a) Investment of no less than Sixty-Seven Million Eight Hundred Seventy-Five Thousand Six Hundred Three and No/100 Dollars (\$67,875,603.00) at the Project location as noted in the Application;
- (b) Achievement of ninety-five (95) full-time equivalent jobs within two (2) years after Project completion and maintenance of those jobs throughout the applicable term of the PILOT Agreement(s); and
- (c) Compliance with the Agency's Local Labor Policy in connection with the construction of the Project.

**Section 3.** (a) The Agency hereby determines that the Project and the financing thereof by the Agency pursuant to the New York State Industrial Development Agency Act will promote and is authorized by and will be in furtherance of the policy of the State as set forth in said Act. The Project is expected to include facilities or property that are primarily used in making retail sales to customers who personally visit such facilities within the meaning of Section 862(2) of the General Municipal Law. Based upon the Application and supporting documentation submitted by the Company, including a market study prepared by KemperSports, the Agency determines that the Project is a "tourism destination" as defined in Section 862(2)(a) of the General Municipal Law. The market study projects approximately 788,000 total annual visits in Year 1, growing to nearly 1,000,000 annual visits by Year 5 of Project operation. It is estimated that 90,000 to 130,000 of those annual visits will be individuals residing outside the economic development region comprised of the counties of Erie, Niagara, Allegany, Cattaraugus and Chautauqua. The Project is likely to attract a significant number of visitors from outside of the economic development region. Therefore, the Agency finds that the Project is not subject to the prohibition on the provision of financial assistance to retail facilities contained in Section 862(2)(a) of the General Municipal Law.

(b) Based on the Application and supporting documentation submitted by the Company, the Agency hereby finds and determines that the components of the Project, comprised of the Sports Complex and the Hotel, are functionally and economically interdependent and are intended to be developed and operated as a single integrated sports, recreation, wellness and hospitality campus. The Agency further determines that, notwithstanding any phasing or ownership structures such components constitute, in substance, one unified undertaking for purposes of the Agency's approval and the provision of Financial Assistance.

**Section 4.** The proposed Financial Assistance for the Sports Complex portion of the Project deviates from the terms of the UTEP to the extent that the Company has requested a PILOT Agreement on the Sports Complex portion of the Project with a term of fifteen (15) years. The UTEP authorizes the Agency to deviate from the Agency's standard PILOT schedule by setting forth the reasons for the deviation from the UTEP including articulated consideration of the issues identified in Section 874(4)(a) of the General Municipal Law, and setting forth in writing the reasons for deviating from the Policy. The Agency hereby approves of the deviation from the UTEP and authorizes the provision of Financial Assistance to the Company as described herein. The Agency has determined that a deviation from the UTEP is appropriate for the Project because the Company has shown through its Application that the enhanced real property tax incentive for the Sports Complex portion of the Project is necessary in order for the Project to proceed. In authorizing the deviation, the Agency has considered the following factors in accordance with the Act and the UTEP, no single one of which is determinative:

**1. The nature of the proposed project (e.g. manufacturing, commercial, etc.).**

The Project involves the acquisition of an interest in approximately 24.05 acres of land in the Town of Amherst, Erie County, New York and construction of an approximately three hundred thirty-one thousand (331,000) square foot sports, recreation, wellness and hospitality campus including two climate-controlled athletic domes and a commercial, wellness and community building, and a one hundred thousand (100,000) square foot hotel with on-site parking and accommodations, along with related improvements.

**2. The nature of the property before the project begins (e.g. vacant land, vacant building, Brownfield site, etc.).**

The project site consists of vacant, remediated brownfield land.

**3. The extent to which the project will create or retain permanent, private sector jobs.**

The Project is expected to create fifty-two (52) full-time and eighty-five (85) part-time employment positions.

**4. The estimated value of tax exemptions to be provided.**

The estimated value of the sales and use tax exemption for the Project is an amount up to approximately Two Million Nine Hundred Seventy-Five Thousand and No/100 Dollars (\$2,975,000.00). The value of the mortgage recording tax exemption is an amount up to Four Hundred Three Thousand Nine Hundred Five and No/100 Dollars (\$403,905.00). The estimated value of the real property tax benefit relating to the Sports Complex portion of the Project is Eight Million Five Hundred Fifty-Two Thousand Four Hundred Ninety-Nine and No/100 Dollars (\$8,552,499.00). The estimated value of the real property tax benefit relating to the Hotel portion of the Project is One Million Eight Hundred Three Thousand Six Hundred Fifty-Three and No/100 Dollars (\$1,803,653.00). Through one or more PILOTs, (i) the Sports Complex portion of the Project will generate Five Million Seven Hundred Seventeen Thousand Eight Hundred Two and No/100 Dollars (\$5,717,802.00) in new property tax revenues and (ii) the Hotel portion of the

Project will generate Eight Hundred Thirty-Three Thousand Three Hundred Sixty-Seven and No/100 Dollars (\$833,367.00) in new property tax revenues.

**5. Whether affected taxing jurisdictions will be reimbursed by the Project occupant if the Project does not fulfill the purposes for which an exemption was provided.**

The Company will be subject to termination of financial assistance, including potential recapture of benefits previously received in the event the Company does not adhere to the Agency's standard material terms and conditions governing the receipt of financial assistance.

**6. The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity.**

The impact of the Project is a positive one for the community as it will promote job opportunities, general prosperity and economic welfare for the residents of Erie County and the Town of Amherst. In addition to serving the regional population with much needed indoor sports facilities, the Project is expected to attract 90,000 to 130,000 visitors annually, which will generate revenue for hospitality, retail and services throughout the area.

**7. The amount of private sector investment generated or likely to be generated by the proposed project.**

Investment by the Company is expected to be approximately Seventy-Nine Million Eight Hundred Fifty-Three Thousand Six Hundred Fifty and No/100 Dollars (\$79,853,650.00).

**8. The demonstrated public support for the proposed project.**

The Town of Amherst sold land to 716 Sports Complex LLC, an affiliate of the Company, and has expressed its support for the Project including approving the site plan for the Sports Complex portion of the Project. The Project has also received a letter of support signed by 100 individuals and/or entities and MADE Hoops has expressed its support and intent to utilize the proposed Project upon completion.

**9. The likelihood of accomplishing the proposed project in a timely fashion.**

The Project is expected to be completed in a timely manner.

**10. The effect of the proposed project upon the environment.**

The Sports Complex portion of the Project was determined by the Town of Amherst to be a Type I action pursuant to the New York State Environmental Quality Review Act (SEQRA). The Town of Amherst served as lead agency for the coordinated environmental review of the Sports Complex portion of the Project pursuant to SEQRA, which encompasses approximately 21.30 acres of vacant land located at 330 Maple Road.

The Town Board issued a negative declaration on November 20, 2025, determining that the proposed actions by the Applicant would not have a significant adverse effect on the environment.

The Agency, in performing its own review of SEQRA, has determined that the Hotel portion of the Project will not have a significant adverse impact on the environment.

**11. The extent to which the project will utilize, to the fullest extent practicable and economically feasible, resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures.**

Equipment being installed as part of the Project will provide energy-efficiency benefits by installing and utilizing high-efficiency HVAC units, dehumidification systems, LED sports lighting and modern building-management controls.

**12. The extent to which the project will provide onsite child care services or otherwise facilitate new child care services.**

The Project will not include a dedicated, licensed onsite child-care center. However, the Company states in its application that the Project will meaningfully support families and working parents by creating an environment that inherently facilitates informal, short-duration child supervision and family-friendly use of the facility. The Sports Complex portion of the Project is designed with flexible viewing areas, lobby space, seating zones, and family-oriented amenities that allow parents to comfortably remain onsite with younger children while other family members participate in practices, training sessions, or tournaments. The facility's programming—such as youth sports leagues, camps, clinics, and recreational activities—also provides structured, supervised athletic engagement for children and adolescents, which can help alleviate scheduling and caretaking burdens for families.

**13. The extent to which the proposed project will require the provision of additional services including, but not limited to, educational, transportation, emergency medical or police and fire service.**

It is not anticipated that the Project will require the provision of additional services.

**14. The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts in which the project is located.**

The Project site currently consists of vacant, remediated brownfield land. The Project will generate additional sources of revenue from the PILOT payments which would otherwise not be received if the Project does not proceed.

**Section 5.** The Agency hereby authorizes the Company, as agent for the Agency, to proceed with the Project as herein authorized. The Agency is hereby authorized to acquire an interest in the Project site and the buildings thereon, if any, and to construct the Improvements, make renovations and/or additions thereto. The Company is authorized to proceed with the acquisition and

construction of the Project as set forth in the Project Agreement, the Agency Lease Agreement or Installment Sale Contract (as hereinafter defined).

**Section 6.** The Chairman, Vice Chairman, Executive Director, Secretary, Treasurer, and any Assistant Secretary of the Agency, the CEO/CFO and other appropriate officials of the Agency and its agents and employees, are hereby authorized and directed to do and cause to be done any and all acts and things necessary or proper for carrying out this Resolution and to complete the Project in cooperation with the Company.

**Section 7.** The Company is authorized, as agent of the Agency, to initiate the construction of the Project, and the acquisition of machinery and equipment which will be a part thereof or will be used in connection therewith, and to advance such funds as may be necessary to accomplish such purposes. The designation of the Company as agent hereunder is limited to purchases of sales-taxable tangible personal property and services in connection with the Project which do not exceed a total cost of Thirty-Four Million and No/100 Dollars (\$34,000,000.00) and shall not apply to any other purchase by the Company or any operating expenses of the Company. The Company shall report to the Agency, at such times as the Agency shall require, or as may otherwise be prescribed by the Commissioner of the New York State Department of Taxation and Finance (the "Commissioner"), the value of all sales and use tax exemptions claimed by the Company or agents of the Company or any operators of the Project, including, but not limited to, consultants or subcontractors of such agents or Project operators under the authority granted pursuant to this Resolution. A failure to report may result in the revocation of the designation of the Company as agent and repayment of any sales and use tax exemptions claimed.

**Section 8.** The Agency is hereby authorized to enter into a project agreement with respect to the provision of the Financial Assistance authorized herein (the "Project Agreement"), to acquire an interest in the Project site and construct a facility thereon, and execute and deliver a lease by the Company to the Agency (the "Company Lease"), an Agency Lease Agreement (the "Agency Lease Agreement") or Installment Sale Contract (the "Installment Sale Contract") between the Agency and the Company, one or more PILOT Agreements, and such other documents as may be necessary to fulfill the intent of the parties to the transaction (collectively, the "Project Documents"), in a form satisfactory to Agency counsel. The Chairman, Vice Chairman, Executive Director, Secretary, Treasurer, or any Assistant Secretary are each authorized to execute such documents and to make or approve such amendments or modifications to the Project Agreement, Company Lease, the Agency Lease Agreement, Installment Sale Contract, the PILOT Agreement(s) and such other documents executed and delivered in connection therewith as they deem necessary under the circumstances provided, however, that such modifications do not materially alter the risk to the Agency.

**Section 9.** The Agency is hereby authorized to execute and deliver to the lender(s) one or more collateral mortgages on the Project given to secure conventional loans to finance the cost of the Project, and such other documents as may be necessary to fulfill the intent of the parties to the transaction in a form satisfactory to Agency counsel provided that the aggregate amount of such mortgages subject to the Agency exemption shall not exceed Fifty-Three Million Eight Hundred Fifty-Four Thousand and No/100 Dollars (\$53,854,000.00). The Chairman, Vice Chairman, Executive Director, Secretary, Treasurer, and any Assistant Secretary are each authorized to execute such collateral mortgages and to make or approve such amendment(s) or modifications to such

collateral mortgages and other documents executed and delivered in connection therewith as they may deem necessary under the circumstances, provided, however, that such modifications do not materially alter the risk to the Agency.

**Section 10.** Any such action heretofore taken by the Company initiating the acquisition, installation and construction of the Project is hereby ratified, confirmed and approved.

**Section 11.** Any expenses incurred by the Agency with respect to the Project and the financing thereof shall be paid by the Company. By acceptance hereof, the Company agrees to pay such expenses and further agrees to indemnify the Agency, its members, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency with respect to the Project and the financing thereof.

**Section 12.** In the event a lease is not executed between the Company and the Agency by the expiration date of this Resolution (as such date may be extended as provided herein) or the termination of this Resolution, the Company shall then be required to pay all sales taxes which would have been levied in connection with the acquisition, construction and installation of all improvements to the real property and the machinery and equipment which constitute the Project, as if the Agency did not have an interest in the Project from the date the Company commenced its acquisition, construction and installation. In addition, in the event, because of the involvement of the Agency, the Company claims an exemption from state sales or use tax in connection with the Project, and such exemption is claimed with respect to property or services not authorized hereunder, or which exemption is in excess of the amounts authorized hereunder, or is otherwise not permitted under this Resolution, or if the Company shall fail to comply with a material term or condition regarding the use of property or services acquired by the Company as agent for the Agency as set forth in this Resolution or in any document authorized hereunder, then the Company shall be required to remit to the Agency an amount equal to the amount of state sales and use taxes for which such exemption was improperly claimed. A failure to remit such amounts may result in an assessment against the Company by the Commissioner of state sales and use taxes, together with any relevant penalties and interest.

In addition to the foregoing, in the event the Agency determines that Company is in violation of a Material Factor, or in the event that the Company closes the Project or relocates its operations to a location outside of the Town of Amherst within the time period during which the Company is receiving Financial Assistance from the Agency or in the event the Agency determines, in its judgment, that the Company knowingly and intentionally submitted false or intentionally misleading information in its application to the Agency or in any report or certification submitted to the Agency for the purpose of obtaining or maintaining any Financial Assistance from the Agency (each referred to herein as a “Recapture Event”), the Agency may, in accordance with its policies and procedures then in effect, (i) revoke the designation of the Company and any agents of the Company (including, but not limited to, consultants, sub-contractors or equipment lessors of the Company) as agents for the Agency in connection with the Project and terminate the exemption from New York State and local sales and use taxes conferred with respect to the Project and/or (ii) require that the Company, commencing with the tax fiscal year next following such Recapture Event make payments in lieu of taxes on the Project with respect to all applicable taxing authorities in such amounts as would be payable as real estate taxes levied on the

Project if the Agency did not have an interest in the Project or otherwise modify the amount or terms of any Financial Assistance being provided by the Agency in connection with the Project and/or (iii) require that the Company pay to the Agency an amount equal to all or a portion (as determined by the Agency in its discretion) of the total value of (x) all sales tax exemptions claimed by the Company and any agents of the Company, including, but not limited to, consultants, sub-contractors, or any equipment lessors of the Company under the authority granted under this Resolution and the Project Agreement, and/or (y) any exemption from mortgage recording tax received by reason of the Agency's involvement with the Project, and/or (z) any exemption from real property taxes received by reason of the Agency's leasehold interest in the Project. If the Agency makes any of the foregoing determinations and requires a repayment of all or a portion of the Financial Assistance received by the Company, the Company shall (i) cooperate with the Agency in its efforts to recover or recapture any or all Financial Assistance obtained by the Company and (ii) promptly pay over any or all such amounts to the Agency that the Agency demands in connection therewith. Upon receipt of such amounts, the Agency shall then redistribute such amounts to the appropriate affected tax jurisdiction(s) unless otherwise agreed to by any affected tax jurisdiction.

**Section 13.** The Agency has not made and makes no representation or warranty whatsoever, either express or implied, with respect to the merchantability, condition, environmental status, fitness, design, operation or workmanship of any part of the Project, its fitness for any particular purpose, the quality or capacity of the materials in the Project, or the suitability of the Project for the Company's purposes or needs. The Company is satisfied that the Project is suitable and fit for its purposes. The Agency shall not be liable in any manner whatsoever to anyone for any loss, damage or expense of any kind or nature caused, directly or indirectly, by the Project property or the use or maintenance thereof or the failure of operation thereof, or the repair, service or adjustment thereof, or by any delay or failure to provide any such maintenance, repairs, service or adjustment, or by any interruption of service or loss of use thereof or for any loss of business howsoever caused, and the Company hereby indemnifies and holds the Agency harmless from any such loss, damage or expense.

**Section 14.** Should the appropriate officers of the Agency determine, in their absolute discretion, that there is reason to believe that the activities of any past or present owner or operator of the Premises have resulted in the generation of any "hazardous substance" (as the term has been defined from time to time in any applicable federal or state law, rule or regulation), or that any party has stored, disposed or released any such substance on the Premises or within a one (1) mile radius thereof, the Agency shall be under no obligation to enter into a lease as contemplated by this Resolution.

**Section 15.** No covenant, stipulation, obligation or agreement herein contained or contained in the Project Documents, or other documents, nor the breach thereof, shall constitute or give rise to or impose upon the Agency a pecuniary liability or a charge upon its general credit, nor shall be deemed to be a covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity.

**Section 16.** Should the Agency's participation in the Project be challenged by any party, in the courts or otherwise, the Company shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from any such challenge

including, but not limited to, the fees and disbursements of the Agency's counsel. Should any court of competent jurisdiction determine that the Agency is not authorized under Article 18-A of the General Municipal Law to participate in the Project, this Resolution shall automatically become null, void and of no further force and effect (except for the obligations in this Section 16), and the Agency shall have no liability to the Company hereunder or otherwise.

**Section 17.** This Resolution shall take effect immediately and shall continue in full force and effect for one (1) year from the date hereof and on or after such one (1) year anniversary, the Agency may, at its option (a) terminate the effectiveness of this Resolution (except with respect to the obligations of the Company pursuant to Sections 11, 12 and 16 of this Resolution which shall survive any expiration or termination) or (b) allow the Company additional time in which to close the transactions contemplated by this Resolution based upon affirmative actions taken by the Company to complete such transactions. Upon any allowance of additional time to close, the Agency may charge the Company an extension fee in accordance with the Agency's fee schedule.

**Section 18.** Certain construction work done under contract in connection with financial assistance from the Agency may be subject to the requirements of Section 224-a of the Labor Law of the State, including without limitation the requirement that such construction be subject to the prevailing wage requirements of Sections 220 and 220-b of the Labor Law. In addition, such construction work may be required by Section 224-a of the Labor Law to comply with the objectives and goals of minority and women-owned business enterprises pursuant to Article 15-A of the Executive Law and service-disabled veteran-owned business pursuant to Article 17-B of the Executive Law. The Company acknowledges receipt of notice pursuant to Section 224-a(8)(d) of the Labor Law that the sales and use tax exemption benefit amount referred to in Section 8.5(d) and real property tax benefit amount referred to herein are "public funds" and not otherwise excluded under Section 224-a(3) of the New York Labor Law. The Company represents and warrants that it understands the requirements of Section 224-a of the Labor Law and the applicability of such requirements to the Project and shall comply therewith.

**Section 19.** This Resolution is subject to the Company's receipt of all necessary municipal permits and approvals in connection with the Project and compliance with all local building and zoning requirements.

ADOPTED: April 24, 2026



ACCEPTED AND AGREED TO: \_\_\_\_\_, 2026

330 MAPLE RD LLC

By: \_\_\_\_\_

Name:

Title:

EXHIBIT A

NEGATIVE DECLARATION (SPORTS COMPLEX)

See attached.



Brian J. Kulpa  
Supervisor

Daniel C. Howard, AICP  
Planning Director

Daniel J. Ulatowski, AICP  
Assistant Planning Director

**SEQR  
Negative Declaration**

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NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

**Lead Agency:** Town of Amherst  
Town Board

**Project:** SP-2025-11

**Address:** 5583 Main Street  
Williamsville, NY 14221  
(716) 631-7051

**Date:** November 20, 2025

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

**Title of Action:** Site Plan Review

**SEQR Status:** Type I Action

**Description of Action:** See attachment "A"

**Location:** 330 Maple Road (portion), Amherst, Erie County

**Petitioner:** 716 Sports Complex, LLC

REASONS SUPPORTING THIS DETERMINATION

See attachment "A"

**Attachment A of Part 3 of Full Environmental Assessment Form (FEAF)**

**PROJECT DESCRIPTION:**

The petitioner is seeking site plan approval from the Town of Amherst Planning Board for a sports complex consisting of 400,000 ± sq. ft. of space comprised of two domed indoor sports venues that would be 137,500 sq. ft. each, measuring 85 feet in height and a 2-story 50,000 sq. ft. commercial/retail building that connects the two domes (collectively the "Project"). The Project also includes on-site parking, internal access aisles, a proposed signalized driveway and a gated emergency access only driveway onto Maple Road, pedestrian walkways, lighting, landscaping, and utility infrastructure including a stormwater management system that will comply with stormwater quality and quantity standards for a project that will result in greater than one (1) acre of disturbance. The action has been defined broadly to include all proposed site improvements as described above. The Project is proposed to be constructed on a property that was formerly the Buffalo Gun Club and is zoned General Business District ("GB") and Recreation Conservation District ("RC") (hereinafter referred to the "Project Site").

The Project Site consists of a 21.3± acre rectangular shaped parcel that is a portion of 330 Maple Road with 1,350± feet of frontage at a depth of 633.27± feet. The Project Site is located on the north side of Maple Road 1,085± feet east of North Maplemere Road, 3,250± feet west of North Forest Road and to the northeast of the intersection of Donna Lea Boulevard and Maple Road.

The Town Board has completed a coordinated environmental review of the Project pursuant to the State Environmental Quality Review Act ("SEQR") and issued a Negative Declaration during its meeting on November 10, 2025. When it approved a resolution amending rezoning conditions, the Town Board amended the original conditions imposed on June 2, 2008. These conditions were:

1. The creation of a 4.5-acre conservation project area, 101 feet in depth, fronting Maple Road on property described in Schedule "B".
2. The Brownfield Cleanup Program will be instituted in a manner that results in the project site being cleaned to New York State Department of Environmental Conservation residential standards.
3. No single retail user shall be greater than 50,000 square feet in size.
4. A maximum building height limitation of 50 feet for any structure.
5. No freestanding drive-thru fast-food restaurants.
6. No freestanding drive-thru pharmacies.
7. Petitioners, their successors and assigns agree to be bound by all provisions of the Adult Use Code of the Town of Amherst as currently adopted or as amended or modified in the

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future. However, this provision shall not prohibit the operation of a bookstore or video store, which carries a broad inventory of books or videos or other materials directed toward the interest of the general public.

The amended rezoning conditions approved by the Town Board during its meeting on November 10, 2025 are as follows:

1. There shall be a 101 ft. wide conservation area located along the Maple Road frontage of the Project Site ("Conservation Area"). There shall not be any buildings or parking spaces located in the Conservation Area. The only development permitted in the Conservation Area shall consist of driveway connections to Maple Road and improvements necessary for the development of the Project Site including but not limited to signage for the Project and green stormwater management improvements.
2. No freestanding drive-thru fast-food restaurants shall be permitted on the Project Site.
3. No freestanding drive-thru pharmacies shall be permitted on the Project Site.
4. The Declarant agrees to be bound by all provisions of the Adult Use Code of the Town of Amherst as currently adopted or as amended or modified in the future. However, this provision shall not prohibit the operation of a bookstore or video store, which carries a broad inventory of books or videos or other materials directed toward the interest of the general public.
5. That the 716 Sports Complex LLC shall be required to address, to the reasonable satisfaction of the Town of Amherst, any on and/or off site-improvements to the Amherst Softball complex caused by and/or resulting from the construction of the 716 Sports Complex.

The original project concept included a 5-story hotel that has been removed from the project layout. The potential future hotel is not part of the environmental review of this Project and will require a separate environmental review pursuant to SEQR in the future if proposed, as well as the required approvals from the Town's municipal boards and the approvals and permits required from involved agencies. Given that the potential future hotel is speculative at this time and the acknowledgement above that the potential future hotel will require a separate environmental review pursuant to SEQR in the future, the Town Board's environmental review of the Project does not constitute segmentation which is defined in the SEQR Regulations as the improper practice of dividing a single, larger project into smaller, independent parts to avoid a comprehensive environmental review.

The Project has been classified as a Type I action pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act ("SEQR") and Town Code Chapter 104, as amended, and the Project has been the subject of a coordinated environmental review pursuant to SEQR.

On October 3, 2025, the Planning Department issued a lead agency solicitation letter on behalf of

the Town Board to various involved and interested agencies including the New York State Department of Environmental Conservation (“NYSDEC”), the New York State Department of Transportation (“NYSDOT”), the Erie County Department of Public Works (“ECDPW”), the Erie County Department of Environment and Planning (“ECDEP”), and the Williamsville Central School District (“WCSD”). During its meeting held on October 15, 2025, the Zoning Board of Appeals adopted a resolution concurring that the Town Board should be the lead agency for the coordinated environmental review of the Project. The thirty (30) day comment period for involved agencies to object to the Town Board’s request to be the designated lead agency expired on November 3, 2025. None of the involved agencies objected to the Town Board’s request to be the designated lead agency for purposes of the coordinated environmental review of the Project. Consistent with the Town’s site plan application review process, the Planning Board is issuing a SEQRA determination.

Within Part 2 of the Full Environmental Assessment Form, the Planning Board, with the assistance of the Planning Department, has determined that certain categories of identified adverse environmental impacts will result in moderate to large impacts. The Planning Board has determined that each of the adverse environmental impacts identified as moderate to large within the completed Part 2 of the Full Environmental Assessment Form are moderate and will not result in potentially significant adverse environmental impacts.

**Reasoned Elaboration in Support of Issuance of a Negative Declaration:**

Based on its evaluation of the criteria for determining significance listed in Section 617.7(c) of the SEQRA Regulations, the Planning Board, acting in its capacity as the Lead Agency, has determined that all identified areas of environmental concern have been thoroughly evaluated (the “hard look” requirement) and that the Project will not result in any potentially significant adverse impacts on the environment.

**Criteria 1:** A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

**Question 13a of Part 2 of the Full EAF:** Projected traffic increase may exceed capacity of existing road network.

**Response:** Starke W. Hipp, P.E., of LaBella Associates, prepared a Traffic Engineer Due Diligence Traffic Report (“TIS”) dated October 3, 2025 that was updated on November 5, 2025 for the purpose of evaluating the potential traffic impacts associated with the Project. The Project Site is located on Maple Road, which is an Erie County Highway subject to the jurisdiction of Erie County

Section 1 of the TIS consists of a description of the Project. Section 2 of the TIS titled “Existing Conditions” consists of a description of the study area roadways and intersections. The three (3) roadways in the study area for the TIS are described on Page 2 of the TIS as follows:

1. Maple Road is classified as a Principal Arterial – Other (no control of access) roadway and is under the jurisdiction of the Erie County Department of Public Works. The roadway runs primarily east-west through the Town of Amherst. In the vicinity of the subject site, Maple Road provides one 11-foot-wide travel lane and one 14-foot-wide travel in each direction, with a 15-foot-wide two-way left-turn lane, and sidewalks are located on both sides of the roadway. There is no shoulder near the subject site. The posted speed limit is 45-mph.
2. NYS Route 263 (a.k.a. Millersport Highway) is classified as a Principal Arterial – Other (no control of access) roadway and is under the jurisdiction of the New York State Department of Transportation (NYSDOT). The roadway runs primarily north-south through the Town of Amherst and is also known as Millersport Highway. In the vicinity of the subject site, Millersport Highway provides two 12-foot-wide travel lanes in both directions, with a landscaped split median that varies in width. There are no sidewalks along this roadway. The posted speed limit is 45-mph.
3. North Maplemere Road is classified as an Urban Local roadway and is under the jurisdiction of the Town of Amherst. The roadway runs north-south from Maple Road to Millersport Highway. In the vicinity of the subject site, North Maplemere Road provides a 32-foot-wide cross-section with travel lanes in both directions. It should be noted that the roadway narrows to a 20-foot-wide cross-section approximately 700-feet from the intersection of Maple Road and North Maplemere Road. Sidewalks are located on both sides of the roadway. The posted speed limit is 30-mph.”

The six (6) intersections in the study area are described in Section 2 of the TIS. LaBella collected turning movement counts (“TMCs”) at the study intersections on Thursday, September 11, 2025, and Saturday, September 13, 2025. The counts were conducted during the typical PM and Saturday MD (mid-day) peak periods of 4:00 p.m. to 7:00 p.m. and 11:00 a.m. to 2:00 p.m.

Section 3 of the TIS provides detailed analysis of the potential traffic impacts of the Project and includes an evaluation of No Build Traffic Volumes. Traffic forecasting was performed by LaBella Associates of the No-Build Traffic Volumes with a conservative 1.50% annual growth rate that was applied to the Existing 2025 traffic volumes and compounded over a three 3-year period. The resulting 2028 No-Build traffic volumes are shown in Figure 2 of the TIS for the AM, MD and PM peak hours. The No-Build volumes represent the forecasted traffic volumes for 2028 without the proposed Project.

Section 3 of the TIS also includes a Trip Generation analysis. The Trip Generation Analysis estimates the number of vehicular trips expected to enter and exit a site as a result of a proposed development. The Institute of Transportation Engineers’ (“ITE”) Trip Generation Manual, 12<sup>th</sup> Edition, is the industry-standard resource used for estimating trip generation for proposed land uses based on data collected of similar uses. However, due to the limited data for the potential

uses of the Project Site, LaBella Associates determined that an evaluation of a worst case scenario was more appropriate. Using best engineering practices and knowledge of operations, a starting trip generation value was determined. Based on the number of parking spaces and the potential events the site could host; it was determined that 700 trips could enter or exit within the peak hour. This scenario is unlikely and would only happen during special events. In order to view network conditions for this scenario, two scenarios were presented; a scenario where all 700 trips were entering during the peak hours, and a scenario where all 700 trips were exiting during the peak hours.

As described in the Trip Distribution analysis contained in Section 3 of the TIS, LaBella Associates determined that the majority of trips (65%) will come from the west via Maple Road. Those trips (65%) were distributed along key roadways that intersect Maple Road such as NYS Route 263 (Millersport Highway) and Flint Road. The remaining 35% of the trips were projected to come from the east via Maple Road. These trip distributions are shown in Figure 3 of the TIS. The resulting project generated trips are shown on Figure 4 of the TIS for both the PM and SAT Peak Hours.

As described in Section 3 of the TIS, LaBella Associates conducted a capacity analysis of the intersections in the study area. Capacity analyses relates traffic volumes to the physical characteristics of an intersection. Intersection evaluations were performed by LaBella Associates using the procedures contained in the Highway Capacity Manual ("HCM"), 7th Edition. Table 6 of the TIS summarizes the results of the Level of Service calculations for the Existing and No-Build conditions during the weekday PM and Saturday Midday peak hours.

As shown in Table 6 of the TIS, which summarizes the capacity analysis performed by LaBella Associates, the majority of the study area intersections are projected to operate at an overall Level of Service of C or better during the study peak travel hours. Similarly, the individual movements at the intersections are projected to operate at a Level of Service D or better. These are acceptable Levels of Service in an urban environment such as the study area. It should be noted that the North Maplemere Road/Coventry Road and Millersport Highway intersection does exhibit operational constraints on the mainline turning movements as well as the side street approaches. This is due to the prioritization of the mainline through movements that results from the majority of green time for each cycle length being allocated to those movements. Tables 7 and 8 of the TIS summarizes the results of the Level of Service calculations for the No-Build conditions and the Build conditions, which consider scenarios where 700 trips were applied to the entering and exiting movements. Descriptions of the Levels of Service at each of the intersections in the study area provided in Section 3 of the TIS. The LOS summary of Maple Road and the NYS Route 263 Northbound Ramps contained in Section 4 of the TIS was as follows:

"The level of service analysis indicates that the intersection currently operates at an overall LOS D or better during the weekday PM and Saturday Midday peak hours and it will continue to do so in the No-Build condition. In the arrival Build scenario, there will be constraints on the northbound NYS Route 263 Northbound



Ramp approach. This is due to the expected increase of 280 vehicles on the right-turn movement. This is a constraint that should be mitigated such that queuing back onto NYS Route 263 is addressed. Potential mitigation measures include permanent signal timing adjustments or temporary traffic control measures to ensure clearance of queues along the approach during these peak scenarios. It should be noted that improvements to the signal timing and potentially the signal infrastructure could fall under the review and approval of the NYSDOT given its jurisdiction of NYS Route 263.”

Consistent with the above, the petitioner will be required to coordinate with NYSDOT regarding potential traffic related improvements at this intersection to ensure the Project does not result in potentially significant traffic impacts.

Based on the results of the traffic analysis for the Project, the following conclusions of LaBella Associates are included in Section 5 of the TIS:

- The proposed project generally consists of an athletic community center comprised of two 125,000 square-foot sports domes that will house a full-size turf football/lacrosse/soccer field, a 200 meter long 6-lane banked track, and six basketball/volleyball/pickleball courts. A two-story, 50,000-square-foot building will connect the two sports domes, and it will be comprised of a 25,000-square-foot fitness center, a 20,000-square-foot core lobby (Locker Room/Restroom), and a 5,000-square-foot space for member amenities (Restaurant/Snack Bar). Lastly, a five-story 150-room hotel will be located on the site to support the proposed development (As mentioned previously, the potential future hotel has been removed from the project layout, which will reduce the magnitude of the potential traffic impacts of the Project as evaluated in the TIS). The project will be supported by +/- 500 parking spaces. Access to the site will be provided via a full-movement driveway on Maple Road. The analysis herein considers the proposed driveway operating under signal control.
- LaBella collected turning movement counts (“TMCs”) at the study intersections on Thursday, September 11, 2025, and Saturday, September 13, 2025. The counts were conducted during the typical PM and Saturday Midday peak periods from 4:00 p.m. to 7:00 p.m. and 11:00 a.m. to 2:00 p.m. It should be noted that the University of Buffalo football team had an away game during the Saturday count period. This was done intentionally to avoid capturing abnormal traffic patterns that result from home games. Based on these counts, the observed network peak hours were 4:30 p.m. to 5:30 p.m. during the weekday PM peak period and 12:15 p.m. to 1:15 p.m. during the weekend Midday peak period.
- To evaluate the impact of the proposed project, traffic projections were prepared for the design year of 2028. It should be noted that this design year was selected to provide a conservative analysis as it is expected that the project will be completed and occupied sooner than 2028. LaBella Associates reviewed the Pending Development Project page

on the Town of Amherst website and determined that there are no projects that will have an effect on the study intersections. In addition, historical traffic volume data from the NYSDOT Traffic Viewer was also reviewed. To provide a conservative analysis, a 1.50% annual growth rate was applied to the Existing 2025 traffic volumes and compounded over a three-year period.

- The level of service analysis indicates that the majority of the study intersections will operate at levels of service commensurate to the No-Build condition. The intersection of Maple Road and the NYS Route 263 NB Ramp – northbound approach to the intersection will experience delay during the weekday PM peak hour Build condition. Improvements at this intersection could consist of signal timing adjustments. It is recommended that the Maple Road/Site Driveway intersection operate under signal control.

On October 20, 2025, Gina Wilkolaski, P.E., Traffic Safety Engineer, of the Erie County Department of Public Works (“ECDPW”), issued a letter with the following comments based on the ECDE’s review of the TIS:

1. At Maple Road, the TIS models only one driveway while the concept plan shows two driveways onto Maple Road. The TIS and concept plan should be consistent.
2. Per the concept plan, the two proposed driveways on Maple Road must be modeled as unsignalized intersections and included in Tables 3 and 4. Traffic modeling output, including queue lengths of the unsignalized intersections must be included.
3. A signal warrant analysis of the proposed driveway must be completed. It cannot be assumed that the warrants are met.
4. A concept plan of the proposed site should be included as an attachment to the TIS.
5. The New York State Department of Transportation must be contacted regarding any potential impacts to the State controlled intersections.

In response to Comment No. 1 in the letter issued by the ECDPW dated October 20, 2025, the western driveway will consist of a gated “emergency access only” connection to Maple Road. The ECDPW will determine if the eastern driveway onto Maple Road will consist of a signalized intersection and the petitioner will be required to obtain a highway work permit for all improvements in the Maple Road Right-of Way.

Based on its review of the traffic-related documentation, the Planning Board finds that although the Project will generate additional traffic, the impacts are not potentially significant. This conclusion is supported by the Traffic Impact Study prepared by LaBella Associates, dated October 3, 2025, which found that nearby intersections will continue to operate acceptably and that the Project’s location on Maple Road, a four-lane Erie County Highway, provides sufficient roadway capacity. The petitioner must obtain a Highway Work Permit from the Erie County

Department of Public Works for all work within the Maple Road right-of-way, including the proposed traffic signal at the eastern full-access driveway and the gated emergency-access-only driveway to be provided in accordance with Appendix D of the NYS Fire Code. The Planning Board is supportive of the proposed signal installation at the eastern driveway.

**Question 13b:** The proposed action may result in the construction of paved parking area for 500 or more vehicles.

**Response:** The current Overall Site Plan for the Project depicts 524 parking spaces. It is necessary for the Project to include parking spaces and as such the Planning Board has determined that providing of parking spaces on the Project Site in connection with the Project is a moderate impact.

**15: Impact on Noise, Odor and Light:**

**Question 15e:** The proposed action may result in lighting creating sky-glow brighter than existing area conditions.

**Response:** The two athletic domes to be constructed on the Project Site may result in lighting creating a sky glow that is brighter than existing conditions. Given that the Project Site currently consists of vacant land, there is not currently any lighting and the new lighting represents a permanent impact resulting from the Project. The Project will be required to comply with the lighting standards set forth in Section 7-3 of the Town's Zoning Ordinance. The Planning Board will be required to approve photometric plans for the Project in connection with the pending Site Plan review process. The potential sky glow resulting from the two athletic domes has been determined to be a "moderate impact" by the Town Board based on the following:

- The Project Site is located on the north side of Maple Road in close proximity to other large buildings including the football stadium on the University of Buffalo North Campus that creates sky glow that is visible from off-site locations including the Project Site.
- The location of the two athletic domes is approximately 330 ft. from the northern boundary of the Maple Road Right-of-Way. Existing residential uses on the south side of Maple Road will be located nearly 450 ft. away from the two athletic domes. The berms and landscaping to be installed in the 101 ft. Conservation Area to be provided on the RC zoned property located along the Maple Road frontage of the Project Site will reduce off-site lighting impacts.

**Criteria 2:** The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources.

**Question 3d of Part 2 of the Full EAF: The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.**

**Response:** On October 17, 2025, the NYSDEC issued a letter in response to a letter from Alex Molik to the NYSDEC dated October 7, 2025 requesting that the Project Site be exempt from the NYSDEC wetland regulations that went into effect on January 1, 2025. The letter from the NYSDEC dated October 17, 2025 stated as follows:

“This letter is in response to the request you submitted on behalf of 716 Sports Complex LLC for a determination on whether this proposed project is eligible for the transition period outlined in the amended Part 664 wetland regulations, specifically 6 NYCRR 664.1(d). After consultation with regional and Central Office DEC staff in both the Division of Environmental Permits and Bureau of Ecosystem Health, DEC has determined that this project is not eligible for the transition period outlined in 6 NYCRR 664.1(d) based on the State Environmental Quality Review (SEQR) review done for a previous and different project at this site.

The transition period in the regulation provides for situations where a project sponsor is proceeding with the project based on approvals in place. The SEQR documentation provided is not applicable to the new proposed sports fieldhouse project. In this case, the proposed project is still being reviewed under SEQR and no local approvals have been issued for this specific project. Therefore, the project sponsor should expect to conform to the current regulations.

If the wetland delineation report has not yet been submitted for review and boundary verification, please submit it as soon as possible so that the review can be expedited to the extent possible.”

On September 25, 2025, Alex Molik of LaBella Associates submitted a Jurisdictional Determination Request with supporting documentation the Wetland Delineation Report prepared by LaBella Associates dated September 25, 2025 to the NYSDEC.

The Wetland Delineation Report was prepared for the purpose of obtaining concurrence from the United States Army Corps of Engineers (“USACE”) – Buffalo District and the NYSDEC on jurisdictional wetland and stream boundaries within the Study Area in support of the proposed Project. Specific tasks performed by LaBella as described within the Wetland Delineation Report included a field delineation of aquatic resources within the Study Area, which may include Federal Waters of the United States (“WOTUS”) encompassing wetlands and streams, New York State Article 24 Freshwater Wetlands (State wetlands), and Article 15 State-classified Streams, a survey of wetland/stream boundaries, and a detailed description of the delineated waters based on hydrology, vegetation, and soils information collected in the field. The Wetland Delineation Report

describes the results of the delineation and data collection efforts performed by LaBella Associates and provides a description of the wetlands and streams that were delineated.

The USACE has jurisdiction of WOTUS under section 404 of the Clean Water Act (CWA) (40 Code of Federal Regulations [CFR] 230 and 33 CFR 328) (CFR, 2023). The USACE also has jurisdiction over traditionally navigable WOTUS under Section 10 of the Rivers and Harbors Act (33 CFR 323; Section 10 Rivers and Harbors Act [33 United States Code] 403).

The Freshwater Wetlands Act (FWA) (Article 24 and Title 23 of Article 71 of the Environmental Conservation Law [ECL]) gives the NYSDEC jurisdiction over wetlands along with a 100-foot regulated Adjacent Area that meet certain criteria (6 NYCRR Part 664). The NYSDEC freshwater wetland regulations changed on January 1, 2025, and include new criteria in which a wetland may come under the jurisdiction of NYSDEC. State regulated wetlands include all wetlands 12.4 acres in size or larger, or smaller wetlands if the wetland meets one of 11 criteria to be considered a wetland of unusual importance. Informational mapping that shows previously mapped NYSDEC wetlands and other potential wetland areas is provided by NYSDEC. Wetlands on any given site are required to obtain a Jurisdictional Determination review by NYSDEC to determine State jurisdiction under Article 24 of the FWA.

Under Article 15 of the ECL (Protection of Waters), the NYSDEC has jurisdiction over any activity that disturbs the bed or banks of protected streams or navigable waters. A protected stream is any stream, or particular portion of a stream, that has been assigned by the NYSDEC any of the following classifications or standards: AA, AA(t), A, A(t), A(ts), B, B(t), B(ts), C(t), or C(ts) (608.2 (aa) and NYCRR and 6 NYCRR Part 701). Additional NYSDEC stream classifications include C and D.

LaBella field staff delineated two palustrine emergent (PEM) wetlands on the Project Site area with sizes of 3.34 and 0.07 acres that it believes will be regulated by the NYSDEC as follows:

Wetland Identification #	Geographic Center (WGS84)		Boundary Flag #	Total Acreage On-site	Wetland Type (Cowardin)	Wetland Type (Reschke)	Opinion: NYSDEC Regulated or Not NYSDEC Regulated?
	Latitude	Longitude					
Wetland 1	42.9920019	-78.7768650	W1-1 through W1-37	3.34±	PEM	Shallow Emergent Marsh	Regulated
Wetland 2	42.9928812	-78.7722304	W2-1 through W2-8	0.07±	PEM	Shallow Emergent Marsh	Regulated

It is the professional opinion of LaBella Associates that Wetlands 1 and 2 are isolated and

potentially non-jurisdictional and not regulated under Section 404 of the Clean Water Act due to lack of a connection to traditional navigable water.

Sections 5.2.1 and 5.2.2 of the Wetland Delineation Report describes the two wetlands areas and Section 5.3 of the Wetland Delineation Report describes an on-site ditch that in the professional opinion of LaBella Associates is not subject to the jurisdiction of either the NYSDEC or the USACE.

The Project will result in permanent impacts to the 3.41 acres of wetlands on the Project Site that are likely subject to the jurisdiction of the NYSDEC as well as the regulated 100 ft. Adjacent Areas of these wetlands. The on-site wetlands did not historically exist on the Project Site. Photographs of the two wetlands are provided in Appendix 3 of the Wetland Delineation Report that demonstrate that the two wetlands possess the characteristics of typical smaller wetlands within developed areas of the Town that became subject to jurisdiction of the NYSDEC as of January 1, 2025. The petitioner has provided the Town with a Preliminary Wetland Mitigation Plan prepared by LaBella dated November 6, 2025 that depicts a potential area for off-site wetland mitigation located directly north of the Project Site on the Town owned Audubon Golf Course. This plan is conceptual only for purposes of illustrating potential areas for off-site wetland mitigation on property in the vicinity of the Project Site. The use of property owned by the Town for wetland mitigation purposes will require the approval of the Town Board.

The wetland related documentation provided to the Planning Board, acting in its capacity as the lead agency, provides it with information enabling it to take a hard look at potential wetland impacts and to conclude that the Project will not result in any potentially significant adverse wetland impacts.

Based on its review of the extensive wetland documentation, the Planning Board has determined that the Project will not result in any potentially significant wetland impacts. The petitioner will be required to obtain a permit from the NYSDEC prior to impacting the two (2) on-site wetlands and their regulated 100 ft. Adjacent Areas and mitigation that is determined to be acceptable to the NYSDEC will need to be provided. If the wetland permit required from the NYSDEC is not issued, the petitioner will be required to modify the project layout by scaling back the scope of the Project in order to reduce the proposed permanent impacts to wetlands on the Project Site. The Petitioner has provided a conceptual mitigation plan utilizing adjacent Town owned lands for the creation of replacement wetlands of higher or equal value in anticipation that NYSDEC will issue the aforementioned permits.

#### **Analysis of Drainage Impacts:**

The Project Site does not contain any regulated floodway or 100 yr. floodplains. The Project Site does not currently include a stormwater management system. The Project includes the installation of a stormwater management system complying with the stringent stormwater quality and quantity standards of the NYS Department of Environmental Conservation. Detailed information regarding the stormwater management system to be installed on the Project Site in

connection with the Project is provided in the technical documentation prepared by LaBella Associates including the engineered plans and the Storm Water Pollution Prevention Plan (SWPP) report.

**Impacts to Vegetation and Wildlife:**

The Project will not result in any potentially significant adverse environmental impacts to a significant wildlife habitat area or to threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources. The lead agency concurrence letter issued by the NYSDEC dated November 6, 2025 did not identify any protected wildlife or wildlife habitat as existing at the Project Site, which consists of a former gun club. The Project will result in removal of existing vegetation on the Project Site, which does not contain any mature forest, as well as the displacement of wildlife, but these impacts are unavoidable and are not potentially significant. The Project includes the installation of landscaping consistent with the landscaping plans prepared by LaBella including trees and landscaping in the conservation area along the Maple Road frontage of the Project Site that is zoned

**Criteria 3: The impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of this Part.**

The Project Site is not located in a Critical Environmental Area as designated pursuant to Section 617.14(g) of the SEQRA Regulations.

**Criteria 4: The creation of a material conflict with a community's current plans or goals as officially approved or adopted.**

The Project will not create a material conflict with the Town's current plans or goal as officially approved or adopted. The subject site is designated for Commercial – Mixed Use of Figure 6 (Conceptual Land Use Plan) and the intended use is consistent with the other outdoor recreational uses to the north, west and east of the premises.

**Criteria 5: The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character**

**10. Impact on Historic and Archeological Resources:**

**Question 10c: The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.**

**Response:** On September 24, 2025, R. Daniel Mackay of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) issued a letter stating as follows:

“We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.”

The letter issued by SHPO dated September 24, 2025 provides the Town Board with documentation confirming the Project will not result in any adverse impacts to archaeological and/or historic resources.

**18. Consistency with Community Character:**

**Question 18e: The proposed action is inconsistent with the predominant architectural scale and character.**

**Response:** The existing community character along the Maple Road corridor in the vicinity of the subject project is a mix of community recreational uses including an 18 hole municipal golf course, a 9 hole par three golf course, an abandoned former private golf course, a municipal driving range with 65 foot tall protective netting, a municipal highway garage, softball fields, an indoor multiple rink ice skating facility, medical offices, multifamily housing and one and two story single family homes. The one and two story single family homes are primarily located along the south side of Maple Road opposite the Project Site. The Project Site, consisting of a reclaimed former brownfield is currently a grass meadow with some mature trees and a grass earthen berm bordering the northerly end. The Project Site was formerly an open recreation use which was devoted to a private shooting club with ground level skeet and trap houses and a stone parking field.

The Overall Site Plan proposes buildings that will include two large inflatable dome structures 137,500 sq. ft. each and 85 feet in height connected by a 50,000 sq. ft., 2 story building for administrative offices, a restaurant/snack bar and space for locker rooms /restrooms. Additionally, there is the potential for a future free standing 5 story hotel that was removed from the updated Overall Site Plan originally submitted and is not part of this action and will require a separate environmental review pursuant to SEQR in the future if proposed. The proposed inflatable dome structures exceed the maximum building height of 65 feet permitted in the GB zoning district by Section 4-4-2B the Zoning Ordinance. In addition, the unique fabric wall design inherent with inflatable structures, is also not a permitted building material by the Town Zoning Ordinance. The proposed inflatable dome buildings will be in sharp contrast with the existing architectural character of the existing nearby commercial and residential buildings. Because of their size and massing, they will permanently change the character of the area when compared to the existing conditions. The Town currently does not have any similar style athletic



dome buildings within its larger community.

The magnitude of the impacts of the Project to the adjacent community character has been determined to be large. The visual impact will be noticeable as the Project Site is currently undeveloped grass meadow and the size of the building improvements will encompass approximately 43% of the 21.3+/- acre Project Site. The inflatable athletic dome buildings will be visible from the foreground, middle ground and background view sheds of properties. Background view sheds may be visible up to one mile from the Project Site. The inflatable buildings will also be visible in the aforementioned viewsheds during night time hours due to the translucent nature of the fabric structure that allows internal lighting to be visible.

A long-term and permanent impact to the adjacent community character will be evident as the buildings present a new dominant form within the adjacent community. Over time, the dominant building form will become part of the background and middle ground viewshed for viewers within the area and recognized as another man-made recreational use consistent with the other large recreational, medical office and university related uses visible along the northern side of the Maple Road corridor.

To lessen the magnitude of the visual impacts of the Project to the one and two-story residential homes on the south side of Maple Road, the inflatable structures have been positioned to the northernmost extent of the Project Site away from the residences at a distance of approximately 330 feet from the northern boundary of the Maple Road Right-of-Way. The approximately 330 ft. setback of the athletic dome structures from the Maple Road Right-of-Way is substantially greater than the minimum required front yard building setback of 30 feet for a building with a height of greater than 35 feet in the GB zoning district. Additionally, a 101 foot wide conservation area will be established along the Project Site's Maple Road frontage on the portion of the Project Site that is zoned RC. The conservation area will be vegetated with numerous large deciduous and coniferous trees to create a substantial visual break in the immediate viewshed of adjacent residential uses that will be in excess of 400 feet from the inflatable dome structures. The vegetation to be planted within the conservation area will lessen the magnitude of the community character impacts on the residential uses on the southern side of Maple Road. Additionally, the Project Sponsor will be utilizing a darker fabric than the traditional white color to reduce the impacts of internal illumination during the evening hours.

Based on its review of relevant information of the identified long-term impacts of the Project on community character, the Town Board has determined the Project will not result in any potentially significant community character impacts.

**Criteria 6: A major change in the use of either the quantity or type of energy.**

**14: Impact on Energy:**

**Question 14d: The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.**

**Response:** The Project will result in more than 100,000 sq. ft of space to be heated and cooled. The Town Board has determined that this a moderate impact given that the Project Site is located in a developed area serviced by electrical infrastructure and also given that the Town of Amherst Building Department will review building permit applications to confirm compliance with applicable standards in the NYS Energy Code.

**Criteria 7: The creation of a hazard to human health**

The project site was previously contaminated and was subject to remediation as part of the NYSDEC Brownfield Cleanup Program (BCP). The premises was fully remediated and received a certificate of completion on August 26, 2012 under Agreement Index Number B9-0724-06-07 permitting the proposed commercial use. Hazards to human health are not anticipated.

**Criteria 8: A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.**

**Question 17e:** The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.

**Response:** The Project Site which is located on Maple Road is serviced by existing infrastructure necessary to support the Project. Sanitary sewer flows from the Project will be greater than 2,500 gallons per day and therefore the Project is subject to the Inflow and Infill ("I&I") requirements of the NYSDEC.

LaBella Associates, the project engineering firm, has ordered downstream sanitary sewer monitoring data during wet weather conditions and will be preparing a Downstream Sanitary Sewer Capacity Analysis Report ("DSCA Report") that will need to be reviewed for approval by the Town of Amherst Engineering Department, the Erie County Department of Health and the NYSDEC.

The DSCA Report must demonstrate there is adequate downstream sanitary sewer flow during wet weather conditions for the Project. The Project Sponsor will be required to make a substantial payment to the Town's I/I Sanitary Sewer Fund in connection with the Project.

The Planning Board has determined that downstream sanitary sewer capacity during wet weather conditions as defined by the NYSDEC is a moderate impact since the petitioner will be required to demonstrate there is adequate downstream sanitary sewer capacity for the Project and also since the payment to be made to the Town's I/I Sanitary Sewer Fund for improvements.

**Criteria 9: The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.**

Due to the uniqueness of the proposed indoor recreational facility the Project will attract a large number of athletes and spectators locally and regionally by providing indoor athletic competition space for athletes that are currently traveling outside of Western New York for similar facilities. The project will be accommodating people on premises for sporting activities and such people from outside of the Western New York region will be accommodated off premises by various existing commercial hospitality services provided within the Town and adjacent municipalities.

**Criteria 10: The creation of a material demand for other actions that would result in one of the above consequences.**

The project is not anticipated to create a material demand for other actions that would result in additional potential impacts.

**Criteria 11: Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.**

Elements of the environment have been reviewed have both individually and cumulatively and it is not anticipated that the project will create significant environmental impacts.

Planning Board Approval

Moved by Davis; Seconded by Gill; Ayes 4; Noes 0; Abstain 1 (Raffaele); Absent 2 (Chmiel, Kahn)

Daniel J. Ulatowski, Assistant Planning Director/ZEO

11/20/2025  
Date

Jonathan O'Rourke, Acting Planning Board Chair

11/20/25  
Date

DU/ac

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- cc: ECDEP Sean Hopkins, Esq – shopkins@hsmlegal.com
- ECDPW Dr. Brian McGrath – bem4@buffalo.edu
- NYSDOT Frank Ciminelli – fciminelli@arcbridg.com
- NYSDEC Justin Fineberg – jfineberg@DofiProperties.com
- Mark Berke, P.E., Building Dept Jay Monnin – jmonnin@labellapc.com
- Brian Armstrong, Engineering Services David Johnson – djohnson@LaBellaPC.com
- Krista Halt, Sr. Fire Inspector
- Chris Schregel, Traffic Safety

EXHIBIT B

SHORT-FORM EAF (HOTEL)

(see attached)

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project: 716 Sports Complex – Hotel Parcel Development				
Project Location (describe, and attach a location map): 500 Maple Road, Town of Amherst, Erie County, NY (Parcel adjacent to the 716 Sports Complex development site)				
Brief Description of Proposed Action: Development of a hotel parcel associated with the 716 Sports Complex project. The project consists of approximately 2.75 acres to be developed with a hotel and related site improvements including parking, utilities, stormwater infrastructure, landscaping, and access drives.				
Name of Applicant or Sponsor: 330 Maple Rd LLC		Telephone: 716-445-8224 E-Mail: mfineberg@dofiproperties.com		
Address: 208 S Cayuga Road				
City/PO: Williamsville		State: NY	Zip Code: 14221	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town - site plan approval			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 2.75 acres b. Total acreage to be physically disturbed? _____ 2.75 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 21.3 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action: <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input checked="" type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline  
  Forest  
  Agricultural/grasslands  
  Early mid-successional  
 Wetland  
  Urban  
  Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Marc Fineberg Date: 3/16/2026

Signature: *Marc Fineberg* Title: Manager

Project:

Date:

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		



Project:

Date:

### **Short Environmental Assessment Form Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

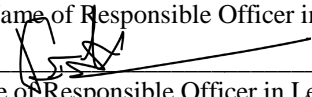
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

  
\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

EXHIBIT C

PILOT SCHEDULE  
(Sports Complex on Parcel 1)

<b>Year</b>	<b>Abatement Percentage</b>
1	95%
2	90%
3	85%
4	85%
5	80%
6	80%
7	75%
8	75%
9	70%
10	65%
11	50%
12	50%
13	50%
14	50%
15	50%
16	full taxes

PILOT SCHEDULE  
(Hotel on Parcel 2)

<b>Year</b>	<b>Abatement Percentage</b>
1	95%
2	90%
3	85%
4	85%
5	80%
6	80%
7	75%
8	75%
9	70%
10	65%
11	full taxes