COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING AGENDA

October 20, 2026

12:00 p.m. CityPlace Building

Call Meeting to Order

A. Pledge of Allegiance

B. Approval of Minutes – September 15, 2026

C. Public Comments

D. Local Labor Monitoring Report

E. Local Labor Exemptions Report

F. Financial Report

G. Applications for Consideration
   1. 20 Main Street FFTH, LLC
   2. 125 EMS Hotel, LLC
   3. FSI 5500 LLC
   4. Mushroom Boulevard Enterprises Inc

H. Project Modifications
   1. Delmonte Development LLC - Extension
   2. Cascade District LLC - Extension
   3. Love Beets Production, LLC - Increase and Extension
   4. PH ES 400 ROCH LLC - Assumption

I. Governance Committee Report

J. Finance Committee Report
   Review 2027 Proposed Budget

K. Executive Director Discussion Items
   - APEX Report
   - Dashboard

L. Executive Session – to discuss the proposed acquisition and sale of real property where the value could be significantly affected by public disclosure.

M. Chair Discussion Items

N. Adjourn Meeting

Next meeting: Tuesday, November 17, 2026

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
September 15, 2026

Time & Place: 12:00 p.m. at City Place

Board Present: T. Tolefree, R. King, L. Bolzner, B. Hickey, R. Ryerse

Also Present: A. Liss, A. Clark, R. Finnerty, R. Baranello, Esq., H. Maffucci, G. Genovese, K. Loewke

T. Tolefree called the meeting to order at 12:00 p.m. and R. Ryerse led the board in the Pledge of Allegiance.

On motion by B. Hickey, second by L. Bolzner, all aye, minutes of the August 18, 2026 meeting were approved.

There were no public comments.

K. Loewke presented the Local Labor Monitoring report for August 2026.

K. Loewke presented the Local Labor Exemption report for August 2026.

G. Genovese presented the Financial Report for August 2026.

Executive Director Liss presented the following projects for consideration:

Pane Vita, LLC

Pane Vita, LLC manufactures and distributes specialty Italian-style bakery and prepared food products, including stuffed breads, pizza dough products, and other specialty baked goods for retail and foodservice customers. The company is proposing improvements to its holding and storage facilities in the City of Rochester, along with the purchase of new equipment, including dough-mixing equipment and upgrades to the plant's freezing systems, to support continued growth and expansion. The $3.9 million project is expected to create 30 FTEs in addition to its existing 71 FTEs over the next three years. The applicant is seeking approval for sales tax exemptions only. This project is contingent on support from Empire State Development. The project has a benefit-to-incentive ratio of 565:1.

The applicant was represented by Joe Lisi, President. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) APPOINTING PANE VITA, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT AS MORE FULLY DESCRIBED; (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE PROJECT; AND (iv)

AUTHORIZING THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS.

On motion by R. Ryerse, second by R. King for inducement and final resolution approving a sales tax exemption, a roll call vote resulted as follows and the motion carried:

T. Tolefree	Yea	R. King	Yea
L. Bolzner	Yea	B. Hickey	Yea
N. Jones	Absent	R. Ryerse	Yea
M. Velazquez	Absent		

308 Atlantic LLC/Johnstone Supply Company

308 Atlantic LLC, a real estate holding company, proposes the construction of a 50,000-square-foot building in the City of Rochester. Approximately half of the building will be occupied by Johnstone Supply Company, a distributor of HVAC equipment and materials looking to expand its operations in the City of Rochester, with the remaining space designated for flex/light industrial use. Johnstone Supply plans to add 2 FTEs in addition to its existing 7FTEs. The $8.1 million project is seeking a real property tax abatement, sales tax exemption, and mortgage recording tax exemption. The benefit/incentive ratio is 6:1.

The applicant was represented by Allan Stern, Partner. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time. R. Finnerty stated there were no comments at the public hearing held on August 13, 2026.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON AUGUST 13, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED) BEING UNDERTAKEN BY 308 ATLANTIC LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AND JSWG SUPPLY, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "TENANT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED); (iii) APPOINTING THE COMPANY AND THE TENANT AS AGENTS OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE TENANT IIN THE FORM OF SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT AND TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT- IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (V) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by L. Bolzner, second by B. Hickey for inducement and final resolution approving a sales tax exemption, partial mortgage recording tax exemption and partial real property tax abatement, a roll call vote resulted as follows and the motion carried:

T. Tolefree	Yea	R. King	Yea
L. Bolzner	Yea	B. Hickey	Yea
N. Jones	Absent	R. Ryerse	Yea
M. Velazquez	Absent		

Pier Marsh Properties, LLC

Pier Marsh Properties, LLC, a real estate holding company, proposes the renovation of a 7,500-square-foot building in the Town of Henrietta. The building will be occupied by Marchioni & Associates a law firm focusing on residential and commercial real estate transactions and estate planning and M&A Title Agency, its in-house title company. Both tenants are related entities and together will create 5 FTEs in addition to the existing 33.5 FTEs. The $2.1 million project is seeking a real property tax abatement and sales tax exemption. The benefit/incentive ratio is 29:1.

The applicant was represented by John Marchioni and Monique Marchioni. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time. R. Finnerty stated there were comments no comments at the public hearing held on September 14, 2026.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON SEPTEMBER 14, 2026, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY PIER MARSH PROPERTIES, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King, second by B. Hickey, inducement and final resolution approving a sales tax exemption and partial real property tax abatement, a roll call vote resulted as follows and the motion carried:

T. Tolefree	Yea	R. King	Yea
L. Bolzner	Yea	B. Hickey	Yea
N. Jones	Absent	R. Ryerse	Yea
M. Velazquez	Absent		

BTC Block 20 Partnership, L.P./Bonadio & Co., LLP

BTC Block 20 Partnership, L.P., a real estate holding company for related entity, Uniland, is renovating a 100,000 square foot vacant office building in the Town of Perinton for its tenant, Bonadio & Co., LLP, a professional services firm providing accounting, tax, advisory, and consulting services. This project was competitive with Ontario County. The $15.6 million project includes interior renovations, technology and infrastructure improvements, and the

acquisition of furniture, fixtures, and equipment. The project is seeking a mortgage recording tax exemption, sales tax exemption, and custom 20-year real property tax abatement. The tenant is seeking a sales tax exemption only. The project is projected to create 34 FTEs in addition to Bonadio's existing 339 FTEs. The benefit/incentive ratio is 31:1.

The applicant was represented by Mike Parinello from The Bonadio Group. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time. R. Finnerty stated there were no comments at the public hearing held on September 14, 2026.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON SEPTEMBER 14, 2026, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY BTC BLOCK 20 PARTNERSHIP, L.P. OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AND BONADIO & CO., LLP OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "TENANT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (iii) APPOINTING THE COMPANY AND THE TENANT AS AGENTS OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE TENANT IN THE FORM OF SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT AND TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (V) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King, second by L. Bolzner, inducement and final resolution approving a sales tax exemption, partial mortgage recording tax exemption and partial real property tax abatement, a roll call vote resulted as follows and the motion carried:

T. Tolefree	Yea	R. King	Yea
L. Bolzner	Yea	B. Hickey	Yea
N. Jones	Absent	R. Ryerse	Yea
M. Velazquez	Absent		

Executive Director Liss presented the following modifications for consideration:

Vistas - Increase

The Vistas projects in the City of Rochester include renovations to existing buildings at the old Colgate Rochester Divinity Campus and the construction of two new buildings. When the project is complete, there will a total of 136 new residential units. The project was approved by the board in January 2026, for a sales tax exemption, mortgage recording tax exemption and a real property tax abatement. The applicant is requesting a $330,000 increase in project costs with an increase in the mortgage recording tax exemption to an amount not to exceed $300,000 to reflect an updated financing structure. The total project cost is $47,280,000. The updated benefit-to- incentive ratio is the same as the original at 7:1.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO VISTAS AT STRONG LLC, VISTAS AT SA LLC, VISTAS AT MONTGOMERY LLC AND VISTAS AT HIGHLAND LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by L. Bolzner, to approve an increase in the partial mortgage recording tax exemption amount previously approved, a roll call vote resulted as follows and the motion carried:

T. Tolefree	Yea	R. King	Yea
L. Bolzner	Yea	B. Hickey	Yea
N. Jones	Absent	R. Ryerse	Yea
M. Velazquez	Absent		

The Marketplace - PILOT Modification

The Marketplace has requested that the Agency amend the PILOT Agreement payment schedule with respect to the 2027 Town of Henrietta and Monroe County tax year and the 2026-2027 Rush-Henrietta Central School District tax year for all of the parcels that comprise the site. The Town and School District have each granted their respective support of the Agency and the Marketplace to amend and modify the terms of the PILOT agreement.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE MODIFICATION OF THE EXISTING PAYMENT-IN-LIEU-OF-TAX AGREEMENT, DATED AS OF FEBRUARY 1, 2014, BY AND BETWEEN THE AGENCY AND THE MARKETPLACE WITH RESPECT TO THE PAYMENT SCHEDULE THEREUNDER AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

On motion by B. Hickey, second by R. King, to approve PILOT payment for the 2027 County and Town tax year and the 2026/2027 School tax year, a roll call vote resulted as follows and the motion carried:

T. Tolefree	Yea	R. King	Yea
L. Bolzner	Yea	B. Hickey	Yea
N. Jones	Absent	R. Ryerse	Yea
M. Velazquez	Absent		

On motion by R. King, second by R. Ryerse, all aye, the board entered into Executive Session at 12:33 p.m. under Section 105(h) of the Public Officers Law to discuss proposed acquisition of real property where the value could be substantially affected by public disclosure.

On motion by R. King, second by B. Hickey, all aye, the board came out of Executive Session at 1:17 PM

St. Ann's Community was represented by Michael McRae, President & CEO, St. Ann's Community; Susan Murty, VP of Operations, St. Ann's Community; Lee Ann McDonald, Esq., Underberg & Kessler LLP.

A motion was made by B. Hickey, second by R. King, all aye, to authorize the Executive Director to negotiate and execute the purchase of the James W. Wadsworth U.S. Army Reserve Center from the federal government through the General Services Administration for an amount not to exceed $750,000, subject to review by counsel and compliance with applicable policies and law.

A motion was made by R. King, second by L. Bolzner, all aye, to authorize the Executive Director to negotiate and execute the sale of the James W. Wadsworth U.S. Army Reserve Center to St. Ann's Community for $750,000 plus expenses, subject to review by counsel and compliance with applicable policies and law.

T. Tolefree on behalf of N. Jones shared that the Governance Committee met on September 10th to review and continue the discussion around UTEP changes. The committee looked at different real property tax abatement options and will incorporate the new housing schedules as well as add renewable energy projects. The committee is planning to meet again next month, with the goal to have the new UTEP in place in early 2027.

On motion by B. Hickey, second by R. King, all aye, to authorize Allison Clark to sign certain vendor documents and pay routine budgeted and board approved expenditures up to $1,500.00.

Executive Director Liss presented the August 2026 Dashboard.

There being no further business to discuss, on motion by R. King, N. Jone, all aye, the regular meeting of the Board was adjourned at 1:48 p.m.

LOEWKE BRILL
CONSULTING GROUP, INC

September 2026 Monthly C.O.M.I.D.A. Report

October 5th, 2026

1. This report covers our site visits between **September 1st, 2026** and **September 30th, 2026**.
2. During this period Loewke Brill made **75** monthly site visits.
3. During this period Loewke Brill made **3** follow-up visits.
4. Loewke Brill checked for residence with **879** workers.
5. Of those workers, there were **8** non-compliant.
    a. 2 – No proof of residence
        i. 09/23/26 – McAlpin Industries, Inc. – 1 from P+J no ID, compliant on follow up visit 09/24/26.
        ii. 09/29/26 – 120 Redev, LLC – 1 from Isaac no ID, compliant on follow up visit 09/30/26
    b. 6 – Out of Area
        i. 09/11/26 – Orchard View LLC – 6 workers from TenM construction out of area. Follow up visit on 09/14/26, all out of area workers off site.
    c. 0 – Invalid ID
6. There were "5" new COMIDA sign(s) delivered
    1. Shoecraft Road Apartments, LLC
    2. 733 Portland Properties, LLC
    3. Pittsford Canalside Properties LLC
    4. Erie Materials, Inc.
    5. Penn Central Apartments I, LLC

September 2026 COMIDA Verified Local Labor Exemption Report

Board Meeting – October 20th, 2026

The following Verified Local Labor Exemption Requests were processed in September 2026

- 2851 Clover LLC – Gypsy Hill Stone – Price Point Differential - Gypsy Hill Stone, based out of Lancaster PA, will be performing masonry work at the 2851 Clover LLC project located at 2851 Clover Street in Pittsford. 2851 Clover was originally expected to begin in 2024, when all bids originally went out. At that time, the project did not have an agreement with COMIDA. That said, they reached out to 4 local contractors and received 3 quotes. Gypsy Hill had the lowest price, and they were chosen by the GC. The project was significantly delayed and didn't begin until September of 2025, but Gypsy Hill still honored their original price. A total of 5 workers will be brought in to perform this work.

491 Elmgrove Rd. • Suite #2 • Rochester, NY • 14606 • Office (585) 647-9350 • Fax (585) 647-3508

COMIDA
Statement of Financial Position

	Year To Date 09/30/2026	Year Ending 12/31/2025
	Actual	Actual
Assets		
Current Assets		
Cash and Cash Equivalents	1,021,658	593,478
Cash - Grant Funding	4,187,335	9,448,940
Short Term Investments	16,207,884	17,431,162
Prepaid Expenses	92,411	27,202
Other Current Assets	139,441	141,171
Total Current Assets	21,648,729	27,641,953
Long-term Assets		
Property & Equipment	10,563	12,683
Other Long-term Assets	150,041	150,041
Total Long-term Assets	160,604	162,724
Total Assets	**21,809,333**	**27,804,677**
Liabilities and Net Assets		
Liabilities		
Short-term Liabilities		
Accounts Payable	25,412	160,254
Accrued Liabilities	1,152,362	599,977
Grant Liabilities	4,187,335	9,448,940
Total Short-term Liabilities	5,365,109	10,209,171
Long Term Liabilities	227,418	227,418
Total Liabilities	5,592,527	10,436,589
Net Assets		
Net Assets	17,368,089	18,998,413
Change In Net Assets	(1,151,282)	(1,630,325)
Total Net Assets	16,216,806	17,368,089
Total Liabilities and Net Assets	**21,809,333**	**27,804,677**

Summary Statement of Activities - All Funds with Prior Year

	Year To Date 09/30/2026	Year To Date 09/30/2026	Prior Year To Date 09/30/2025
	Actual	Budget	Actual
Revenue			
Fee Income	1,642,483	216,224	682,674
Interest Income	310,104	498,941	611,877
Gain on Sale of Fixed Assets	0	0	209,798
Total Revenue	1,952,586	715,165	1,504,349
Payroll	424,313	441,900	375,273
Program & Community Development	2,135,040	1,851,327	1,535,891
General & Administrative	643,479	747,875	662,231
APEX Activity, Net	(98,963)	0	(148,255)
Total Expenses	3,103,869	3,041,102	2,425,140
Change In Net Assets	(1,151,282)	(2,325,937)	(920,791)

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION SUMMARY

DATE: October 20, 2026

APPLICANT:	20 Main Street FFTH, LLC 1 Circle Street Rochester, NY 14607
TENANT/PROJECT LOCATION:	Frederick Ferris Thompson Hospital 20 North Main Street Honeoye Falls, NY 14472
PROJECT SUMMARY:	20 Main Street FFTH, LLC proposes the construction of a 10,000 square foot medical office building in the Village of Honeoye Falls to be leased and operated by The Fredrick Ferris Thompson Hospital. The facility will provide both primary care and urgent care services, including walk-in urgent care services seven days per week. The project is considered "retail" under Section 862 of the General Municipal Law. The project qualifies as a unique facility because it will be the only urgent care facility in the Village of Honeoye Falls and the Town of Mendon. The applicant qualifies for a lease plus real property tax abatement because the tenant is a 501c(3) entity, and is also seeking a sales tax exemption and mortgage recording tax exemption. The $3.5 million project is projected to create 26 FTEs and has a benefit/incentive ration of 51:1.
PROJECT AMOUNT:	$3,575,187 Lease/Leaseback with abatement $137,467 Sales Tax Exemption $26,814 Mortgage Recording Tax Exemption

JOBS: EXISTING:	0	FTEs
NEW:	26	FTEs
REQUIRED:	1	FTE

PUBLIC HEARING DATE:	October 15, 2026
BENEFIT TO INCENTIVE RATIO:	51:1
SEQR:	REVIEWED AND PROCESS IS COMPLETE.
ELIGIBILITY:	NEW BUILDING CONSTRUCTION OR RENOVATION PROJECT FOR UNIVERSITY AND/OR MEDICAL RELATED FACILITIES IN WHICH A 501(C)3 ENTITY LEASES FROM A FOR-PROFIT ENTITY
APPROVED PURPOSE:	JOB CREATION

County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Date October 20, 2026
Project Title 20 Main Street FFTH, LLC
Project Location 20 North Main St, Honeyoe Falls, NY 14472

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
$3,575,197

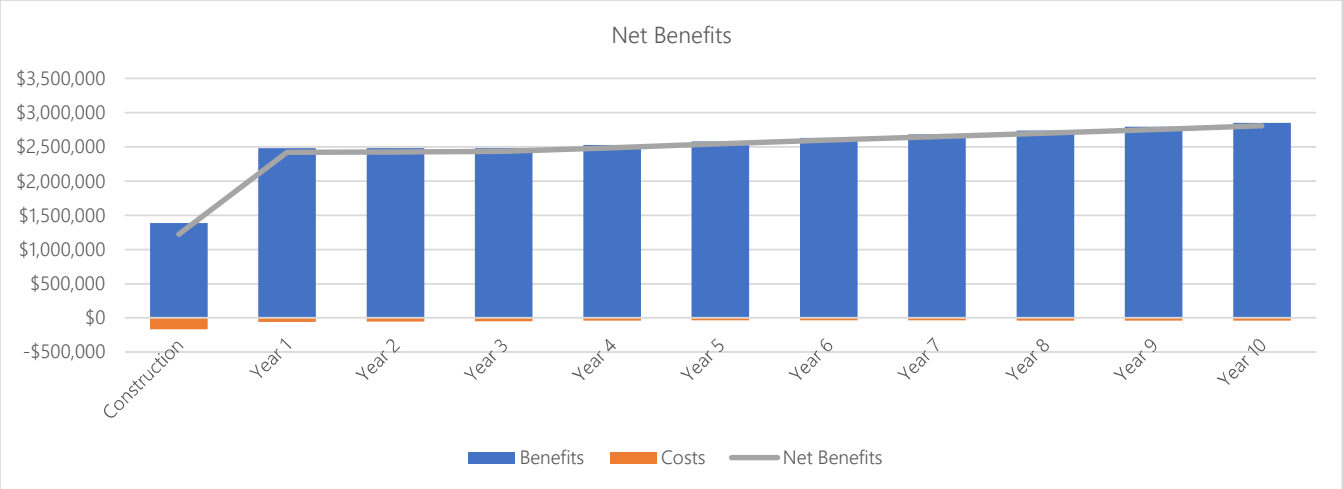
Temporary (Construction)

	Direct	Indirect	Total
Jobs	18	4	22
Earnings	$1,102,241	$209,141	$1,311,382
Local Spend	$2,860,158	$711,947	$3,572,105

Ongoing (Operations)
Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	26	5	31
Earnings	$30,454,289	$5,654,466	$36,108,755

Figure 1



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

Figure 2

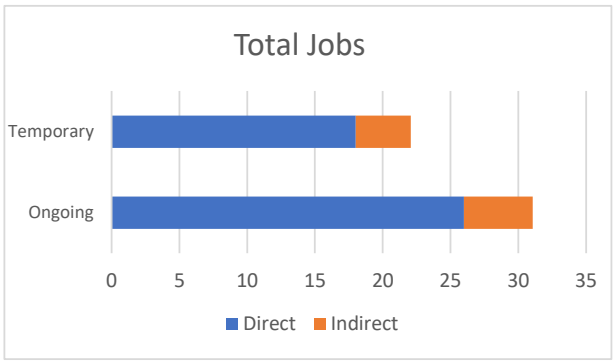
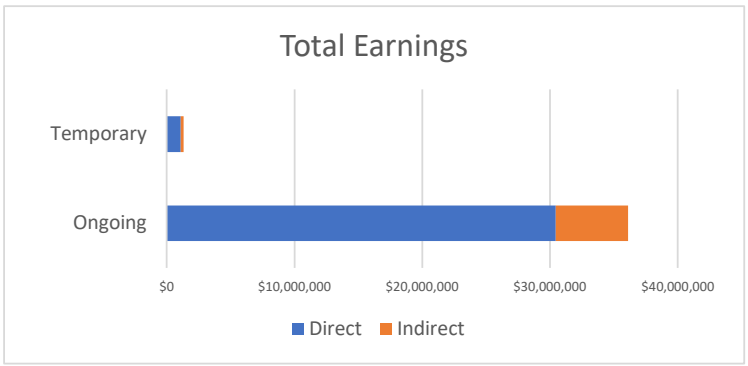


Figure 3



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

Fiscal Impacts

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$587,984	$511,997
Sales Tax Exemption	$137,467	$137,467
Local Sales Tax Exemption	*$68,734*	*$68,734*
State Sales Tax Exemption	*$68,734*	*$68,734*
Mortgage Recording Tax Exemption	$26,814	$26,814
Local Mortgage Recording Tax Exemption	*$8,938*	*$8,938*
State Mortgage Recording Tax Exemption	*$17,876*	*$17,876*
Total Costs	**$752,265**	**$676,278**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	**$38,136,865**	**$32,963,741**
To Private Individuals	$37,420,136	$32,353,271
Temporary Payroll	*$1,311,382*	*$1,311,382*
Ongoing Payroll	*$36,108,755*	*$31,041,889*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	$716,729	$610,470
Increase in Property Tax Revenue	*$454,788*	*$383,998*
Temporary Jobs - Sales Tax Revenue	*$9,180*	*$9,180*
Ongoing Jobs - Sales Tax Revenue	*$252,761*	*$217,293*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	**$1,945,847**	**$1,682,370**
To the Public	$1,945,847	$1,682,370
Temporary Income Tax Revenue	*$59,012*	*$59,012*
Ongoing Income Tax Revenue	*$1,624,894*	*$1,396,885*
Temporary Jobs - Sales Tax Revenue	*$9,180*	*$9,180*
Ongoing Jobs - Sales Tax Revenue	*$252,761*	*$217,293*
Total Benefits to State & Region	**$40,082,712**	**$34,646,111**

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$32,963,741	$589,668	56:1
State	$1,682,370	$86,610	19:1
Grand Total	**$34,646,111**	**$676,278**	**51:1**

*Discounted at 2%

Additional Comments from IDA

This is a good project.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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Motion By: _____
Seconded By: _____

RESOLUTION
(20 Main Street FFTH, LLC Project)
OSC Code 2602-26-040A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on October 20, 2026 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON OCTOBER 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY 20 MAIN STREET FFTH, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (V) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, **20 MAIN STREET FFTH, LLC**, a New York limited liability company, for itself or a related entity formed or to be formed (collectively, the "Company") has requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in an approximately 0.26-acre parcel of land located at 20 North Main Street in the Village of Honeoye Falls, New York 14472 and all other lands in the Village of Honeoye Falls where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the demolition of the existing structure and the construction on the Land of an approximately 10,000 square-foot medical office building (the "Improvements"); and (C) the acquisition, installation and equipping therein, thereon or thereabout of certain medical, office, and related machinery, equipment and personal

property (the "Equipment" and, together with the Land and the Improvements, the "Facility"), all for use by The Frederick Ferris Thompson Hospital (the "Tenant") as a primary care and urgent care medical office facility; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, pursuant to Section 859-a of the Act, on Thursday, October 15, 2026, at 12:15 p.m., local time, at the Honeoye Falls Village Hall, 5 East Street, Honeoye Falls, New York 14472, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined below) being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) negotiate a project agreement (the "Project Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement") and payment-in-lieu-of-tax agreement (the "PILOT Agreement") with the Company and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a partial mortgage recording tax exemption for financing relating to the Project and (c) a partial real property tax abatement structured through the PILOT Agreement; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities which may arise in connection with the transactions contemplated by the lease of the Facility; and

WHEREAS, the Project constitutes a "retail" project as defined under Section 862 of the Act and the Company has represented that the predominant purpose of the Project is to make goods or services which would not, but for the Project, be reasonably accessible to the residents of the Village of Honeoye Falls, New York (which finding must be confirmed by the County Executive of Monroe County, New York); and

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

WHEREAS, the Village of Honeoye Falls Zoning Board of Appeals (the "Zoning Board"), as lead agency, conducted an uncoordinated review of the Project pursuant to SEQRA, which resulted in the issuance of a negative declaration by the Zoning Board dated August 3, 2026 (the "Negative Declaration"), concluding the SEQRA process.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the application and other correspondence submitted by the Company to the Agency, the Agency hereby finds and determines that:

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

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of undertaking the Project; and

(d) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in Monroe County and otherwise furthering the purposes of the Agency as set forth in the Act; and

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

(f) The Zoning Board has conducted an uncoordinated review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). In addition to classifying the Project as an "Unlisted Action" pursuant to SEQRA, the Zoning Board also issued a Negative Declaration on August 3, 2026, determining that the Project did not present a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Zoning Board pursuant to 6 N.Y.C.R.R. § 617.7; and

(g) Pursuant to Section 862 of the Act, the Project constitutes a "retail" project. Based on representations made by the Company to the Agency, the Agency hereby finds that (i) the predominant purpose of the Project is to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the Village of Honeoye Falls because of a lack of reasonably accessible retail trade facilities offering such goods or services, and (ii) the Project will serve the public purposes of the Act by preserving permanent, private sector jobs or increasing the overall number of permanent, private sector jobs in the State. Notwithstanding anything contained in this Resolution to the contrary, no financial assistance shall be provided to the Company by the Agency unless and until the

Agency shall have obtained the confirming approval of the County Executive of Monroe County, New York.

Section 2. The Agency hereby determines that the acquisition of a leasehold interest in and the construction, equipping, repair and maintenance of the Facility by the Agency and the lease or sublease of the Facility to the Company will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County of Monroe and the people of the State of New York and improve their standard of living, thereby serving the public purposes of the Act and, therefore, the same is approved.

Section 3. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 4. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, construct and equip the Facility, and such appointment includes the following activities as they relate to the construction, erection, completion, use, repair and maintenance of the Improvements and the purchase, use, lease, placement, installation, repair, maintenance and replacement of the Equipment, whether or not any materials or supplies described below are incorporated into or become an integral part of the Improvements or the Equipment: (i) all purchases, leases, rentals and other uses of tools, machinery and equipment in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, and (iii) all purchases, leases, rentals and uses of equipment, machinery, and other tangible personal property (including installation costs with respect thereto), installed or placed in, upon or under the Improvements, Land or the Equipment, including all repairs, maintenance and replacement of all such property. Said agents are authorized to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agents for the Agency, and in general to do all things which may be requisite or proper for completing the Facility, all with the same powers and with the same validity as the Agency could do if acting on its own behalf. As agent of the Agency, the Company is authorized to delegate such agency, in whole or in part, to agents, subagents, contractors, subcontractors, contractors and subcontractors of such agents and subagents and to such other parties as the Company chooses; provided, however, the Project Agreement shall expire on **December 31, 2027** (unless extended for good cause by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement and Leaseback Agreement contemplated have not been executed and delivered. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are authorized and directed to execute and deliver to said agent an appropriate letter on Agency letterhead describing the authority granted under this resolution.

Section 5. Based upon the representation and warranties made by the Company in its application for financial assistance, the Agency hereby authorizes and approves (i) the Company as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to **$1,718,336** which results in New York State and local sales and use tax exemption benefits

("sales and use tax exemption benefits") not to exceed **$137,467**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; (ii) a mortgage (or mortgages), in connection with the financing of the Facility or portions thereof and including any refinancing thereof, securing an aggregate principal amount not to exceed **$3,575,187**, resulting in a mortgage tax exemption not to exceed **$26,814**; and (iii) real property tax abatement.

Section 6. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 7. The form and substance of the Lease Agreement, the Leaseback Agreement and the PILOT Agreement (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 8. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to negotiate and execute (A) the Lease Agreement whereby the Company leases the Project to the Agency, (B) the related Leaseback Agreement conveying the Project back to the Company, and (C) the PILOT Agreement; provided, that, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the

Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement and PILOT Agreement are collectively referred to as, the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency (if any) to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency shall approve, the execution thereof by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 10. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 11. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of $350.00 is required. Please see page 12 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name: 20 Main Street FFTH, LLC
Address: 1 Circle Street
City/State/Zip: Rochester, New York 14607
Tax Id No.: [redacted]
Contact Name: Rufus Judson
Title: Manager
Telephone: 1.800.264.PIKE
E-Mail: [redacted]

B. Applicant's Legal Counsel

Name: Ryan A. Lown, Esq.
Firm: Phillips Lytle LLP
Address: 100 South Clinton Avenue, Suite 2900
City/State/Zip: Rochester, New York 14604
Telephone: (585) 238-2056
Email: [redacted]

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
24 Cambridge Street Partners, LLC (Rufus Judson / William Tehan)	100	Sole Member

D. Is the business applying for assistance certified as an MWBE or service-disabled veterans' agency? ☐Yes ■No

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CityPlace, 50 West Main Street, Suite 1150, Rochester, NY 14614
Phone: 585-753-2000 | Fax: 585-753-2028 | www.monroecountybusiness.org

II. PROJECT

A. Address of proposed project facility

Address: 20 North Main Street

Tax Map Parcel Number: 228.12-1-21.1 and 228.12-1-11.1

City/Town/Village: Honeoye Falls

School District: Honeoye Falls Lima

Zip: 14472

Current Legal Owner of Property:

The Village of Honeoye Falls

B. Benefits Requested (Check all that apply)

- ■ Sales Tax Exemption
- ■ Mortgage Recording Tax Exemption
- ■ Real Property Tax Abatement
- ☐ Industrial Revenue Bond Financing

C. Description of project (check all that apply)

- ■ New Construction
- ☐ Existing Facility
  - ☐ Acquisition
  - ☐ Expansion
- ☐ Renovation/Modernization
- ☐ Acquisition of machinery/equipment
- ☐ Other (specify) _____

D. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? ☐Yes ☐No

Company Name: The Frederick Ferris Thompson Hospital

Address: 601 Elmwood Avenue

City/State/Zip: Rochester, New York 14642

Tax ID No: [redacted]

Contact Name: Kurt Koczent, RN, FACHE

Title: Executive Vice President and Chief Operating Officer

Telephone: [redacted]

Email: [redacted]

% of facility to be occupied by user/tenant 100

E. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title

F. Project Timeline

Proposed Date of Acquisition: October 2026

Proposed Commencement Date of Construction: Ocotber 2026

Anticipated Completion Date: September 2027

G. Contractor(s)

Pike Construction Services, Inc.

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II.PROJECT (cont'd)

H. DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

NAICS Code: 621493

The Applicant proposes to demolish the existing structure at 20 North Main Street and construct an approximately 10,000 square-foot medical office building to be leased to and operated by The Frederick Ferris Thompson Hospital. The facility will provide both primary care and urgent care services, including walk-in urgent care seven days per week.

The Project addresses a demonstrated gap in the availability of convenient medical services in the Village of Honeoye Falls and the surrounding southern Monroe County community. The Village of Honeoye Falls does not presently have a dedicated urgent care center offering extended hours, with walk-in treatment and on-site diagnostic services. Village residents and those in the surrounding rural communities who require prompt medical treatment must therefore seek care outside of the Village. The nearest urgent care facilities are generally located approximately 8 to 12 miles away from the Village in locations such as Henrietta, Victor, Pittsford, Fairport, or Farmington.

By providing locally available primary care and urgent care services, the Project will improve access to timely care, reduce travel burdens for Village residents and residents of nearby rural communities, and provide an appropriate alternative to hospital emergency departments for conditions that require same-day attention but are not medical emergencies. The central location will make these services accessible within the community and will support the Village's continued economic vitality by redeveloping an existing site, creating permanent health care employment, and increasing daily activity in the Village's commercial center. The requested financial assistance is necessary to offset increased construction and property tax rates and permit development of a facility capable of delivering these community health benefits.

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II.PROJECT (cont'd)

I. Would the project be undertaken without financial assistance from the Agency? ☐Yes ■ No

Please explain why financial assistance is necessary.

Due to increasing construction costs and property tax rates, the project would not be financially feasible without the requested financial assistance.

J. Are other facilities or related companies located within New York State?

☐Yes ■ No

Location:

_____

_____

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? ☐Yes ■ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?
☐Yes ■ No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

_____

_____

_____

_____

K. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

■ YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

☐ NO

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III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

☐ JOBSPLUS

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

▣ LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is 1_____.

☐ ENHANCED JOBSPLUS

Requirements:

- A minimum $15 million investment **AND**
- A minimum of 100 new jobs

☐ GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green
- Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ SHELTER RENT

For student housing or affordable housing projects.

☐ Housing

☐ Local Tax Jurisdiction Sponsored PILOT

☐ NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

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IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

a.	Materials	a. $ 1,718,336
b.	Labor	b. $ 1,145,557

Site Work

c.	Materials	c. $
d.	Labor	d. $
e.	Non-Manufacturing Equipment	e. $
f.	Manufacturing Equipment	f. $
g.	Equipment Furniture and Fixtures	g. $
h.	Land and/or Building Purchase	h. $ 345,000
i.	Soft Costs (Legal, Architect, Engineering)	i. $ 163,558
	Other (specify) j. Contingency	j. $ 28,639
	k. Financing Costs	k. $ 174,097
	l.	l. $
	m.	m. $

Total Project Costs (must equal Total Sources) $ 3,575,187

B. Sources of Funds for Project Costs:

a.	Tax-Exempt Industrial Revenue Bond	a. $
b.	Taxable Industrial Revenue Bond	b. $
c.	Bank Financing	c. $ 3,575,187
d.	TOTAL Public Sources	d. $

Identify below each state and federal grant/credit totaling the amount for d.)

_____ $_____

_____ $_____

_____ $_____

_____ $_____

e. Equity e. $

TOTAL SOURCES (must equal Total Project Costs) $ 3,575,187

C. Has the applicant made any arrangements for the financing of this project

☒ Yes ☐ No

If yes, please specify bank, underwriter, etc.

Reviewing proposals from KeyBank, First Internet Bank, JP Morgan Chase, Baird Public Finance, Northwest Bank and IRECC

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

a.	Materials	a. $
b.	Labor	b. $
c.	Non-Manufacturing Equipment	c. $
d.	Manufacturing Equipment	d. $
e.	Furniture and Fixtures	e. $
	Other (specify): f.	f. $
	g.	g. $
	h.	h. $
	i.	i. $

Total Project Costs **$** _____

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Value of Incentives
20 Main Street FFTH, LLC

A. IDA PILOT Benefits:

Current Assessment	$231,000
Value of New Construction & Renovation Costs	$1,718,336
Estimated New Assessed Value Subject to IDA	$1,949,336
Current Taxes	$8,776
Current Taxes Escalator	2%
PILOT Terms - Years	14
County Tax rate/$1,000	10.01000
Local Tax Rate* Tax Rate/$1,000	1.55000
School Tax Rate /$1,000	26.43000
Total Tax Rate	37.99000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	$137,467
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	$26,814

D. Industrial Revenue Bond Benefit

IRB inducement amount:	$0

E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	$752,265
Project Construction Costs:	$3,575,187
	21.04%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	$119,832	$18,555	$316,400	$454,788	$1,042,772	$587,984
1	90%	$1,720	$266	$4,542	$6,528	$65,280	$58,752
2	80%	$3,509	$543	$9,265	$13,317	$66,585	$53,268
3	70%	$5,369	$831	$14,175	$20,375	$67,917	$47,542
4	60%	$7,301	$1,131	$19,278	$27,710	$69,275	$41,565
5	50%	$9,309	$1,441	$24,580	$35,330	$70,661	$35,330
6	50%	$9,495	$1,470	$25,071	$36,037	$72,074	$36,037
7	50%	$9,685	$1,500	$25,573	$36,758	$73,515	$36,758
8	50%	$9,879	$1,530	$26,084	$37,493	$74,986	$37,493
9	50%	$10,077	$1,560	$26,606	$38,243	$76,485	$38,243
10	50%	$10,278	$1,592	$27,138	$39,008	$78,015	$39,008
11	50%	$10,484	$1,623	$27,681	$39,788	$79,575	$39,788
12	50%	$10,693	$1,656	$28,234	$40,583	$81,167	$40,583
13	50%	$10,907	$1,689	$28,799	$41,395	$82,790	$41,395
14	50%	$11,125	$1,723	$29,375	$42,223	$84,446	$42,223

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: 20 Main Street FFTH, LLC

Applicant: ☒ **or** **User/Tenant:** ☐

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be **RETAINED**	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	0	0	26	26
Part Time (PTE)	0	0	0	0
Total	0	0	26	26

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name 20 Main Street FFTH, LLC

Applicant: ■ **and/or User/Tenant:** ☐

The County of Monroe Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Monroe County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Monroe County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs are vital to the overall employment opportunities and economic growth in Monroe County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices ("construction workers"), during the construction phase of projects.

RS **100% Local Labor**
Applicants receiving IDA benefits ***must*** ensure that the it and/or its contractor/developer hire ***100% of its construction workers from the local labor market***.

RS **Local Labor Market**
For the purpose of this policy, the local labor market is defined as construction workers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Steuben, Wayne, Wyoming and Yates.

RS **Bid Processing**
Local participation in qualified projects receiving IDA economic incentives and benefits is vital to the economic growth of Monroe County. As such, all applicants/contractors/developers of a qualified project with a minimum $5,000,000 investment must place any and all invitations to bid in the Builders Exchange of Rochester Plan Room (https://robex.com/planroom/) two weeks before the bids are due.

RS **Monitoring**
A third-party auditing firm ("Project Monitor") will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

Once approved for IDA benefits, all applicants will be required to provide to the Project Monitor and the Exemption Processor (as hereinafter defined) the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project; and

2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions.

All Monroe County IDA projects are subject to local monitoring by the IDA and the Project Monitor. Proof of residency or copy of drivers' license shall be checked by the Project Monitor during the Project Monitor's periodic inspection of the project.

The Project Monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the Monroe County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

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Signage
The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

Exemption Process
In some instances, use of 100% local labor may not be possible for any of the following reasons:

- Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided). The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation.

- Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work (proof of communication with local contractors, or details of the specialized construction must be provided);

- Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted (copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).

- No local labor available for the project (if local bids were solicited with no response, please provide a copy of the bid, explain how it was advertised, and list who the bids were requested from).

The request to secure an exemption ***for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing.*** The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

The applicant has read the Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

20 Main Street FFTH, LLC

By: 24 Cambridge Street Partners LLC, its sole member
(APPLICANT COMPANY)

Manager 06/18/26

Signature Rufus M. Judson , Title Date

(TENANT COMPANY)

Signature , Title Date

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IX. FEES

Transaction Type	Fees
Real Property Tax Abatement (PILOT Agreement) including Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption.	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.75% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000.
Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.50% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000 if transaction includes mortgage recording tax exemption. Minimum fee of $750 if transaction is sales tax exemption only.
Small Business Sales Tax Exemption (Non-retail projects with total project costs under $500,000)	**Application Fee:** Non-refundable $350.00 **IDA Fee:** Flat fee of $750 ($500 for certified M/WBE or certified service disabled Veterans) **Legal Fee:** Flat fee of $750
Bond: Taxable or Tax-Exempt Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.25% of the total project cost **Legal Fee:** 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.
Bond: Taxable or Tax-Exempt	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.00% of the total project cost **Legal Fee:** 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

*If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

20 Main Street FFTH, LLC

By: 24 Cambridge Street Partners LLC, its sole member
(APPLICANT COMPANY)

Manager 06/18/26

Signature Rufus M. Judson , Title Date

(TENANT COMPANY)

Signature , Title Date

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X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.

B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.

C. Absence of Conflicts of Interest – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described: _____

_____

D. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

E. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

F. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

G. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

H. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.

I. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

20 Main Street FFTH, LLC

By: 24 Cambridge Street Partners LLC, its sole member

Manager 06/18/26

Signature Rufus M. Judson, Title Date

TENANT COMPANY

_____

06/18/26

_____

Signature , Title Date

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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 you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
20 North Main Street

Project Location (describe, and attach a location map):
20 North Main Street

Brief Description of Proposed Action:
Redevelopment of the former Critics Restaurant site into a new 9,840 SF professional and medical office core and shell building with associated parking, access drives, landscaping, and utility improvements.

Name of Applicant or Sponsor:	Telephone: 585-330-3205
Pike Construction Services - Mike Flannery	E-Mail: Flanm@pikecs.com

Address:
One Circle Street

City/PO:	State:	Zip Code:
Rochester	NY	14607

	NO	YES
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.	☑	☑
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 of Mendon and Village of Honeoye Falls Municipal Boards, NYSDOT permitting for right-of-way improvements.	☐	☐

3. a. Total acreage of the site of the proposed action? 1.52 acres
   b. Total acreage to be physically disturbed? 0.82 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.52 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐

	NO	YES
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
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
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
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☐	☐

	NO	YES
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
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: _____		

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

	NO	YES
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?	☑	☑
16. Is the project site located in the 100-year or 500-year flood plain?	☑	☑
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: municipal storm sewer system		
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: sub-grade chambers to control the release of storm water off-site.	☐	☐
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:	☑	☑
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:	☑	☑
21. Is the project located within, or within ½ mile of, a disadvantaged community?	☑	☑
If No, could impacts from the project affect a disadvantaged community?	☑	☑
If Yes to either question in 21, answer the following question.		
a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):		

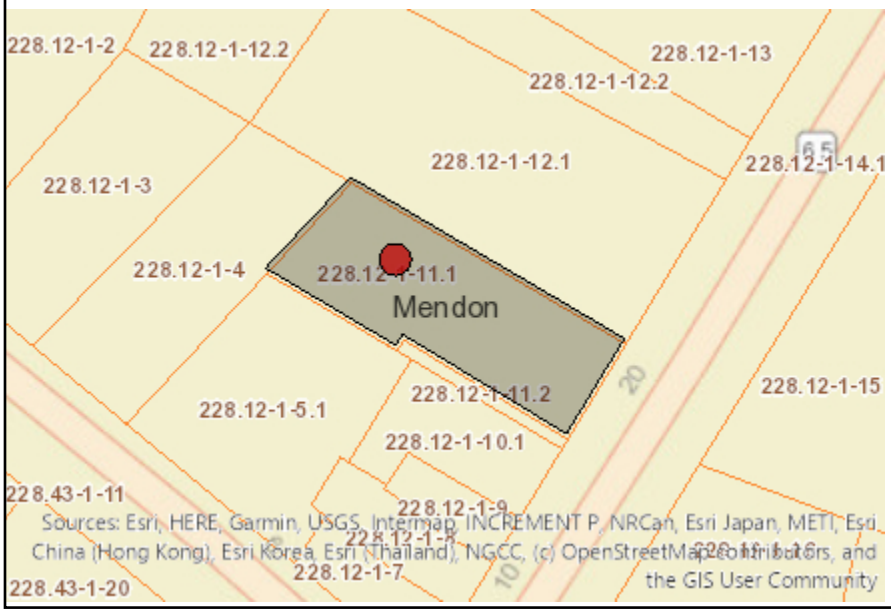
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Bryan White, PLS Date: 07/22/2026

Signature: _____ Title: Principal

EAF Mapper Summary Report

Wednesday, July 22, 2026 9:15 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 or 500 Year Floodplain]	No
Part 1 / Question 20 [Remediation Site]	No
Part 1 / Question 21 [Disadvantaged Community]	No

APPROVED

Resolution of the Village of Honeoye Falls Zoning Board of Appeals

At the Zoning Board of Appeals meeting held on August 3, 2026, the following resolution was adopted by the Board:

Major Site Plan Approval

WHEREAS, Pike Construction Group (the "Applicant") submitted a Site Plan application for the construction of an approximately 9,800 square foot commercial building at 20 N. Main Street in the Village of Honeoye Falls (Tax Parcel 228.12-1-11.1) (the "Project"); and

WHEREAS, the Zoning Board of Appeals (ZBA) reviewed the plan against the criteria in the applicable Village Code Section and NYS Village Law § 7-725-a, and held a public hearing on the same; and

WHEREAS, a SEQR Negative Declaration was issued on August 3, 2026; and

WHEREAS, the appropriate state, county, and local agencies were consulted and given the opportunity for feedback; and

WHEREAS, the application was accepted as complete, with any required application materials not presented being deemed waived by the Board;

NOW, THEREFORE, BE IT RESOLVED, that the Site Plan application for the Project last revised on July 23, 2026, is hereby **APPROVED** subject to the following conditions:

- Subject to the Applicant complying with and/or responding to all outstanding comments previously provided by the Village of Honeoye Falls' consulting engineer; and
- Subject to an appropriate easement from the Town of Mendon for ingress, egress, and parking.

Moved by: Chairman Hoose
Seconded by: Scott Wild
Ayes: 4
Nays: 0

Date: August 3, 2026

Kerry Hoffman, Village Clerk

8/6/26
Date

RECEIVED
BY: KH 8/6/26

APPROVED

Resolution of the Village of Honeoye Falls Zoning Board of Appeals

At the Zoning Board of Appeals meeting held on August 3, 2026, the following resolution was adopted by the Board:

SEQR Negative Declaration Resolution (Unlisted Action)

WHEREAS, the Village Zoning Board of Appeals (the "Board") has reviewed the application for by Pike Construction Group (the "Applicant") for a variance and site plan review relating to an approximately 9,800 square foot commercial building to be constructed at 20 N. Main Street in the Village of Honeoye Falls (the "Project"); and

WHEREAS, the Project is classified as an Unlisted Action under 6 NYCRR Part 617 (SEQR); and

WHEREAS, the Board has considered Part 1 of the Short Environmental Assessment Form, submitted by the Applicant, and has considered, discussed, and completed Part 2 of the Short Environmental Assessment Form, and carefully considered all potential environmental impacts and engaged in deliberation about the same;

NOW, THEREFORE, BE IT RESOLVED, that the Board determines that the Project (1) is an unlisted action, (2) will be considered as an uncoordinated review, and (3) will not result in any significant adverse environmental impacts and, therefore, issues a SEQR Negative Declaration; and authorizes the Chair or the Code Enforcement Officer the completed Part 2 of the Short Environmental Assessment Form, and to file this resolution with the Village Clerk within five (5) days.

Moved by: Chairman Hoose
Seconded by: Mark Donahue
Ayes: 4
Nays: 0

Date: August 3, 2026

Kerry Hoffman, Village Clerk

8/6/26
Date

RECEIVED
BY: KH 8/6/26

Agency Use Only [If applicable]

Project: 20, N. Main St

Date: 8/3/26

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?"

	No, or small impact may occur	Moderate to large impact may occur
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?	☒	☐

PRINT FORM

Agency Use Only [If applicable]

Project: 20 N. Main St

Date: 8/3/26

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.

Village of Honeoye Falls Name of Lead Agency	8/3/26 Date
Brian Hoose Print or Type Name of Responsible Officer in Lead Agency	Zoning Board Chairperson Title of Responsible Officer
X Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

APPROVED

Resolution of the Village of Honeoye Falls Zoning Board of Appeals

At the Zoning Board of Appeals meeting held on August 3, 2026, the following resolution was adopted by the Board:

Area Variance Approval

WHEREAS, Pike Construction Group (the "Applicant") applied for an area variance from the Village Code Section 190-23, requesting a front yard setback of 17 feet, where a maximum of five feet is required by code, for the property at 20 N. Main Street in the Village of Honeoye Falls (Tax Parcel 228.12-1-11.1); and

WHEREAS, the Zoning Board of Appeals (ZBA) held a public hearing on August 3, 2026 and applied the statutory 5-factor balancing test under NYS Village Law § 7-712-b as well as the applicable Village code, finding that the benefit to the applicant outweighs any detriment to the health, safety, and welfare of the neighborhood; and

NOW, THEREFORE, BE IT RESOLVED, that the area variance is hereby granted.

Moved by: Mark Donahue
Seconded by: Chairman Hoose
Ayes: 4
Nays: 0

Date: August 3, 2026

Kerry Hoffman, Village Clerk

8/6/26
Date

RECEIVED
BY: KH 8/6/26

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION SUMMARY

DATE: October 20, 2026

APPLICANT:	125 EMS Hotel LLC 125 East Main Street Rochester, NY 14604
TENANT/PROJECT LOCATION:	Hyatt Regency Rochester 125 East Main Street Rochester, NY 14604
PROJECT SUMMARY:	125 EMS Hotel LLC proposes the renovation of the Hyatt Regency Rochester, located in the City of Rochester's central business district. Proposed renovations include upgrades to guest rooms, common areas, food and beverage offerings, meeting and event spaces, and building systems. The project is considered retail under § 862 of the General Municipal Law, however, it plays a significant role in supporting the Rochester Riverside Convention Center. The property is adjacent to and physically connected to the convention center, making it a convenient lodging option for convention attendees and other visitors. As a result, the project attracts a significant number of patrons from outside the economic development area. The project is seeking a custom real property tax abatement supported by the City of Rochester, sales tax exemption, and mortgage recording tax exemption. The $16 million project is projected to create 18 FTEs and has a benefit/incentive ratio of 4:1
PROJECT AMOUNT:	$16,100,000 Lease/leaseback with abatement $580,800 Sales Tax Exemption $120,750 Mortgage Recording Tax Exemption

JOBS: EXISTING:	146	FTEs
NEW:	18	FTE s

PUBLIC HEARING DATE:	October 15, 2026
BENEFIT TO INCENTIVE RATIO:	4:1
SEQR:	INTERNAL RENOVATIONS ONLY; SEQR PROCESS COMPLETE.
ELIGIBILITY:	LOCAL TAX JURISDICTION SPONSORED PILOT
APPROVED PURPOSE:	JOB CREATION

County of Monroe Industrial Development Agency
MRB Cost Benefit Calculator

Cost-Benefit Analysis Tool powered by MRB Group

Date October 20th 2025
Project Title 125 EMS Hotel LLC
Project Location 125 East Main St, Rochester, NY 14604

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
$16,100,000

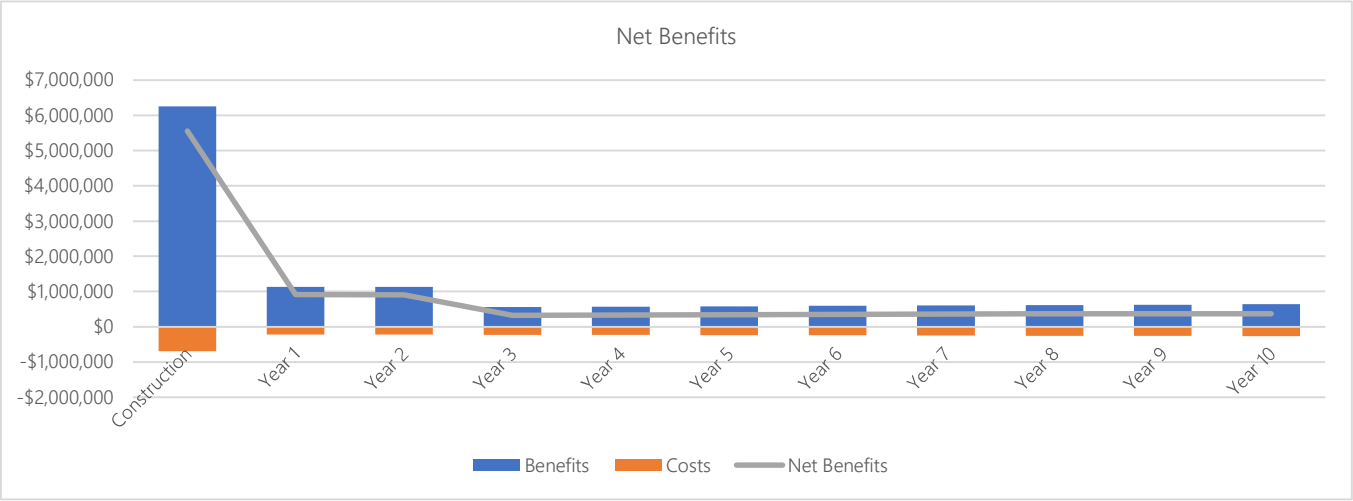
Temporary (Construction)

	Direct	Indirect	Total
Jobs	81	18	99
Earnings	$4,963,665	$941,812	$5,905,477
Local Spend	$12,880,000	$3,206,075	$16,086,075

Ongoing (Operations)
Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	18	6	24
Earnings	$8,419,696	$4,244,847	$12,664,543

Figure 1



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

Figure 2

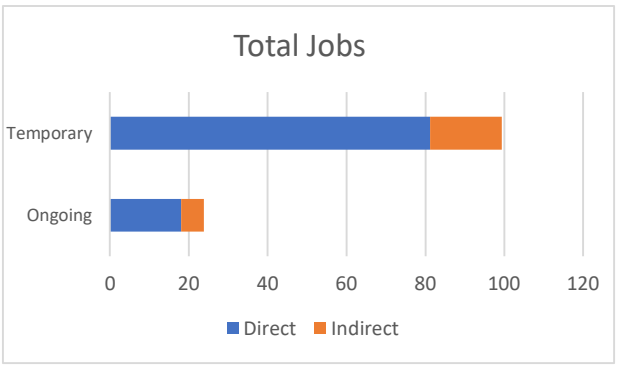
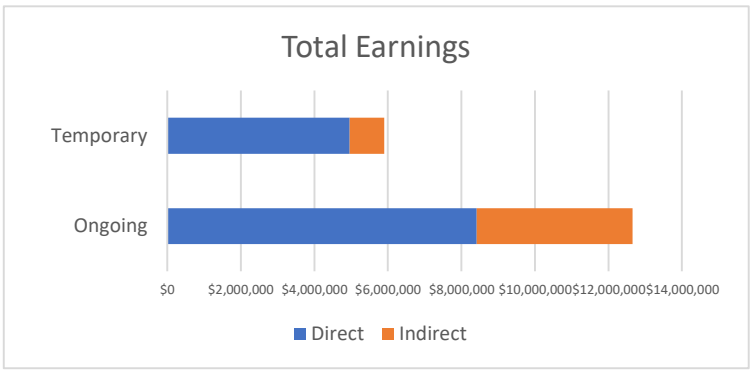


Figure 3



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

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Fiscal Impacts

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$4,133,258	$3,473,412
Sales Tax Exemption	$580,800	$580,800
Local Sales Tax Exemption	*$290,400*	*$290,400*
State Sales Tax Exemption	*$290,400*	*$290,400*
Mortgage Recording Tax Exemption	$120,750	$120,750
Local Mortgage Recording Tax Exemption	*$40,250*	*$40,250*
State Mortgage Recording Tax Exemption	*$80,500*	*$80,500*
Total Costs	**$4,834,808**	**$4,174,962**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	**$19,624,338**	**$17,173,060**
To Private Individuals	$18,570,020	$16,406,946
Temporary Payroll	*$5,905,477*	*$5,905,477*
Ongoing Payroll	*$12,664,543*	*$10,501,469*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	$1,054,317	$766,113
Increase in Property Tax Revenue	*$924,327*	*$651,265*
Temporary Jobs - Sales Tax Revenue	*$41,338*	*$41,338*
Ongoing Jobs - Sales Tax Revenue	*$88,652*	*$73,510*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	**$965,641**	**$853,161**
To the Public	$965,641	$853,161
Temporary Income Tax Revenue	*$265,746*	*$265,746*
Ongoing Income Tax Revenue	*$569,904*	*$472,566*
Temporary Jobs - Sales Tax Revenue	*$41,338*	*$41,338*
Ongoing Jobs - Sales Tax Revenue	*$88,652*	*$73,510*
Total Benefits to State & Region	**$20,589,979**	**$18,026,221**

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$17,173,060	$3,804,062	5:1
State	$853,161	$370,900	2:1
Grand Total	**$18,026,221**	**$4,174,962**	**4:1**

*Discounted at 2%

Additional Comments from IDA

Internal renovations only. Based increase in assessment on 50% of material costs.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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Motion By: _____
Seconded By: _____

RESOLUTION
(125 EMS Hotel LLC Project)
OSC Code 2602-26-042A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on October 20, 2026 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON OCTOBER 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY 125 EMS HOTEL LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT; (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, **125 EMS HOTEL LLC**, a Delaware limited liability company, for itself or a related entity formed or to be formed (collectively, the "Company") has requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in certain real property located at 125 East Main Street in the City of Rochester, New York and all other lands in the City of Rochester where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"), together with the existing 25-story, 350-room hotel located thereon (the "Existing Improvements"); (B) the renovation and rehabilitation of the Existing Improvements including, but not limited to, upgrades to guest rooms, common areas, food and beverage offerings, meeting and event spaces and building systems (collectively, the "Improvements");

and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land, the Existing Improvements and the Improvements, the "Facility"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, pursuant to Section 859-a of the Act, on Thursday, October 15, 2026, at 10:00 a.m., local time, at the Agency's Offices, 50 West Main Street, Suite 1150, Rochester, New York 14614, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined below) being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) negotiate a project agreement (the "Project Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement") and payment-in-lieu-of-tax agreement (the "PILOT Agreement") with the Company and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, renovation and equipping of the Facility, (b) a partial mortgage recording tax exemption for financing relating to the Project and (c) a partial real property tax abatement structured through the PILOT Agreement; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities which may arise in connection with the transactions contemplated by the lease of the Facility; and

WHEREAS, the Project constitutes a "retail" project as defined under Section 862 of the Act and as such requires additional findings; and

WHEREAS, the Company has represented to the Agency that the Project is likely to attract a significant number of visitors from outside the economic development region (as established by Section 230 of the New York State Economic Development Law), and therefore the Project constitutes a "tourism destination" as defined in Section 862(2) of the Act; and

WHEREAS, the Company has represented to the Agency that the current availability of hotel accommodations may be insufficient to meet the projected demand, potentially impacting the county's ability to host guests, support local businesses, and maintain its reputation as a welcoming destination; therefore, it is necessary to assess and address the need for additional hotel rooms to ensure adequate lodging capacity and support the county's economic and hospitality goals; and

WHEREAS, the Facility is physically connected to the Joseph A. Floreano Rochester Riverside Convention Center, which is expected to enhance the attractiveness and competitiveness of the Convention Center as a regional destination for conventions, conferences, meetings, and other events that draw visitors from outside the economic development region; and

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

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the application and other correspondence submitted by the Company to the Agency, the Agency hereby finds and determines that:

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

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of undertaking the Project; and

(d) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in Monroe County and otherwise furthering the purposes of the Agency as set forth in the Act; and

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

(f) Pursuant to Section 862 of the Act, the Project constitutes a "retail" project. Based on representations made by the Company to the Agency, the Project is located near several tourist destinations, including, but not limited to, Joesph A. Floreano Rochester Riverside Convention Center, which attract a significant number of visitors from outside the economic development region (as established by Section 230 of the New York State Economic Development Law), and the Facility will provide lodging services to these destinations, therefore, constituting a "tourism destination" as defined in Section 862(2) of the Act; and

(g) Pursuant to SEQRA, the Project constitutes a "Type II Action" as said term is defined in SEQRA, and therefore no further action is required to be taken under SEQRA.

Section 2. The Agency hereby determines that the acquisition of a leasehold interest in and the renovation, equipping, repair and maintenance of the Facility by the Agency and the lease or sublease of the Facility to the Company will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County of Monroe and the people of the State of New York and improve their standard of living, thereby serving the public purposes of the Act and, therefore, the same is approved.

Section 3. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 4. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, renovation and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, renovate and equip the Facility, and such appointment includes the following activities as they relate to the construction, renovation, erection, completion, use, repair and maintenance of the Improvements and the purchase, use, lease, placement, installation, repair, maintenance and replacement of the Equipment, whether or not any materials or supplies described below are incorporated into or become an integral part of the Improvements or the Equipment: (i) all purchases, leases, rentals and other uses of tools, machinery and equipment in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description in connection with acquiring, renovating, equipping, repairing and maintaining the Facility, and (iii) all purchases, leases, rentals and uses of equipment, machinery, and other tangible personal property (including installation costs with respect thereto), installed or placed in, upon or under the Improvements, Land or the Equipment, including all repairs, maintenance and replacement of all such property. Said agents are authorized to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agents for the Agency, and in general to do all things which may be requisite or proper for completing the Facility, all with the same powers and with the same validity as the Agency could do if acting on its own behalf. As agent of the Agency, the Company is authorized to delegate such agency, in whole or in part, to agents, subagents, contractors, subcontractors, contractors and subcontractors of such agents and subagents and to such other parties as the Company chooses; provided, however, the Project Agreement shall expire on **December 31, 2027** (unless extended for good cause by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement, Leaseback Agreement and PILOT Agreement contemplated have not been executed and delivered. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are authorized and directed to execute and deliver to said agent an appropriate letter on Agency letterhead describing the authority granted under this resolution.

Section 5. Based upon the representation and warranties made by the Company in its application for financial assistance, the Agency hereby authorizes and approves (i) the Company as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to

$7,260,000 which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **$580,800**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; (ii) a mortgage (or mortgages), in connection with the financing of the Facility or portions thereof and including any refinancing thereof, securing an aggregate principal amount not to exceed **$16,100,000**, resulting in a mortgage tax exemption not to exceed **$120,750**; and (iii) a partial real property tax abatement.

Section 6. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 7. The form and substance of the Lease Agreement, the Leaseback Agreement and the PILOT Agreement (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 8. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to negotiate and execute (A) the Lease Agreement whereby the Company leases the Project to the Agency, (B) the related Leaseback Agreement conveying the Project back to the Company, and (C) the PILOT Agreement; provided, that, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by

the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement and PILOT Agreement are collectively referred to as, the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency (if any) to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency shall approve, the execution thereof by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 10. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 11. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of $350.00 is required. Please see page 12 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name:	125 EMS Hotel LLC
Address:	125 East Main Street
City/State/Zip:	Rochester NY 14604
Tax Id No.:	[redacted]
Contact Name:	David Christa
Title:	Member
Telephone:	[redacted]
E-Mail:	[redacted]

B. Applicant's Legal Counsel

Name:	
Firm:	
Address:	
City/State/Zip:	
Telephone:	
Email:	

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
Dave Christa	50	Owner
Ownership Trust as follows:		Ownership Trust
TM I Irrevocable Trust U/A 12/1/2020 as Amended	49.5	
Lacy M Katz Irrevocable Trust U/A 11/11/2021 as Amended	49.5	
RLT I Irrevocable Trust U/A 12/1/2020 as Amended	.5	
Robyn K Morgan Irrevocable Trust U/A 11/11/2021 as Amended	.5	

D. Is the business applying for assistance certified as an MWBE or service-disabled veterans' agency? ☐**Yes** ■**No**

II. PROJECT

A. Address of proposed project facility

Address: 125 East Main Street

Tax Map Parcel Number: 121.23-2-50.001

City/Town/Village: Rochester

School District: Rochester City School

Zip: 14604

Current Legal Owner of Property:

Dave Christa

B. Benefits Requested (Check all that apply)

- ■ Sales Tax Exemption
- ■ Mortgage Recording Tax Exemption
- ■ Real Property Tax Abatement
- ☐ Industrial Revenue Bond Financing

C. Description of project (check all that apply)

- ☐ New Construction
- ■ Existing Facility
  - ☐ Acquisition
  - ☐ Expansion
- ■ Renovation/Modernization
- ■ Acquisition of machinery/equipment
- ☐ Other (specify) _____

D. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? ☐Yes ☐No

Company Name: _____

Address: _____

City/State/Zip: _____

Tax ID No: _____

Contact Name: _____

Title: _____

Telephone: _____

Email: _____

% of facility to be occupied by user/tenant _____

E. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title

F. Project Timeline

Proposed Date of Acquisition: ASAP

Proposed Commencement Date of Construction: _____

Anticipated Completion Date: 12 Months from Commencment

G. Contractor(s)

Christa Development Corp.

II.PROJECT (cont'd)

H. **DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY**

NAICS Code: 721110

The project contemplates the next phase of investment and modernization of the Hyatt Regency Rochester, an iconic downtown asset that serves as the region's premier convention hotel and a critical anchor for Rochester's hospitality and tourism economy. Located at 125 East Main Street and directly connected to the Rochester Riverside Convention Center, the Hyatt plays a vital role in supporting business travel, conventions, entertainment, and the continued revitalization of downtown Rochester. The hotel underwent a substantial renovation in 2017, but additional investment is necessary to maintain the property's competitiveness, preserve the Hyatt flag, and meet the evolving expectations of guests and event organizers.

The proposed project will include a comprehensive renovation and repositioning of the hotel, with upgrades to guest rooms, common areas, food and beverage offerings, meeting and event spaces, and building systems. The investment will strengthen the Hyatt's position as the region's leading full-service hotel while supporting the broader economic ecosystem that depends on a vibrant downtown hospitality sector, including the convention center, Blue Cross Arena, local restaurants, cultural institutions, and nearby businesses.

CityPlace, 50 West Main Street, Suite 1150, Rochester, NY 14614
Phone: 585-753-2000 | Fax: 585-753-2028 | www.monroecountybusiness.org

II.PROJECT (cont'd)

I. **Would the project be undertaken without financial assistance from the Agency?** ☐Yes ■ No

Please explain why financial assistance is necessary.

Given the scale of the required capital investment, the age and complexity of the existing facility, and the challenging economics facing urban hospitality projects, the development team intends to pursue an aggressive Special PILOT structure and related incentives to help close the project's financing gap and ensure the long-term viability of the asset. The requested PILOT will be critical to enabling the project to proceed and will reflect the Hyatt's unique importance to downtown Rochester's continued growth and economic competitiveness.

J. **Are other facilities or related companies located within New York State?**

☐Yes ■ No

Location:

_____

_____

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? ☐Yes ■ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?
☐Yes ■ No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

_____

_____

_____

_____

K. **State Environmental Quality Review (SEQR) Act Compliance**

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

☐ YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

■ NO

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III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

JOBSPLUS

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ ENHANCED JOBSPLUS

Requirements:

- A minimum $15 million investment **AND**
- A minimum of 100 new jobs

☐ GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green
- Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ SHELTER RENT

For student housing or affordable housing projects.

☐ Housing

▣ Local Tax Jurisdiction Sponsored PILOT

☐ NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

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IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

a. Materials	a. $	7,260,000
b. Labor	b. $	8,385,000

Site Work

c. Materials	c. $	
d. Labor	d. $	
e. Non-Manufacturing Equipment	e. $	
f. Manufacturing Equipment	f. $	
g. Equipment Furniture and Fixtures	g. $	
h. Land and/or Building Purchase	h. $	
i. Soft Costs (Legal, Architect, Engineering)	i. $	455,000
Other (specify) j.	j. $	
k.	k. $	
l.	l. $	
m.	m. $	
Total Project Costs (must equal Total Sources)	$	16,100,000

B. Sources of Funds for Project Costs:

a. Tax-Exempt Industrial Revenue Bond	a. $	
b. Taxable Industrial Revenue Bond	b. $	
c. Bank Financing	c. $	16,100,000
d. TOTAL Public Sources	d. $	

Identify below each state and federal grant/credit totaling the amount for d.)

_____ $_____

_____ $_____

_____ $_____

_____ $_____

e. Equity	e. $	
TOTAL SOURCES (must equal Total Project Costs)	$	16,100,000

C. Has the applicant made any arrangements for the financing of this project

☐ Yes ☐ No

If yes, please specify bank, underwriter, etc.

_____

_____

_____

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

a. Materials	a. $	
b. Labor	b. $	
c. Non-Manufacturing Equipment	c. $	
d. Manufacturing Equipment	d. $	
e. Furniture and Fixtures	e. $	
Other (specify): f.	f. $	
g.	g. $	
h.	h. $	
i.	i. $	
Total Project Costs	$	

Value of Incentives
125 EMS Hotel LLC

A. IDA PILOT Benefits:	
Current Assessment	$12,000,000
Value of New Construction & Renovation Costs	$3,630,000
Estimated New Assessed Value Subject to IDA	$15,630,000
Current Taxes	$366,000
Current Taxes Escalator	2%
PILOT Terms - Years	19
County Tax rate/$1,000	6.63000
Local Tax Rate* Tax Rate/$1,000	0.00000
School Tax Rate /$1,000	23.87000
Total Tax Rate	30.50000

B. Sales Tax Exemption Benefit:	
Estimated value of Sales Tax exemption:	$580,800
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:	
Estimated Value of MRTE:	$120,750

D. Industrial Revenue Bond Benefit	
IRB inducement amount:	$0

E. Percentage of Project Costs financed from Public Sector sources:	
Total Value of Incentives:	$2,768,179
Project Construction Costs:	$16,100,000
	17.19%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	$100,464	$0	$361,700	$462,164	$2,528,792	$2,066,629
1	100%	$0	$0	$0	$0	$110,715	$110,715
2	100%	$0	$0	$0	$0	$112,929	$112,929
3	100%	$0	$0	$0	$0	$115,188	$115,188
4	100%	$0	$0	$0	$0	$117,492	$117,492
5	100%	$0	$0	$0	$0	$119,841	$119,841
6	100%	$0	$0	$0	$0	$122,238	$122,238
7	100%	$0	$0	$0	$0	$124,683	$124,683
8	100%	$0	$0	$0	$0	$127,177	$127,177
9	100%	$0	$0	$0	$0	$129,720	$129,720
10	100%	$0	$0	$0	$0	$132,315	$132,315
11	100%	$0	$0	$0	$0	$134,961	$134,961
12	100%	$0	$0	$0	$0	$137,660	$137,660
13	100%	$0	$0	$0	$0	$140,413	$140,413
14	100%	$0	$0	$0	$0	$143,222	$143,222
15	80%	$6,351	$0	$22,866	$29,217	$146,086	$116,869
16	60%	$12,956	$0	$46,647	$59,603	$149,008	$89,405
17	40%	$19,823	$0	$71,370	$91,193	$151,988	$60,795
18	20%	$26,960	$0	$97,063	$124,022	$155,028	$31,006
19	0%	$34,373	$0	$123,755	$158,128	$158,128	$0

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: _____

Applicant: ■ **or User/Tenant:** ☐

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be **RETAINED**	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	115	115	16	16
Part Time (PTE)	62	62	4	4
Total	146	146	18	18

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

*over 85% of our employees are a resident of the City of Rochester

[*Remainder of this Page Intentionally Left Blank*]

VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name Christa Development Corp.

Applicant: ■ **and/or User/Tenant:** ☐

The County of Monroe Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Monroe County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Monroe County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs are vital to the overall employment opportunities and economic growth in Monroe County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices ("construction workers"), during the construction phase of projects.

DC **100% Local Labor**
Applicants receiving IDA benefits ***must*** ensure that the it and/or its contractor/developer hire ***100% of its construction workers from the local labor market***.

DC **Local Labor Market**
For the purpose of this policy, the local labor market is defined as construction workers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Steuben, Wayne, Wyoming and Yates.

DC **Bid Processing**
Local participation in qualified projects receiving IDA economic incentives and benefits is vital to the economic growth of Monroe County. As such, all applicants/contractors/developers of a qualified project with a minimum $5,000,000 investment must place any and all invitations to bid in the Builders Exchange of Rochester Plan Room (https://robex.com/planroom/) two weeks before the bids are due.

DC **Monitoring**
A third-party auditing firm ("Project Monitor") will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

Once approved for IDA benefits, all applicants will be required to provide to the Project Monitor and the Exemption Processor (as hereinafter defined) the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project; and

2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions.

All Monroe County IDA projects are subject to local monitoring by the IDA and the Project Monitor. Proof of residency or copy of drivers' license shall be checked by the Project Monitor during the Project Monitor's periodic inspection of the project.

The Project Monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the Monroe County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

DC **Signage**

The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

DC **Exemption Process**

In some instances, use of 100% local labor may not be possible for any of the following reasons:

- Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided). The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation.

- Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work (proof of communication with local contractors, or details of the specialized construction must be provided);

- Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted (copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).

- No local labor available for the project (if local bids were solicited with no response, please provide a copy of the bid, explain how it was advertised, and list who the bids were requested from).

The request to secure an exemption ***for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing***. The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

The applicant has read the Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

125 EMS Hotel LLC

(APPLICANT COMPANY)			(TENANT COMPANY)		
Signature	, Title Operator	Date 9/29/26	Signature	, Title	Date

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IX. FEES

Transaction Type	Fees
Real Property Tax Abatement (PILOT Agreement) including Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption.	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.75% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000.
Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.50% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000 if transaction includes mortgage recording tax exemption. Minimum fee of $750 if transaction is sales tax exemption only.
Small Business Sales Tax Exemption (Non-retail projects with total project costs under $500,000)	**Application Fee:** Non-refundable $350.00 **IDA Fee:** Flat fee of $750 ($500 for certified M/WBE or certified service disabled Veterans) **Legal Fee:** Flat fee of $750
Bond: Taxable or Tax-Exempt Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.25% of the total project cost **Legal Fee:** 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.
Bond: Taxable or Tax-Exempt	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.00% of the total project cost **Legal Fee**: 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

*If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

125 EMS Hotel LLC

(APPLICANT COMPANY)

(TENANT COMPANY)

Signature , Title Date

Operator 9/29/26

Signature , Title Date

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Phone: 585-753-2000 | Fax: 585-753-2028 | www.monroecountybusiness.org

X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.

B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.

C. Absence of Conflicts of Interest – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described: _____

_____

D. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

E. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

F. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

G. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

H. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.

I. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

125 EMS Hotel LLC

Signature Operator 9/29/26
Signature , Title Date

TENANT COMPANY

Signature , Title Date

MONROE COUNTY
CityPlace, 50 West Main Street, Suite 1150, Rochester, NY 14614
Phone: 585-753-2000 | Fax: 585-753-2028 | www.monroecountybusiness.org

City of Rochester

Neighborhood and Business Development
30 Church Street, Room 223B
Rochester, New York 14614
www.cityofrochester.gov

Erik Frisch
Commissioner

September 23, 2026

David Christa
125 EMS Hotel LLC
125 East Main Street
Rochester, NY 14604

Via Email to: dchrista@christa.com

RE: Hyatt Regency Rochester Hotel – Special PILOT

Dear Mr. Christa:

The City of Rochester has received your request to support an application to COMIDA for a Special PILOT for the proposed renovation of the Hyatt Regency Rochester hotel, located at 125 East Main Street (the "Project"). The proposed Project will include guest room improvements, meeting space and audiovisual upgrades, replacement of two cooling towers, fitness center and pool renovations, acoustic remediation, restaurant renovation, security upgrades, escalator replacement, rooftop signage replacement, WiFi upgrades, lobby heating and entryway air system upgrades, entryway improvements, and eco-friendly window energy caulking. The total investment is estimated to be $16,100,000. You have estimated that the Project will create 16 permanent full-time jobs, four permanent part-time jobs, and 30 temporary construction jobs.

The City of Rochester's PILOT Review Committee has approved support of a special PILOT for the Project that would provide exemption on the increase in real estate taxes for an annual in-lieu of payment based on the following schedule:

Year	% Exempt		Year	% Exempt
1	100%		11	100%
2	100%		12	100%
3	100%		13	100%
4	100%		14	100%
5	100%		15	80%
6	100%		16	60%
7	100%		17	40%
8	100%		18	20%
9	100%		19	Return to Full Taxes
10	100%			

The approval of this special PILOT will oblige you to adhere to Minority and Women-Owned Business Enterprise (MWBE) and workforce goals. Thirty percent (30%) of the project's estimated tax savings will be filled by MWBE. Using $12,000,000 as the current base assessment, the estimated tax savings over eighteen years is $7,057,791. Thus, 30% of this project's tax savings will be $2,117,337. The workforce goals are as follows: minority workforce goal of 20%, women workforce goal of 6.9%, and city of Rochester resident workforce goal of 25%. The developer, prime contractor, or an independent compliance monitor will track, verify, and report the efforts made by the developer/prime contractor in achieving the MWBE and workforce goals.

On behalf of the City, I am pleased to support your Application for Assistance to COMIDA. If you have any questions please contact Lindsay Nabozny by email at lindsay.nabozny@cityofrochester.gov or by phone at (585) 428-1113.

Sincerely,

Erik Frisch
Commissioner

EF/ln

cc: Ana J. Liss, Executive Director, County of Monroe Industrial Development Agency
Anne DaSilva Tella, Manager of Development

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION SUMMARY

DATE: October 20, 2026

APPLICANT:	FSI 5500 LLC 2213 Brighton Henrietta TL Road Rochester, NY 14623
PROJECT LOCATION:	5560 West Henrietta Road West Henrietta, NY 14586
PROJECT SUMMARY:	FSI 5500 LLC, a real estate holding company, proposes the construction of Delphi Apartments, a 300-unit apartment complex to be built on 40 acres of vacant land in the Town of Henrietta. Phase one of this project consists of the construction of five, 40-unit residential buildings containing 75 one-bedroom units and 125 two-bedroom units for a total of 200 units. Rents will range from $1,750 for a one-bedroom unit to $2,900 for a two-bedroom unit. At least 20% (40) of all units will be affordable units with rents averaging 90% AMI, based on household income size. Phase one will also consist of the construction of a clubhouse, maintenance building, and 430 parking spaces. The applicant is seeking approval of a sales tax exemption, mortgage recording tax exemption, and qualifies for the Enhanced HousingPlus real property tax abatement recommended in the housing study. The $61 million project is projected to create 5 direct FTEs and has a benefit/incentive ratio of 12:1.
PROJECT AMOUNT:	$61,672,746 Lease/Leaseback with abatement $2,175,123 Sales Tax Exemption $391,910 Mortgage Recording Tax Exemption

JOBS: EXISTING:	0	FTEs
NEW:	5	FTE - Direct

PUBLIC HEARING DATE:	October 15, 2026
BENEFIT TO INCENTIVE RATIO:	12:1
SEQR:	REVIEWED AND PROCESS IS COMPLETE.
ELIGIBILITY:	NEW COMMERCIAL CONSTRUCTION WITH INCREASE TO THE TAX BASE
APPROVED PURPOSE:	COMMUNITY DEVELOPMENT

County of Monroe Industrial Development Agency
MRB Cost Benefit Calculator

Cost-Benefit Analysis Tool powered by MRB Group

Date October 20, 2026
Project Title FSI 5500 LLC
Project Location 5560 Wet Henrietta Road, West Henrietta, NY 14586

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
$61,672,746

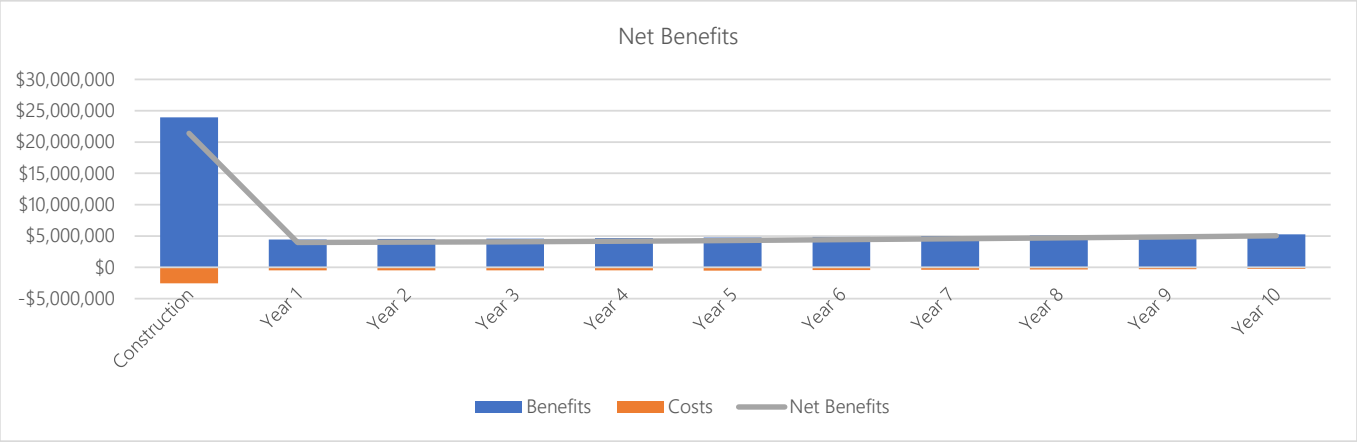
Temporary (Construction)

	Direct	Indirect	Total
Jobs	311	70	381
Earnings	$19,013,842	$3,607,710	$22,621,552
Local Spend	$49,338,197	$12,281,210	$61,619,406

Ongoing (Operations)
Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	72	19	90
Earnings	$46,861,395	$13,591,484	$60,452,879

Figure 1



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

Figure 2

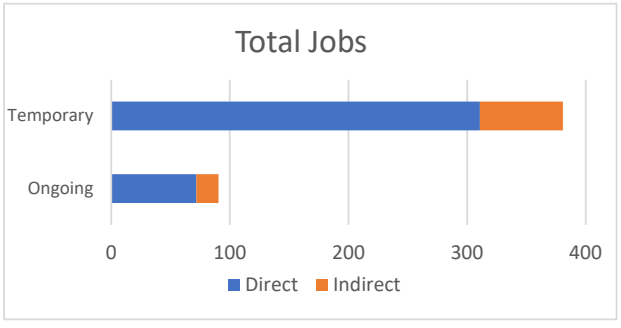
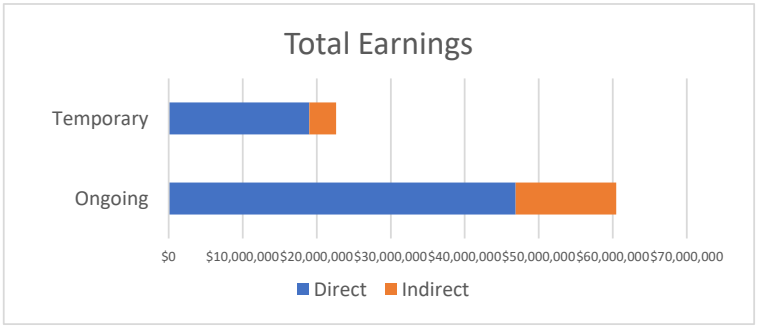


Figure 3



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

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Fiscal Impacts

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$4,619,209	$4,145,093
Sales Tax Exemption	$2,175,123	$2,175,123
Local Sales Tax Exemption	*$1,087,562*	*$1,087,562*
State Sales Tax Exemption	*$1,087,562*	*$1,087,562*
Mortgage Recording Tax Exemption	$391,910	$391,910
Local Mortgage Recording Tax Exemption	*$130,637*	*$130,637*
State Mortgage Recording Tax Exemption	*$261,273*	*$261,273*
Total Costs	**$7,186,242**	**$6,712,126**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	**$87,080,895**	**$78,473,038**
To Private Individuals	**$83,074,431**	**$75,108,639**
Temporary Payroll	*$22,621,552*	*$22,621,552*
Ongoing Payroll	*$60,452,879*	*$52,487,087*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	**$4,006,464**	**$3,364,399**
Increase in Property Tax Revenue	*$3,043,551*	*$2,507,525*
Temporary Jobs - Sales Tax Revenue	*$158,351*	*$158,351*
Ongoing Jobs - Sales Tax Revenue	*$804,562*	*$698,523*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	**$4,701,262**	**$4,236,762**
To the Public	**$4,701,262**	**$4,236,762**
Temporary Income Tax Revenue	*$1,017,970*	*$1,017,970*
Ongoing Income Tax Revenue	*$2,720,380*	*$2,361,919*
Temporary Jobs - Sales Tax Revenue	*$158,351*	*$158,351*
Ongoing Jobs - Sales Tax Revenue	*$804,562*	*$698,523*
Total Benefits to State & Region	**$91,782,158**	**$82,709,800**

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$78,473,038	$5,363,291	15:1
State	$4,236,762	$1,348,835	3:1
Grand Total	**$82,709,800**	**$6,712,126**	**12:1**

*Discounted at 2%

Additional Comments from IDA

Direct jobs are estimated based on new household spending.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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Motion By: _____
Seconded By: _____

RESOLUTION
(FSI 5500 LLC Project)
OSC Code 2602-26-043A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on October 20, 2026 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON OCTOBER 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY FSI 5500 LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (V) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, **FSI 5500 LLC**, a New York limited liability company, for itself or a related entity formed or to be formed (collectively, the "Company") has requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in an approximately 40.37-acre parcel of vacant land located at 5560 West Henrietta Road in the Town of Henrietta, New York 14586 and all other lands in the Town of Henrietta where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the construction thereon of an approximately 200-unit apartment complex contained in approximately five (5) buildings, a clubhouse, a maintenance building and an approximately 430-space parking area (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery,

equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, pursuant to Section 859-a of the Act, on Thursday, October 15, 2026, at 11:15 a.m., local time, in the Main Meeting Room at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York 14623, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined below) being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) negotiate a project agreement (the "Project Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement") and payment-in-lieu-of-tax agreement (the "PILOT Agreement") with the Company and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a partial mortgage recording tax exemption for financing relating to the Project and (c) a partial real property tax abatement structured through the PILOT Agreement; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities which may arise in connection with the transactions contemplated by the lease of the Facility; and

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

WHEREAS, the Henrietta Town Board (the "Town Board"), as lead agency, conducted an coordinated review of the Project pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), which resulted in the issuance of a negative declaration by the Town Board dated July 2, 2025 (the "Negative Declaration"), concluding the SEQRA process.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the application and other correspondence submitted by the Company to the Agency, the Agency hereby finds and determines that:

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

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of undertaking the Project; and

(d) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in Monroe County and otherwise furthering the purposes of the Agency as set forth in the Act; and

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

(f) The Town Board has conducted a coordinated review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). In addition to classifying the Project as an "Type 1 Action" pursuant to SEQRA, the Town Board also issued a Negative Declaration on July 2, 2025, determining that the Project did not present a significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Town Board pursuant to 6 N.Y.C.R.R. § 617.7.

Section 2. The Agency hereby determines that the acquisition of a leasehold interest in and the construction, equipping, repair and maintenance of the Facility by the Agency and the lease or sublease of the Facility to the Company will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County of Monroe and the people of the State of New York and improve their standard of living, thereby serving the public purposes of the Act and, therefore, the same is approved.

Section 3. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 4. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, construct and equip the Facility, and such

appointment includes the following activities as they relate to the construction, erection, completion, use, repair and maintenance of the Improvements and the purchase, use, lease, placement, installation, repair, maintenance and replacement of the Equipment, whether or not any materials or supplies described below are incorporated into or become an integral part of the Improvements or the Equipment: (i) all purchases, leases, rentals and other uses of tools, machinery and equipment in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, and (iii) all purchases, leases, rentals and uses of equipment, machinery, and other tangible personal property (including installation costs with respect thereto), installed or placed in, upon or under the Improvements, Land or the Equipment, including all repairs, maintenance and replacement of all such property. Said agents are authorized to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agents for the Agency, and in general to do all things which may be requisite or proper for completing the Facility, all with the same powers and with the same validity as the Agency could do if acting on its own behalf. As agent of the Agency, the Company is authorized to delegate such agency, in whole or in part, to agents, subagents, contractors, subcontractors, contractors and subcontractors of such agents and subagents and to such other parties as the Company chooses; provided, however, the Project Agreement shall expire on **December 31, 2028** (unless extended for good cause by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement and Leaseback Agreement contemplated have not been executed and delivered. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are authorized and directed to execute and deliver to said agent an appropriate letter on Agency letterhead describing the authority granted under this resolution.

Section 5. Based upon the representation and warranties made by the Company in its application for financial assistance, the Agency hereby authorizes and approves (i) the Company as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to **$27,189,031** which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **$2,175,123**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and (ii) a mortgage (or mortgages), in connection with the financing of the Facility or portions thereof and including any refinancing thereof, securing an aggregate principal amount not to exceed **$52,254,560**, resulting in a mortgage tax exemption not to exceed **$391,910**.

Section 6. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption

benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 7. The form and substance of the Lease Agreement, the Leaseback Agreement and the PILOT Agreement (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 8. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to negotiate and execute (A) the Lease Agreement whereby the Company leases the Project to the Agency, (B) the related Leaseback Agreement conveying the Project back to the Company, and (C) the PILOT Agreement; provided, that, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement and PILOT Agreement are collectively referred to as, the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency (if any) to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency shall approve, the execution thereof by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 10. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing

resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 11. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of $350.00 is required. Please see page 12 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name: FSI 5500 LLC
Address: 2213 Brighton Henrietta TL Rd
City/State/Zip: Rochester, NY 14623
Tax Id No.: [redacted]
Contact Name: Frank Imburgia
Title: President
Telephone: [redacted]
E-Mail: [redacted]

B. Applicant's Legal Counsel

Name: Betsy Brugg
Firm: Woods Oviatt Gilman
Address: 1900 Bausch & Lomb Place
City/State/Zip: Rochester, New York 14604
Telephone: (585) 987-2800
Email: [redacted]

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title

D. Is the business applying for assistance certified as an MWBE or service-disabled veterans' agency? ☐Yes ■No

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Phone: 585-753-2000 | Fax: 585-753-2028 | www.monroecountybusiness.org

II. PROJECT

A. Address of proposed project facility

Address: 5560 West Henrietta Rd

Tax Map Parcel Number: 189.01-1-19.21

City/Town/Village: West Henrietta

School District: Rush Henrietta

Zip: 14586

Current Legal Owner of Property:

FSI 5500 LLC

B. Benefits Requested (Check all that apply)

- ■ Sales Tax Exemption
- ■ Mortgage Recording Tax Exemption
- ■ Real Property Tax Abatement
- ☐ Industrial Revenue Bond Financing

C. Description of project (check all that apply)

- ■ New Construction
- ☐ Existing Facility
  - ☐ Acquisition
  - ☐ Expansion
- ☐ Renovation/Modernization
- ☐ Acquisition of machinery/equipment
- ☐ Other (specify) _____

D. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? ☐Yes ☐No

Company Name: _____

Address: _____

City/State/Zip: _____

Tax ID No: _____

Contact Name: _____

Title: _____

Telephone: _____

Email: _____

% of facility to be occupied by user/tenant _____

E. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title

F. Project Timeline

Proposed Date of Acquisition: _____

Proposed Commencement Date of Construction: 11/15/2026

Anticipated Completion Date: 04/01/2028

G. Contractor(s)

Team FSI

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II.PROJECT (cont'd)

H. DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

NAICS Code: 236116

Delphi Apartments will be a brand new 300 unit apartment complex built on 40.37 acres of vacant land. The project is adjacent to the former Delphi Technical Center. The complex will be built in two phases. Phase one of the project consists of 200 units containing five 40-unit residential buildings, a clubhouse, 430 parking spaces, and a maintenance building. This application is specific to phase one of the project. The future Phase Two of the project will consist of 10 structures containing 100 town home units and 280 parking spaces.

Located adjacent to the West Henrietta Historic District, the community will increase the housing supply and bring additional activity to the village. FSI 5500 LLC has worked diligently with The Town of Henrietta Planning Board to ensure the project was appropriately designed to bolster community activity within the Historic District. The existing grade of the vacant project location creates both fiscal and engineering challenges to develop the site, however, with the support of COMIDA, a high quality and unique residential community will be constructed.

The project will consist of middle market units. A minimum of 20% of all units will have rents below 90% AMI. The Phase One unit mix will be 75 1-bedroom units and 125 2-bedroom units. 1-Bedroom Apartments will range from $1,750/Month - $2,350/Month. 2-Bedroom Apartments will range from $2,100/Month - $2,900/Month. The units offer Class A finishes, secure access control, and are all generously sized with bed/bath parity ranging from 817 SF to 1410 SF.

Phase one of the project will create 4 full-time positions and 2 part-time positions. The full-time positions consist of a General Manager, a Leasing Manager, a Maintenance Manager, and a Grounds Keeper. The 2 part-time positions are porters. The future Phase Two of the project will create an additional 2 full-time employment opportunities. The full-time positions will consist of a Leasing Assistant and a Maintenance Technician.

The project will be constructed and operated by Team FSI. Team FSI is a locally owned real estate construction and development company with over 100 employees. All consultants, contractors, and management professionals are locally owned and operated.

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II.PROJECT (cont'd)

I. Would the project be undertaken without financial assistance from the Agency? ☐Yes ■ No

Please explain why financial assistance is necessary.

The construction and operation of Delphi Apartments is not feasible without financial assistance. The anticipated rents can not cover expenses and debt service due to the combination of elevated construction/operation costs and interest rates. Additionally, due to the existing grade of the vacant land, earthwork costs create a financial obstacle to successfully complete this project. Construction will begin as soon as financial assistance is committed too.

J. Are other facilities or related companies located within New York State?

☐Yes ■ No

Location:

_____

_____

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? ☐Yes ■ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?
☐Yes ■ No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

_____

_____

_____

_____

K. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

■ YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

☐ NO

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III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

☐ JOBSPLUS

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ ENHANCED JOBSPLUS

Requirements:

- A minimum $15 million investment **AND**
- A minimum of 100 new jobs

☐ GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green
- Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ SHELTER RENT

For student housing or affordable housing projects.

■ Housing

☐ Local Tax Jurisdiction Sponsored PILOT

☐ NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

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IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

a.	Materials	a. $ 23,760,000
b.	Labor	b. $ 26,140,000

Site Work

c.	Materials	c. $ 3,039,031
d.	Labor	d. $ 4,558,547
e.	Non-Manufacturing Equipment	e. $
f.	Manufacturing Equipment	f. $
g.	Equipment Furniture and Fixtures	g. $ 390,000
h.	Land and/or Building Purchase	h. $
i.	Soft Costs (Legal, Architect, Engineering)	i. $ 3,785,168
	Other (specify) j.	j. $
	k.	k. $
	l.	l. $
	m.	m. $

Total Project Costs (must equal Total Sources) $ 61,672,746

B. Sources of Funds for Project Costs:

a.	Tax-Exempt Industrial Revenue Bond	a. $
b.	Taxable Industrial Revenue Bond	b. $
c.	Bank Financing	c. $ 52,254,560
d.	TOTAL Public Sources	d. $

Identify below each state and federal grant/credit totaling the amount for d.)

_____ $_____

_____ $_____

_____ $_____

_____ $_____

e. Equity e. $ 9,418,186

TOTAL SOURCES (must equal Total Project Costs) $ 61,672,746

C. Has the applicant made any arrangements for the financing of this project

☐ Yes ■ No

If yes, please specify bank, underwriter, etc.

_____

_____

_____

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

a.	Materials	a. $
b.	Labor	b. $
c.	Non-Manufacturing Equipment	c. $
d.	Manufacturing Equipment	d. $
e.	Furniture and Fixtures	e. $
	Other (specify): f.	f. $
	g.	g. $
	h.	h. $
	i.	i. $

Total Project Costs **$** _____

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Value of Incentives
FSI 5500 LLC

A. IDA PILOT Benefits:	
Current Assessment	$1,203,900
Value of New Construction & Renovation Costs	$28,002,931
Estimated New Assessed Value Subject to IDA	$29,206,831
Current Taxes	$22,441
Current Taxes Escalator	2%
PILOT Terms - Years	13
County Tax rate/$1,000	5.36000
Local Tax Rate* Tax Rate/$1,000	0.75000
School Tax Rate /$1,000	12.53000
Total Tax Rate	18.64000
B. Sales Tax Exemption Benefit:	
Estimated value of Sales Tax exemption:	$2,175,123
Estimated duration of ST exemption:	12/31/2028
C. Mortgage Recording Tax Exemption (MRTE) Benefit:	
Estimated Value of MRTE:	$391,910
D. Industrial Revenue Bond Benefit	
IRB inducement amount:	$0
E. Percentage of Project Costs financed from Public Sector sources:	
Total Value of Incentives:	$7,186,242
Project Construction Costs:	$61,672,746
	11.65%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	$875,184	$122,460	$2,045,907	$3,043,551	$7,662,761	$4,619,209
1	90%	$15,010	$2,100	$35,088	$52,197	$521,975	$469,777
2	90%	$15,310	$2,142	$35,789	$53,241	$532,414	$479,173
3	90%	$15,616	$2,185	$36,505	$54,306	$543,062	$488,756
4	90%	$15,928	$2,229	$37,235	$55,392	$553,924	$498,531
5	90%	$16,247	$2,273	$37,980	$56,500	$565,002	$508,502
6	80%	$33,144	$4,638	$77,479	$115,260	$576,302	$461,042
7	70%	$50,710	$7,096	$118,543	$176,348	$587,828	$411,480
8	60%	$68,965	$9,650	$161,219	$239,834	$599,585	$359,751
9	50%	$87,931	$12,304	$205,554	$305,788	$611,576	$305,788
10	40%	$107,627	$15,060	$251,598	$374,285	$623,808	$249,523
11	30%	$128,076	$17,921	$299,402	$445,399	$636,284	$190,885
12	20%	$149,300	$20,891	$349,017	$519,208	$649,010	$129,802
13	10%	$171,322	$23,972	$400,497	$595,791	$661,990	$66,199

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: FSI 5500 LLC

Applicant: ☒ **or** **User/Tenant:** ☐

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be **RETAINED**	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)			4	4
Part Time (PTE)			2	2
Total	0	0	5	5

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name FSI 5500 LLC

Applicant: ☒ **and/or User/Tenant:** ☐

The County of Monroe Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Monroe County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Monroe County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs are vital to the overall employment opportunities and economic growth in Monroe County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices ("construction workers"), during the construction phase of projects.

X **100% Local Labor**
Applicants receiving IDA benefits ***must*** ensure that the it and/or its contractor/developer hire ***100% of its construction workers from the local labor market***.

X **Local Labor Market**
For the purpose of this policy, the local labor market is defined as construction workers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Steuben, Wayne, Wyoming and Yates.

X **Bid Processing**
Local participation in qualified projects receiving IDA economic incentives and benefits is vital to the economic growth of Monroe County. As such, all applicants/contractors/developers of a qualified project with a minimum $5,000,000 investment must place any and all invitations to bid in the Builders Exchange of Rochester Plan Room (https://robex.com/planroom/) two weeks before the bids are due.

X **Monitoring**
A third-party auditing firm ("Project Monitor") will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

Once approved for IDA benefits, all applicants will be required to provide to the Project Monitor and the Exemption Processor (as hereinafter defined) the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project; and

2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions.

All Monroe County IDA projects are subject to local monitoring by the IDA and the Project Monitor. Proof of residency or copy of drivers' license shall be checked by the Project Monitor during the Project Monitor's periodic inspection of the project.

The Project Monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the Monroe County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

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X

Signage

The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

X

Exemption Process

In some instances, use of 100% local labor may not be possible for any of the following reasons:

- Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided). The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation.

- Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work (proof of communication with local contractors, or details of the specialized construction must be provided);

- Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted (copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).

- No local labor available for the project (if local bids were solicited with no response, please provide a copy of the bid, explain how it was advertised, and list who the bids were requested from).

The request to secure an exemption ***for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing***. The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

The applicant has read the Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

FSI 5500 LLC

(APPLICANT COMPANY)

Signature Manager , Title 9/28/26 Date

(TENANT COMPANY)

Signature , Title Date

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IX. FEES

Transaction Type	Fees
Real Property Tax Abatement (PILOT Agreement) including Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption.	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.75% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000.
Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.50% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000 if transaction includes mortgage recording tax exemption. Minimum fee of $750 if transaction is sales tax exemption only.
Small Business Sales Tax Exemption (Non-retail projects with total project costs under $500,000)	**Application Fee:** Non-refundable $350.00 **IDA Fee:** Flat fee of $750 ($500 for certified M/WBE or certified service disabled Veterans) **Legal Fee:** Flat fee of $750
Bond: Taxable or Tax-Exempt Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.25% of the total project cost **Legal Fee:** 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.
Bond: Taxable or Tax-Exempt	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.00% of the total project cost **Legal Fee**: 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

*If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

FSI 5500 LLC

(APPLICANT COMPANY)

Signature Manager, Title 9/28/26 Date

(TENANT COMPANY)

Signature , Title Date

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X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.

B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.

C. Absence of Conflicts of Interest – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described: None

D. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

E. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

F. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

G. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

H. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.

I. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

FSI 5500 LLC

Signature Manager, Title 9/28/26 Date

TENANT COMPANY

Signature , Title Date

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AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON JULY 2, 2025 AT 6:00 P.M.

RESOLUTION #12-246/2025

To make a SEQR Determination, issue a Negative Declaration, and adopt Local Law No. 9 of 2025 to amend the official Zoning map of the Town of Henrietta to rezone approximately 40.369 acres of land located at West Henrietta and Erie Station Roads, being a single parcel with Tax ID No. 189.01-1-19.2, from Industrial (with Specifics) to Residential R-2-15.

On Motion of
Councilmember Barley

Seconded by
Supervisor Schultz

WHEREAS, the Town has received an application from FSI 5500 LLC requesting to rezone a portion of land located on Erie Station Road near 5500 West Henrietta Road, having Tax Account Number 189.01-1-19.2, totaling approximately 40.369-acres, from Industrial (with Specifics) to Residential, R-2-15; and

WHEREAS, on May 21, 2025 by Resolution #9-209/2025 the Town Board declared their intent to be Lead Agency for the purposes of the New York State Environmental Quality Review Act (SEQR), duly issued the required notices and information to involved agencies, and called for a public hearing on the proposed Local Law for the requested rezone; and

WHEREAS, a public hearing was duly advertised for and held on Wednesday, June 11, 2025 and then continued on Wednesday, July 2, 2025, for the purposes of gathering feedback with regards to said proposed Local Law and where all wishing to speak on the matter were heard; and

WHEREAS, the Town Board has carefully considered and taken a hard look at all potential environmental impacts of the Project, carefully considering all documentary, testimonial, and other evidence presented to the Town Board prior to, at, and subsequent to the public hearings, together with any input from Town staff, and any applicable advisory boards and agencies; and

WHEREAS, the proposed rezoning is consistent with the Town's 2003 Comprehensive Land Use Plan and subsequent updates; and

WHEREAS, the Town Board has completed Parts 2 and 3 of the EAF, which are attached hereto, and has carefully considered the information contained therein; and

WHEREAS, after examination of the perceived need, potential positive and negative impacts of the law, and through careful consideration, the Town Board finds it is in the best interest of the Town to adopt said Local Law and the Town Code and Zoning Map should be amended as set forth in the attached local law.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board is the Lead Agency for the proposed Project, adopts and approves the attached Parts 2 and 3 of the EAF, and determines that the Project will not have a potentially significant adverse impact and hereby issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Henrietta Town Board hereby adopts said Local Law No. 9 of 2025 to amend the official Zoning Map of the Town of Henrietta to rezone approximately 40.369-acres of land located on Erie Station Road near 5500 West Henrietta Road (Tax Map Parcel No. 189.01-1-19.2) from Industrial (with Specifics) to Residential, R-2-15.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Henrietta is hereby directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

Duly put to a vote:

Councilmember Page	Aye
Councilmember Bellanca	Aye
Councilmember Barley	Aye
Councilmember Stafford	Aye
Supervisor Schultz	Aye

RESOLUTION ADOPTED

LOCAL LAW No. 9 of 2025

A LOCAL LAW TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF HENRIETTA TO REZONE APPROXIMATELY 40.369 ACRES OF LAND LOCATED AT WEST HENRIETTA AND ERIE STATION ROADS, BEING A SINGLE PARCEL WITH TAX ID NO. 189.01-1-19.2, FROM INDUSTRIAL (WITH SPECIFICS) TO RESIDENTIAL, R-2-15.

BE IT ENACTED by the Town Board of the Town of Henrietta, Monroe County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Municipal Home Rule Law § 10.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 9 of 2025 to amend the Official Zoning Map of the Town of Henrietta to rezone approximately 40.369 acres of land located on West Henrietta and Erie Station Roads and consisting of a single parcel with Tax ID No. 189.01-1-19.2 from Industrial (with specifics) to Residential, R-2-15.

Section III. Legislative Finding

The Town Board of the Town of Henrietta finds and hereby determines that the subject parcel is in an area characterized by compatible and complementing residential uses. Furthermore, the Town Board finds that industrial development of the property would not be in harmony with the nearby historical properties.

Section IV. Amendment

The Town of Henrietta Official Zoning Map on file in the Office of the Town Clerk, and the Town of Henrietta Zoning Code (located at Chapter 295 of the Henrietta Town Code), inasmuch as the Zoning Map is incorporated into the Town of Henrietta Zoning Code, be and hereby is amended by this Local Law as follows:

> The following property, that being approximately 40.369 acres of land located generally northwest of the intersection of West Henrietta and Erie Station Roads, consisting of a single parcel with Tax ID No. 189.01-1-19.2, shall be rezoned from Industrial (with specifics) to Residential, R-2-15.
>
> The affected property is more particularly described as follows:

Description of Rezoning

ALL THAT TRACT OR PARCEL OF LAND, on Lands with an approximate area of ± 1,758,456 sq. ft (±40.369 acres), conveyed to FSI 5500 LLC situated in the Town of Henrietta, County of Monroe and State of New York, as set forth on a map filed at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, bounded and described as follows:

AT THE POINT OF BEGINNING, on the southeast corner of Lands conveyed to FSI 5500 LLC by maps recorded at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, on the northerly line of Erie Station Road (County Road 74), and currently zoned as Industrial With Specifics and R-1-15 within the Town of Henrietta, thence;

S 82°35'50" W along the northerly right of Erie Station Road, a distance of 292.11 feet to a point, thence;

S 88°07'00" W along the northerly right of Erie Station Road, a distance of 812.00 feet to a point, thence;

S 88°07'00" W along the northerly right of Erie Station Road, a distance of 140.40 feet to a point, thence;

N 01°53'00" W a distance of 107.24 feet to a point, thence;

N 12°11'07" E a distance of 120.21 feet to a point, thence;

N 79°21'10" W a distance of 396.83 feet to a point, thence;

N 19°06'37" E a distance of 113.19 feet to a point, thence;

S 69°00'13" E a distance of 27.00 feet to a point, thence;

N 20°59'47" E a distance of 330.00 feet to a point, thence;

N 69°00'13" W a distance of 192.00 feet to a point, thence;

N 20°59'47" E along the easterly right of West Henrietta Road, a distance of 563.93 feet to a point, thence;

N 88°49'47" E a distance of 250.00 feet to a point, thence;

N 20°59'47" E a distance of 200.00 feet to a point, thence;

N 88°49'47" E a distance of 44.37 feet to a point, thence;

N 87°02'32" E a distance of 310.20 feet to a point, thence;

N 21°37'47" E a distance of 109.03 feet to a point, thence;

S 29°58'03" E a distance of 1480.83 feet to a point, thence;

S 23°30'00" W a distance of 128.61 feet to a point, thence;

S 00°50'39" E a distance of 139.02 feet to a point, said point being the POINT OF BEGINNING.

Within the Lands described above is a ± 40,164 sq. ft (± 0.922 acres) section currently zoned as R-1-15, which is bounded and described as follows:

At the southwesterly corner of Lands conveyed to FSI 5500 LLC by maps recorded at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, on the northerly line of Erie Station Road (County Road 74), and currently zoned as R-1-15 within the Town of Henrietta, thence;

N 01°53'00" W a distance of 107.24 feet to a point, thence;

N 12°11'07" E a distance of 120.21 feet to a point, thence;

N 88°07'00" E a distance of 204.60 feet to a point, thence;

S 20°52'00" W a distance of 242.44 feet to a point, thence;

S 88°07'00" W along the northerly right of Erie Station Road, a distance of 140.40 feet to a point, said point being the southwesterly corner of Lands.

Within the Lands described above is a ± 1,718,292 sq. ft (± 39.447 acres) section currently zoned as Industrial With Specifics, which is bounded and described as follows:

At the southeasterly corner of Lands conveyed to FSI 5500 LLC by maps recorded at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, on the northerly line of Erie Station Road (County Road 74), and currently zoned as Industrial With Specifics within the Town of Henrietta, thence;

S 82°35'50" W along the northerly right of Erie Station Road, a distance of 292.11 feet to a point, thence;

S 88°07'00" W along the northerly right of Erie Station Road, a distance of 812.00 feet to a point, thence;

N 20°52'00" E a distance of 242.44 feet to a point, thence;

S 88°07'00" W a distance of 204.60 feet to a point, thence;

N 79°21'10" W a distance of 396.83 feet to a point, thence;

N 19°06'37" E a distance of 113.19 feet to a point, thence;

S 69°00'13" E a distance of 27.00 feet to a point, thence;

N 20°59'47" E a distance of 330.00 feet to a point, thence;

N 69°00'13" W a distance of 192.00 feet to a point, thence;

N 20°59'47" E along the easterly right of West Henrietta Road, a distance of 563.93 feet to a point, thence;

N 88°49'47" E a distance of 250.00 feet to a point, thence;

N 20°59’47” E a distance of 200.00 feet to a point, thence;

N 88°49’47” E a distance of 44.37 feet to a point, thence;

N 87°02’32” E a distance of 310.20 feet to a point, thence;

N 21°37’47” E a distance of 109.03 feet to a point, thence;

S 29°58’03” E a distance of 1480.83 feet to a point, thence;

S 23°30’00” W a distance of 128.61 feet to a point, thence;

S 00°50’39” E a distance of 139.02 feet to a point, said point being the southeasterly corner of Lands.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part, or provision of this local law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment, and Supersession of Other Laws

All other ordinances or local laws of the Town of Henrietta which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State.

SURVEY NOTES:

1. THIS PROJECT IS MORE THAN 1200 FEET FROM THE NEAREST MONROE COUNTY GEODETIC SURVEY CONTROL MONUMENT AND THEREFORE IS NOT REQUIRED TO BE TIED INTO THAT NETWORK.
2. THE HORIZONTAL DATUM IS REFERENCED TO THE NY STATE PLANE COORDINATE SYSTEM, WEST ZONE, TRANSVERSE MERCATOR PROJECTION, NAD 83 (2011) THROUGH OPS REAL TIME KINETIC OBSERVATIONS OF PROJECT CONTROL POINTS USING NYSNET CONTINUOUSLY OPERATING REFERENCE STATIONS. COMBINED SCALE/ELEVATION FACTOR 1.00001094.
3. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO GRID.
4. SURVEY FIELD WORK ON THIS PROJECT WAS DONE TO AN ACCURACY GREATER THAN ONE PART IN 10,000 (1:10,000)
5. THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X (AREAS OUTSIDE THE 1-PERCENT ANNUAL CHANCE FLOODPLAIN), AS PLOTTED ON FEMA FIRM 36055C 0341G AND 36055C 0342G WITH EFFECTIVE DATES OF AUGUST 28, 2008.
6. SUBJECT PARCEL IS PART OF TOWN OF HENRIETTA SANITARY SEWER DISTRICTS NO. 37 AND 116 AS SHOWN.
7. SUBJECT PARCEL IS PART OF TOWN OF HENRIETTA CONSOLIDATED DRAINAGE DISTRICT.
8. SUBJECT PARCEL IS PART OF TOWN OF HENRIETTA ORIGINAL WATER DISTRICT AND EXTENSION NO. 88 AS SHOWN.
9. SUBJECT PARCEL CONTAINS FEDERAL WETLANDS PER U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY WEBSITE (SEE SHEETS 2 AND 3)

ZONING NOTES:

1. NO. 5500 WEST HENRIETTA ROAD IS ZONED INDUSTRIAL (WITH SPECIFICS) TAX ACCOUNT 189.010-0001-019, 295-67-F-14 PER TOWN BOARD RESOLUTION 11-163/85 DATED 05/15/85. THESE ARE THE SPECIFICS:

   (a) PERMITTED USES.

   [1] SCIENTIFIC AND ENGINEERING RESEARCH AND DEVELOPMENT.

   [2] BUILDING AND STRUCTURES TO HOUSE LABORATORIES, SCIENTIFIC RESEARCH CENTERS, EXPERIMENTAL AND DEVELOPMENT CENTERS, OFFICES AND ADMINISTRATIVE CENTERS IN CONNECTION WITH THE USE PROVIDED IN SUBSECTION F(14)(a)[1] ABOVE.

   [3] ANY INDUSTRIAL USE NOT SPECIFICALLY ENUMERATED IN THIS SUBSECTION F(14)(a) AND NOT SPECIFICALLY PROHIBITED MAY BE PERMITTED UPON OBTAINING A SPECIAL PERMIT FROM THE TOWN BOARD AFTER NOTICE AND PUBLIC HEARING IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN ARTICLE XII OF THIS CHAPTER.

   (b) PROHIBITED USES.

   [1] ALL SINGLE-FAMILY, TWO-FAMILY OR MULTIPLE-FAMILY DWELLINGS AND NURSING HOMES.

   [2] ALL USES PROHIBITED IN COMMERCIAL DISTRICTS BY §§ 295-14 AND 295-15B, EXCEPT THAT AUTOMOBILE DISMANTLING MAY BE CONDUCTED IN CONNECTION WITH THE PERMITTED USES SET FORTH IN SUBSECTION F(14)(a).

   [3] ALL USES OF LAND, BUILDINGS AND STRUCTURES THAT MAY BE NOXIOUS OFFENSIVE OR INJURIOUS BY REASON OF PRODUCTION OR EMISSION OF DUST, SMOKE, REFUSE MATTER, ODOR, NOISE, VIBRATION OR SIMILAR SUBSTANCES OR CONDITIONS.

2. PARCEL DESIGNATED TAX ACCOUNT 189.010-0001-020 IS ZONED R-1-15.

LEGEND

PROPERTY BOUNDARY

R-1-15 ZONING LIMITS

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

LOT R-1
AREA TO R.O.W. =
1,758,456± SQ.FT
40.369± ACRES
CURRENT: INDUSTRIAL WITH SPECIFICS (±39.447 ACRES) AND R-1-15 (±0.922 ACRES)
RE-ZONE: R-2-15

LOT R-2
AREA TO R.O.W. =
2,885,696± SQ.FT
66.246± ACRES

TAX ACCOUNT NO. 189.010-001-033
N/F ARTHUR & PEGGY FRANCE
5410 WEST HENRIETTA RD.
ZONED COMMERCIAL B-1

TAX ACCOUNT NO. 189.010-001-032
N/F DONALD GLADSTONE & JOHN GLADSTONE
5420 WEST HENRIETTA RD.
ZONED R-1-15

TOWN OF HENRIETTA SANITARY SEWER DISTRICT EXTENSION NO. 116

PROPOSED 60' ACCESS EASEMENT FROM LOT R-1 TO LOT R-2

MATCH TO SHEET 2 OF 3

LOT 2 OF THE DELPHI SUBDIVISION LIBER 352 OF MAPS, PAGE 6,7,8
AREA TO RIGHT OF WAY: 3,337,351 SQ. FT. OR 76.615 ACRES
TAX ACCOUNT NO. 189.010-001-019.1
N/F GRHS FOUNDATION, INC.

ZONED INDUSTRIAL (WITH SPECIFICS)

TOWN OF HENRIETTA WATER DISTRICT (ORIGINAL)

TOWN OF HENRIETTA WATER DISTRICT EXTENSION NO. 88

TAX ACCT. NO. 189.010-001-030
N/F PETER TERENZI & MARTY TERENZI
5612 W. HENRIETTA RD.
ZONED COMMERCIAL B-1

TAX ACCOUNT NO. 189.010-001-029
N/F MICHAEL & JULIE HEDDING
5628 WEST HENRIETTA RD.

TAX ACCOUNT NO. 189.01-1-027
N/F WEST HENRIETTA BAPTIST CHURCH
5660 WEST HENRIETTA RD.

TAX ACCOUNT NO. 189.01-1-026.1
N/F WEST HENRIETTA FIRE DEPARTMENT INC.
774 ERIE STATION RD.

TAX ACCOUNT NO. 189.01-1-024
N/F MARK & SUSAN LAND
788 ERIE STATION ROAD

TAX ACCOUNT NO. 189.01-1-023
N/F NICHOLAS R. BAZNET
792 ERIE STATION ROAD

TAX ACCOUNT NO. 189.01-1-022
N/F DAVID G. BIANCHI
798 ERIE STATION RD.

TAX ACCOUNT NO. 189.01-1-021
N/F WILLIAM ZORNOW & JOHN ZORNOW
808 ERIE STATION RD.

FORMER TAX ACCOUNT NO. 189.010-001-020

CURRENT: R-1-15
±0.922 ACRES

ONE STORY MASONRY BUILDING 1747

ROOF CANOPY OVER TANK FARM

ERIE STATION ROAD COUNTY ROAD 74
(49.5' WIDE ROW)

NEW YORK STATE ROUTE 15
(66' WIDE ROW)
WEST HENRIETTA ROAD

20' WIDE EASEMENT TO HENRIETTA WATER DISTRICT NO. 1 IN LIBER 7630 DEEDS PAGE 245

EASEMENT TO TOWN OF HENRIETTA FOR WATER MAIN IN LIBER 4826 DEEDS PAGE 260

EASEMENT TO TOWN OF HENRIETTA, EXTENSION NO. 71 TO WATER DISTRICT NO. 1 IN LIBER 6043 DEEDS PAGE 52

20' WIDE EASEMENT TO TOWN OF HENRIETTA SEWER DISTRICT NO. 1 IN LIBER 3420 DEEDS PAGE 425

EASEMENT TO TOWN OF HENRIETTA, EXTENSION NO. 71 TO WATER DISTRICT NO. 1 IN L. 6043 DEEDS P.52 & L.6043 OF DEEDS, P.47

EASEMENT TO ROCHESTER GAS & ELECTRIC CORP. FOR POLES AND WIRES ALONG NORTHERLY SIDE OF ERIE STATION ROAD IN LIBER 1099 DEEDS PAGE 325

PERMANENT EASEMENT TO MONROE COUNTY DEPARTMENT OF TRANSPORTATION IN LIBER 11404 DEEDS PAGE 255.

EASEMENT TO HENRIETTA WATER DISTRICT NO. 1 PER REF. 5

PERMANENT EASEMENT TO MONROE COUNTY DEPARTMENT OF TRANSPORTATION IN LIBER 11404 DEEDS PAGE 255.

MONROE COUNTY SURVEY BASELINE PER LIBER 11404 DEEDS PAGE 255

MATCH TO SHEET 2 OF 3

PROPOSED 60' ACCESS EASEMENT FROM LOT R-2 TO LOT R-1

20' WIDE EASEMENT TO HENRIETTA WATER DISTRICT NO. 1 IN LIBER 7630 DEEDS PAGE 245

PERMANENT EASEMENT TO MONROE COUNTY DEPARTMENT OF TRANSPORTATION IN LIBER 11404 DEEDS PAGE 255.

N 1,110,679.48
E 1,395,474.16

N 1,109,892.37
E 1,395,129.74

N 1,109,514.89
E 1,396,608.18

POINT OF BEGINNING

REFERENCE:

1. MAP PREPARED BY LOZIER ARCHITECTS/ENGINEERS ENTITLED "INSTRUMENT AND OCCUPATION SURVEY MAP OF LANDS NOW OR FORMERLY BRUCE MULNO & EILEEN K. MULNO" DATED MARCH 20, 1985, UNRECORDED MAP NO. 1985-28.
2. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6778 DEEDS PAGE 140.
3. COMMITMENT FOR TITLE INSURANCE ISSUED BY FRONTIER ABSTRACT AND RESEARCH SERVICES, INC. AS AGENT FOR STEWART TITLE INSURANCE COMPANY, FILE NO. 60600528, COMMITMENT DATE AUGUST 04, 2015.
4. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6965 DEEDS PAGE 305.
5. SUBDIVISION MAP PREPARED BY PASSERO ASSOCIATES ENTITLED "DELPHI SUBDIVISION" FILED IN THE MONROE COUNTY CLERKS OFFICE AT LIBER 352 OF MAPS, PAGE 6, 7 & 8

LEGEND	
CB	Catchbasin
c/o	Cleanout
GV	Gas Valve
HYD	Hydrant
LP	Lightpole
MH	Manhole (Unknown Type)
MH	Manhole Electric
MH	Manhole Inlet Storm Drainage
MH	Manhole Storm Drainage
MH	Manhole Sanitary Sewer
	Sign Post (Single)
PP	Utility Pole
	Utility Pole Anchor Wire
	Utility Pole with Light
CC	Water Service
WV	Water Valve
	Telephone Pedestal
	Utility Pedestal (No Markings)
	Electric Transformer
SAN MH	MH from Record (Not Recovered)
	Gas Line Marker
PM	Point Mark at Utility Location

LINE LEGEND	
G G G	Gas Main from Record
OE OE	Overhead Electric
T T T	Telephone from Record
W W W	Water Line from Record
	Boundary Line
	Easement Line

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL INKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.

CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON(S) FOR WHOM THE SURVEY WAS PREPARED, AND ON THEIR BEHALF TO THE AGENCIES LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

Revisions

No.	Date	By	Description
1.	1.26.16	DS	Revise/Add per Town Comments
2.	12.11.20	AS	Revise/Add per Town Comments

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 145 SECTION 7209 AND ARTICLE 147 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©

INTERSTATE RTE 90 · NEW YORK STATE THRUWAY · RTE. 253 · RTE 15 · FINN RD · WEST HENRIETTA RD · GENESEE EXPRESSWAY RTE 390 · PROJECT LOCATION · ERIE STATION ROAD

TOWN OF HENRIETTA

PASSERO ASSOCIATES
Engineering • Architecture
www.passero.com

Passero Associates
242 West Main Street, Suite 100 (585) 325-1000
Rochester, NY 14614 Fax: (585) 325-1691
Principal-in-Charge D.SAVAGE
Project Manager R.VENTO,PLS
Drafted by A.SNYDER

FSI CONSTRUCTION
90 GOODWAY DRIVE
ROCHESTER, NY, 14623
(585) 292-1580

Re-Zone Map for Delphi Resubdivision

5500 West Henrietta Road & Erie Station Road
Tax Account No. 189.01-001-019.1 and Tax Acct. No.189.01-001-019.2
Northerly Side of Erie Station Road at Easterly Side of West Henrietta Road
Part of Town Lots 21 & 23, 4th Range of Lots, Twnshp. 12, Range 7, Phelps & Gorham Purchase
Town of Henrietta,
County Of Monroe, State of New York

Project No. 20202908.0001

Drawing No. Re-Sub-1

Sheet No. 1 of 3

Scale: 1" = 60'

Date DEC.2020

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: 5500 WHR Residential Development		
Project Location (describe, and attach a general location map): Erie Station Road, Henrietta, NY (Tax ID 189.01-1-19.21), near the northeast corner of West Henrietta Road)		
Brief Description of Proposed Action (include purpose or need): The project includes the construction of 368 units of multifamily housing. This includes (5) 40 units apartment buildings, (10) ten unit townhome style apartment buildings, a 68 unit apartment building, and a proposed clubhouse. Additionally, the site will have parking lots, sidewalks, amenity space, stormwater management areas, and landscaping.		
Name of Applicant/Sponsor: Joshua Saxton P.E., Passero Associates	Telephone: 585-325-1000 E-Mail: jsudol@passero.com	
Address: 242 W. Main Street S100		
City/PO: Rochester	State: NY	Zip Code: 14614
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): FSI 5500 LLC	Telephone: 585-292-1580 E-Mail: frank@teamfsi.com	
Address: 2213 Brighton-Henrietta Townline Road		
City/PO: Rochester	State: NY	Zip Code: 14623

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board - Special Permit and Rezone	May 2025
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - Site Plan Approval	July 2025
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☑Yes ☐No	MCP&D GML 239-m; MCWA; MCDOH; MCPW; MCDOT	July 2025
f. Regional agencies ☐Yes ☐No		
g. State agencies ☑Yes ☐No	NYSDEC (SWPPP); NYSDOT	July 2025
h. Federal agencies ☐Yes ☐No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

NYS Heritage Areas:West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
(I) Industrial with Specifics (per § 295-67 of the 2001 Town Code)

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? R-2-15 Residential

C.4. Existing community services.

a. In what school district is the project site located? Rush-Henrietta Central School District

b. What police or other public protection forces serve the project site?
Monroe County Sheriff's Office, New York State Police

c. Which fire protection and emergency medical services serve the project site?
Henrietta Fire District, CHS Mobile Integrated Healthcare

d. What parks serve the project site?
Thomas E. "Bill" Farrell Baseball Complex, Martin Road Park, Aardvark Park Rugby Pitch Rochester RFC, Lookup Dog Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 40.38 acres
b. Total acreage to be physically disturbed? 30.60 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 40.38 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 24 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☑ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				368
At completion of all phases				368

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No

If Yes,

i. Total number of structures 17

ii. Dimensions (in feet) of largest proposed structure: 45 height; ±108 width; and ±208 length

iii. Approximate extent of building space to be heated or cooled: 209,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No

If Yes,

i. Purpose of the impoundment: Stormwater management areas

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify: Stormwater runoff

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: 3 acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☑ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i .What is the purpose of the excavation or dredging? Site grading (cut-fill to balance)

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): Site will be designed to balance
- Over what duration of time? Grading to take place for 3 months from project commencement

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Materials to be excavated include existing on site soils. These materials will remain on site.

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☑ No
If yes, describe.

v. What is the total area to be dredged or excavated? ±19 acres

vi. What is the maximum area to be worked at any one time? ±19 (will obtain 5 acre waiver) acres

vii. What would be the maximum depth of excavation or dredging? ±30 (for grading the building pad) feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☑ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: +/- 50,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑ Yes ☐ No

If Yes:

- Name of district or service area: Monroe County Water Authority
- Does the existing public water supply have capacity to serve the proposal? ☑ Yes ☐ No
- Is the project site in the existing district? ☑ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☑ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: +/- 50,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary waste

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Frank E. VanLare Sewage Treatment Plant
- Name of district: Monroe County Pure Waters District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑ Yes ☐ No
- Is the project site in the existing district? ☑ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☑ No

- Do existing sewer lines serve the project site? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☑ No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 20+/- acres (impervious surface)

_____ Square feet or 40 +/- acres (parcel size)

ii. Describe types of new point sources. Stormwater management area

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On site stormwater management areas

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☑ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☑ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☑ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☑Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☑ Morning ☑ Evening ☐Weekend

☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing 0 Proposed 610 +/- Net increase/decrease 610 +/-

iv. Does the proposed action include any shared use parking? ☐Yes ☑No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☑Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☑No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☑No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00 am - 5:00 pm
- Saturday: 7:00 am - 5:00 pm
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: All day
- Saturday: All day
- Sunday: All day
- Holidays: All day

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Earthmoving equipment, dump trucks, delivery trucks, safety beepers

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Parking lot lighting with glare shields and dark sky compliant; wall mounted lighting on exterior of building

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☑ Commercial ☑ Residential (suburban) ☑ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Municipal (Fire House), Post Office, Churches

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	-1	+/- 11	+10
• Forested	1	1	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	- 38	+/- 25	-13
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	+/- 3	+3
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑ Yes ☐ No

If Yes,

i. Identify Facilities:

St. Mark's Lutheran Preschool, Pride & Joy Child Care of Henrietta, Burger Junior High School, Vollmer Elementary School, Horizon Retirement Home,

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:_____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >30 feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Hilton Loam	50 %
Ontario Loam	50 %
	%

See attached Web Soil Survey Map)

d. What is the average depth to the water table on the project site? Average: >6 feet

e. Drainage status of project site soils:
☐ Well Drained: ____% of site
☑ Moderately Well Drained: 100 % of site
☐ Poorly Drained ____% of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 80 % of site
☑ 10-15%: 15 % of site
☑ 15% or greater: 5 % of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes ☑No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 821-10 (Attribute: R4SBCx) Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑Yes ☐No (See attached NYSDEC Wetlands Map and National Wetlands Inventory Map)

If yes, name of impaired water body/bodies and basis for listing as impaired:
Name - Pollutants - Uses:Red Creek and tributaries – Unknown Toxicity – Recreation;Aquatic Life

i. Is the project site in a designated Floodway? ☐Yes ☑No

j. Is the project site in the 100-year Floodplain? ☐Yes ☑No

k. Is the project site in the 500-year Floodplain? ☐Yes ☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
birds, woodchucks, squirrels, racoon

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No

If Yes:
i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:
i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No
If Yes, provide county plus district name/number: MONRcn6 (See attached Monroe County Agricultural District Maps)

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. 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? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Eligible property:792 Erie Station Road, Eligible property:803 Erie Station Road, Eligible property:789 Erie Station ...

iii. Brief description of attributes on which listing is based: See attached maps & information from NYS Cultural Resources Info System West Henrietta Historic District (intersection of West Henritta and Erie Station)-Eligible. Meets criterion for architecture and social history

f. 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? ☑ Yes ☐ No See attached maps & info from NYS Cultural Resources Info System

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: SHPO Letter of No Impact Recieved

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: NYS Barge (Erie) Canal, National Register in 2014, Designated a National Historic Landmark in 2017

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): NYS Canal System nationally sign. work of the early 20th century affected transportation and maritime commerce for nearly half a century

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

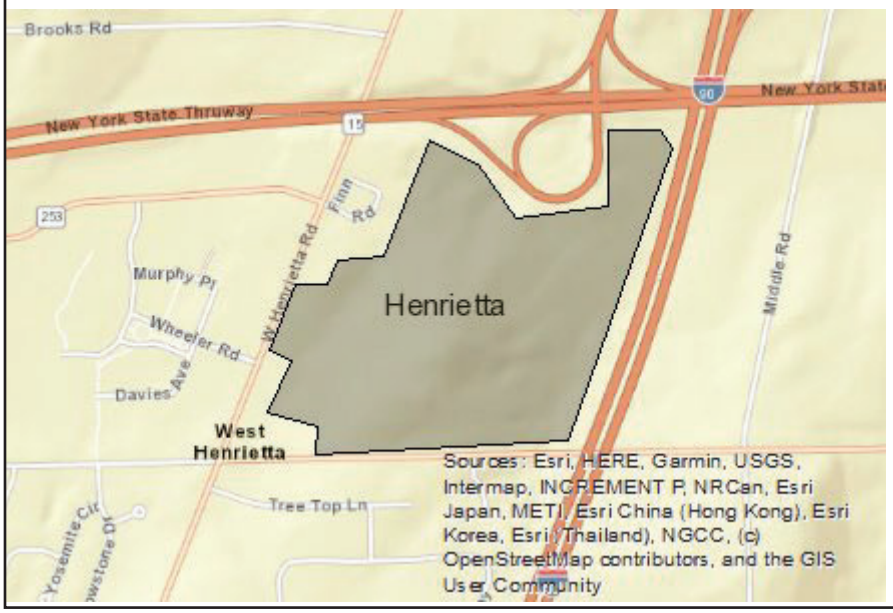
Applicant/Sponsor Name Joshua Saxton, PE Date May 7, 2025

Signature Joshua Saxton Title Project Manager

PRINT FORM

EAF Mapper Summary Report

Friday, May 29, 2020 3:55 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	821-10
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Red Creek and tributaries – Unknown Toxicity – Recreation;Aquatic Life

E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	MONRcn6
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:792 Erie Station Road, Eligible property:803 Erie Station Road, Eligible property:789 Erie Station Road, Eligible property:798 Erie Station Road, Eligible property:788 Erie Station Road, Eligible property:797 Erie Station Road, Eligible property:808 Erie Station Road, Eligible property:5582 West Henrietta Rd, Eligible property:WEST HENRIETTA BAPTIST CHURCH, Eligible property:Dr. Charles Walker Residence and barn, Eligible property:former Grange Hall, Eligible property:West Henrietta Post Office/Fire Department, Eligible property:5655 West Henrietta Rd, Eligible property:St. Mark's Evangelical Lutheran Church, Eligible property:5609 West Henrietta Rd, Eligible property:5649 West Henrietta Rd, Eligible property:5637 West Henrietta Rd, Eligible property:5569 West Henrietta Rd, Eligible property:5595 West Henrietta Rd, Eligible property:5623 West Henrietta Rd, Eligible property:5612 West Henrietta Rd
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Soil Map—Monroe County, New York
(Erie Station Road, Henrietta, NY)



Map Scale: 1:7,230 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 350 700 1400 2100

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Monroe County, New York
Survey Area Data: Version 19, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 4, 2020—Jun 17, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
ApA	Appleton loam, 0 to 3 percent slopes	8.7	3.4%
Ca	Canandaigua silt loam	5.0	2.0%
HfB	Hilton fine sandy loam, 3 to 8 percent slopes	15.3	6.1%
HlA	Hilton loam, 0 to 3 percent slopes	5.4	2.1%
HlB	Hilton loam, 3 to 8 percent slopes	79.7	31.5%
Le	Lakemont silt loam, 0 to 3 percent slopes	11.0	4.3%
LnA	Lima silt loam, 0 to 3 percent slopes	55.0	21.7%
LnB	Lima silt loam, 3 to 8 percent slopes	1.5	0.6%
Ly	Lyons soils, 0 to 3 percent slopes	10.1	4.0%
OdA	Odessa silt loam, 0 to 3 percent slopes	3.9	1.6%
OnB	Ontario loam, 3 to 8 percent slopes	36.7	14.5%
OnC	Ontario loam, 8 to 15 percent slopes	18.1	7.1%
OnD3	Ontario loam, 15 to 25 percent slopes	2.9	1.2%
Totals for Area of Interest		**253.3**	**100.0%**

U.S. Fish and Wildlife Service

National Wetlands Inventory

Erie Station Road, Henrietta, NY



October 28, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Erie State Road, Henrietta, NY



October 28, 2020

1:18,056

0 0.1 0.2 0.4 mi

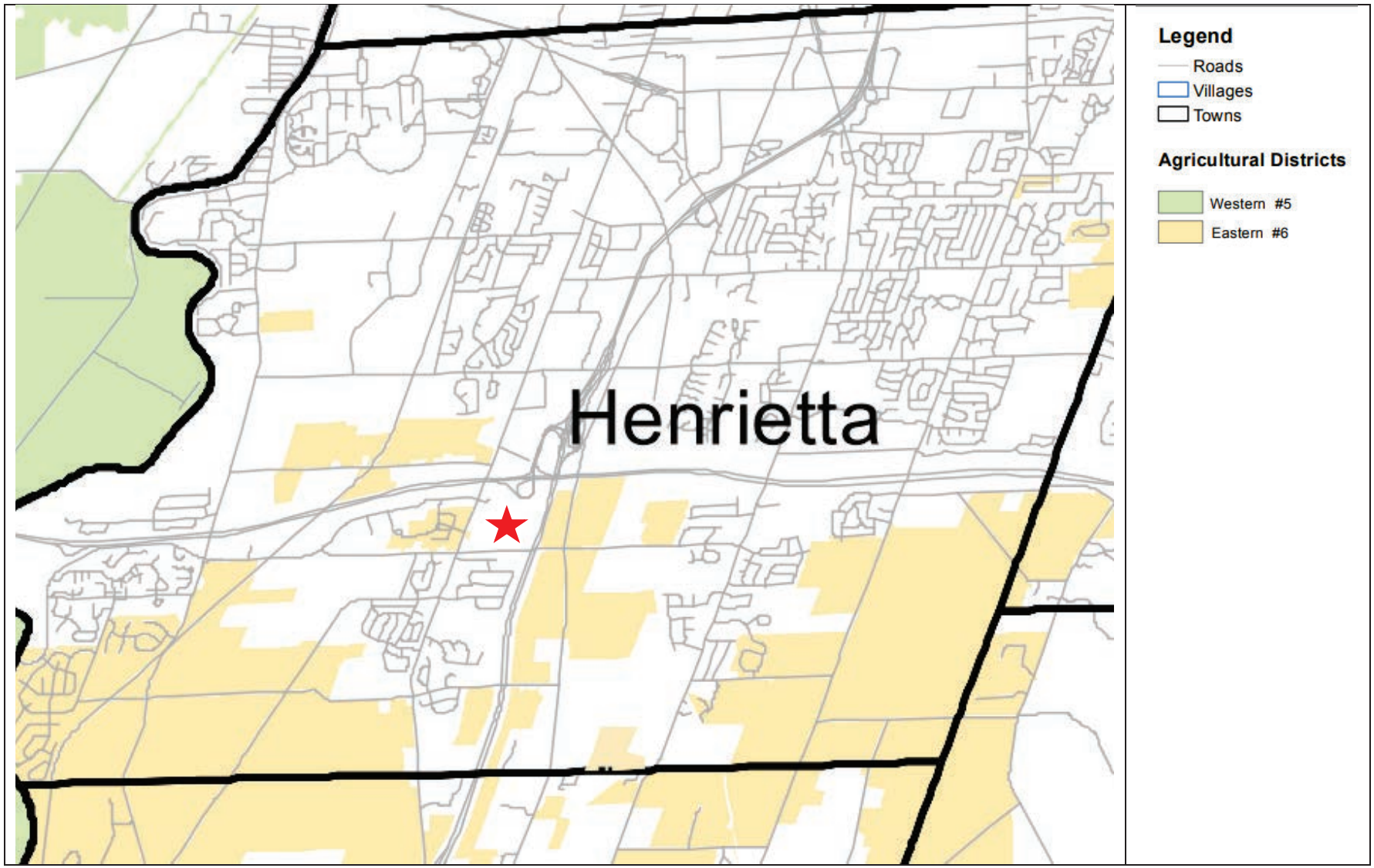
0 0.17 0.35 0.7 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

NYS Department of Environmental Conservation
Not a legal document

201 Monroe County Agricultural Districts

https://www.monroecounty.gov/files/planning/Agriculture/2016WesternReviewCountyReportMap_12-7.pdf



Criteria Spatial R

Lookup USN

NR Number:
Listing Name:
Address:
County: All Count
Municipality: All Munic

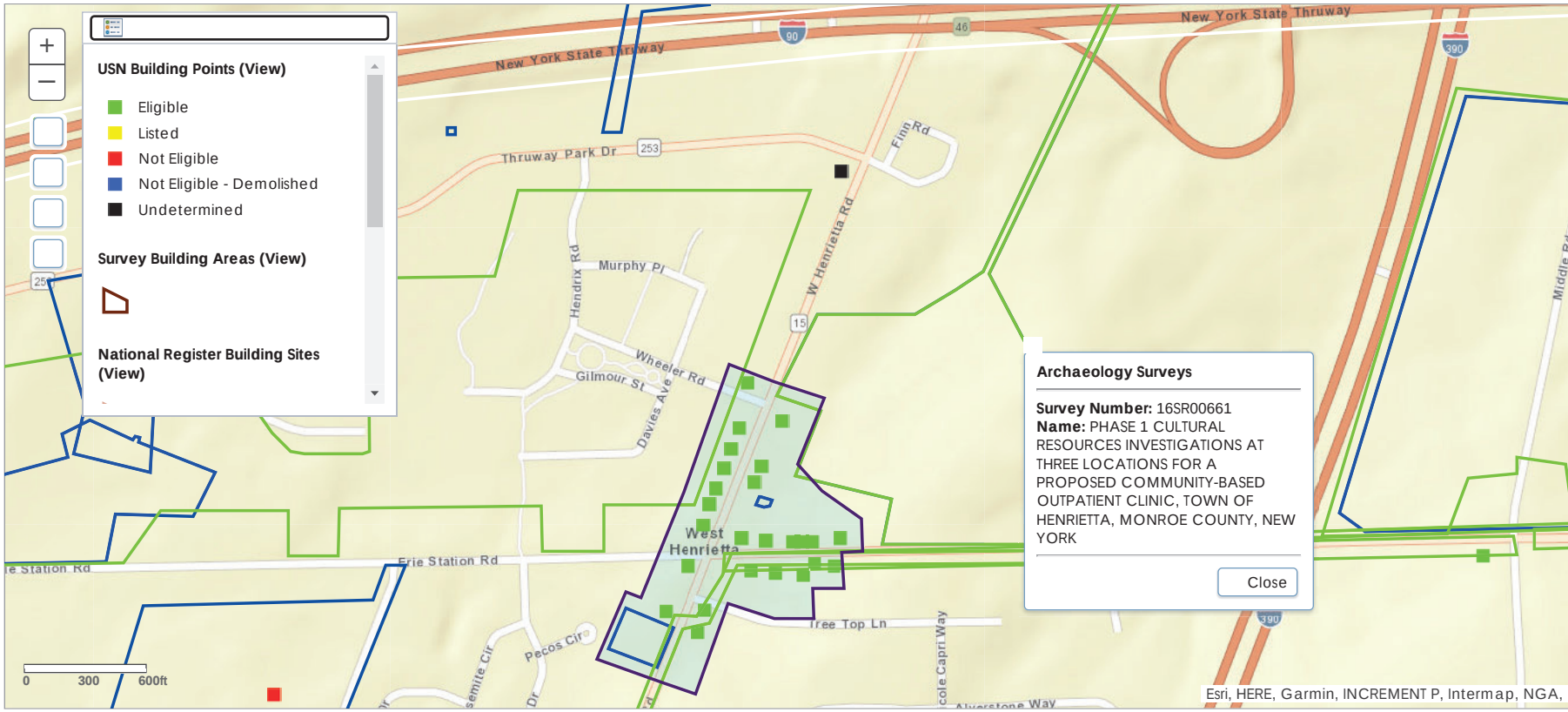
Search

USN Details

05507.000275: Building District - Eligible

West Henrietta Historic District
Building District

Overview | Inventory Form | NR Status (0) | MCDs (1) | Children (25) | Determinations (1) | Photos (0) | Atts. (2) | Agmts. (0) | Projects (0) | Surveys (0) | Submitted (0)



Archaeology Surveys

Survey Number: 16SR00661
Name: PHASE 1 CULTURAL RESOURCES INVESTIGATIONS AT THREE LOCATIONS FOR A PROPOSED COMMUNITY-BASED OUTPATIENT CLINIC, TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK

Close

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NEW YORK STATE OF OPPORTUNITY. Parks, Recreation, and Historic Preservation

Resource Evaluation

Date: 02/07/2019

Staff: Erin Czernecki

USN Number: 05507.000275

Name: West Henrietta Historic District

Location:

Resource Status:

1. **Determination:** Eligible
2. **Contributing:**

Criteria for Inclusion in the National Register:

A. [X] Associated with events that have made a significant contribution to the broad patterns in our history.

B. [ ] Associated with the lives of persons significant in our past.

C. [X] Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or posses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.

D. [ ] Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:

Based on an initial assessment of the hamlet of West Henrietta, the proposed West Henrietta Historic District appears to meet The State and National Registers under Criterion A and C in the areas of architecture and social history. Preliminary boundaries were drawn based on desktop analysis and assessment of tax map records. Further investigation will be required to better define the district boundary and identify all contributing resources. The proposed boundary is roughly south of Wheeler Road, north of Telephone Road and to the east of West Henrietta Road along Erie Station Road in the town of Henrietta, Monroe County. The proposed district is mainly residential buildings with two churches, a Grange Hall, a post office, a former tavern and a commercial building. The period of significance is directly tied to the hamlet's development during the nineteenth century as a community at the intersection of two major thoroughfares in the area and buildings reflecting vernacular styles from Federal and Greek Revival through Italianate and Queen Anne.

Agency Use Only [If applicable]

Project : Delphi Housing Project Rezone

Date : June 25, 2025

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☐ NO ☑ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☑
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☑
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☑
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. 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.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☑
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☑
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☑
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☑
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. ☑ NO ☐ YES
(See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	□	□
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	□	□
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	□	□
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	□	□
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	□	□
j. Other impacts: _____ _____		□	□

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☑ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☑	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☑	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☑	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☑	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☑	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☑	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☑	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
c. Other impacts: _____ _____		□	□

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☐ NO ☑ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☑	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☑	☐
c. The proposed action will degrade existing transit access.	D2j	☑	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☑	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☑	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	□	□
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	□	□
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	□	□
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	□	□
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☑ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☑	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☑	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☑	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: _____ _____		☐	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☐ NO ☑ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☑	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☑	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☑	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☑	☐
e. 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.	C3, D1c, D1d, D1f, D1d, Elb	☑	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☑	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☑	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☐ NO ☑ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☑	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☑	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☑	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☑	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☑	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☑	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

For the support documentation for Part 2, see the attached "EAF Part 3 for the Delphi Housing Project Rezoning" supplement dated June 25, 2025.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
See attachment.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Henrietta Town Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Delphi Housing Project Rezoning

Name of Lead Agency: Henrietta Town Board

Name of Responsible Officer in Lead Agency: Stephen L. Schultz

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: Date: 7/2/2025

Signature of Preparer (if different from Responsible Officer) Christopher E. Martin Date: 6/25/2025

For Further Information:

Contact Person: Christopher E. Martin, P.E.

Address: P.O. Box 999, 475 Calkins Road, Henrietta, NY 14467

Telephone Number: (585) 359-7070

E-mail: cmartin@henrietta.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

EAF Part 3 for the Delphi Housing Project Rezoning
Tax Account No. 189.01-1-19.2

June 25, 2025

In addition to the narrative below, this EAF Part 2 hereby incorporates the following, which is made a part of this Part 3 reasoned elaboration;

a. Application to Town Board Request for Rezoning, prepared by FSI 5500 LLC, dated May, 2025;

b. Petition to Rezone Real Property, prepared by FSI 5500 LLC, dated May, 2025;

c. Letter of Intent from Joshua Saxton, PE of Passero Associates to the Henrietta Town Board, dated May 14, 2025;

d. Full Environmental Assessment Form, Part 1, prepared by Passero Associates, dated May 7, 2025;

e. Delphi Re-Zone Property Limits Description and Re-Zone Map for the Delphi Resubdivision, prepared by Passero Associates, dated December, 2020;

f. Concept Plan for 5500 West Henrietta Road, prepared by Passero Associates, dated May, 2025;

g. Letter from Anthony Piascik, PE of the Monroe County Water Authority to Christopher E. Martin, PE of the Town of Henrietta, dated June 2, 2025;

h. Letter from Christopher Reeve, PE of the New York State Department of Transportation to Christopher Martin, PE of the Town of Henrietta, dated June 4, 2025;

i. Letter from Adam J. Bello, Monroe County Executive to Stephen L. Schultz, Town of Henrietta Supervisor, dated June 17, 2025;

j. Letter from Yixuan Lin of the Monroe County Department of Planning and Development to the Town of Henrietta Municipal Board, dated June 23, 2025.

1. Impact on Land

1b. A portion of the multi-family development will be constructed on slopes greater than fifteen percent. In these areas, the slopes will be stabilized as soon as possible with jute mesh and other erosion control devices as indicated in the erosion and sediment control plan in order to prevent erosion.

1d. The project will result in the excavation of topsoil which may exceed 1,000 tons. The handling of the topsoil will be as indicated in the Stormwater Pollution Prevention Plan (SWPPP). The topsoil stockpiles are temporary and will be stabilized to avoid potential dust and erosion.

1e. Due to the number of apartment buildings proposed at the site, construction will take longer than one to two years to complete. The progress of the apartment units will be

monitored by the Town of Henrietta Building Department and the Henrietta Department of Engineering and Planning, and construction activities will be phased so that land disturbance and site impact is minimized.

1f. There is a potential for erosion to occur within the site if proper erosion control devices are not in place or maintained. To ensure compliance, a grading and erosion control plan will be required to prevent erosion from occurring. Also, the site will be inspected once or twice a week throughout construction to monitor the condition of the erosion control.

2. Impact on Geological Features

No impact; there are no geological features on or adjacent to the site.

3. Impacts on Surface Water

3a. The project will result in the creation of a new stormwater management facility which will be constructed in accordance with New York State Department of Environmental Conservation (NYSDEC) requirements.

3d. The proposed project is not located adjacent to a Federal wetland or a NYSDEC wetland and buffer.

3e. The action has the potential to create turbidity and sediment in the adjacent water bodies if the proper erosion control devices are not implemented or properly maintained. A stormwater pollution prevention plan and grading plan will have to be prepared in accordance with Town of Henrietta and NYSDEC standards. The grading plan shall use sedimentation basins, stone check dams, stabilized construction entrances, silt fence, concrete wash out area, and other erosion control devices to control site erosion. Also, site inspections will be performed once a week until the site is stabilized to ensure that erosion is not leaving the site.

3h. See paragraph 3e.

3i. See paragraph 3e.

3j. If pesticides and/or herbicides are to be used on the lawn areas, then they will have to adhere to the manufacturer's instructions.

4. Impact on Groundwater

No impact; the project will not use or impact the groundwater, nor will it result in contaminants which may be introduced to the groundwater.

5. Impact on Flooding

No impact; the project is not located within a 100 year or 500 year floodplain.

6. Impacts on Air

No impact.

7. Impact on Plants and Animals

No impact. There are no habitats within the site of any significance.

8. Impact on Agricultural Resources

8d. The proposed project is located adjacent to Agricultural District MONRcn6 which is not currently farmed. A 150' historical buffer will be provided between the agricultural district and any buildings or parking lots for the proposed development so there should not be any impacts to the agricultural district if it is ever farmed in the future.

9. Impact on Aesthetic Resources

No impact, there are no scenic or aesthetic resources in the vicinity of the site.

10. Impact on Historic and Archeological Resources

10a. The project is located in the vicinity of numerous homes that are in the Town of Henrietta's Historic Site District. In order to protect these historic homes, a 150' historic transitional buffer will be provided between the property lines of these homes and the proposed apartment buildings and their associated parking lots. In addition, landscaped berms will also be provided as a visual buffer between the housing project and the historic hamlet of West Henrietta Road and Erie Station Road. Also, the architect stated that he will add historical elements and features to the proposed apartments buildings so that they blend into the historic hamlet.

10b. The site is located within an area designated as archeologically sensitive. A Phase 1A and 1B Cultural Resource Investigation may be required by the Office of New York State Parks, Recreation, and Historic Preservation (OPRHP) for review.

11. Impact on Open Space and Recreation

No impact. This project includes internal and external sidewalks which will improve access within the site and will allow a place for residents of the proposed community and also for the adjacent neighborhood. In addition, a clubhouse will be provided for the residents of the apartment complex.

12. Impact on Critical Environmental Areas

No impact, there are no CEA's on or adjacent to the site.

13. Impact on Transportation

13a. The project consists of constructing a total of 368 apartment units in combination of two and three story buildings. A traffic impact analysis is in the process of being updated and will have to be reviewed by the New York State Department of Transportation (NYSDOT), the Monroe County Department of Transportation (MCDOT), and by the Town of Henrietta's consultant. Overall, the traffic should be less than the previous study since that report was based on a truck distribution center and the proposed use is for a multi-family apartment complex.

14. Impact on Energy

No impact. The project will result in the need for additional energy to service the multi-family complex. However, the project will utilize high efficiency appliances which will cut down on the energy requirements. Therefore, there is ample energy capacity present in the area.

15. Impact on Noise, Odor, and Light

Small impact. During construction, noise will be kept below the Town's local ordinance levels and time periods. The lighting will be contained on the site and will not impact the adjacent properties. Also, dark sky compliant lighting will be used to reduce any light shining onto adjacent properties.

16. Impact on Human Health

16a. The site is located in the vicinity of parks, churches, and childcare facilities, but there are no environmental conditions that could result in an impact to human health.

16i. The proposed use will not generate a significant amount of waste so there should be no impact on human health.

17. Consistency with Community Plans

17c. The current zoning is Industrial (with Specifics), which does not allow multi-family dwellings. As such, the request to rezone the parcel to Residential, R-2-15, does allow for multi-family dwellings, upon obtaining a Special Use Permit from the Town Board. As the project site is located near Erie Station Village, which is another large apartment complex, this project has no significant impact on the Community Plans.

18. Consistency with Community Character

Small impact, the project will result in a small demand for community services, however, there is currently ample capacity.

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION SUMMARY

DATE: October 20, 2026

APPLICANT:	Mushroom Blvd Enterprises Inc. 100 Mushroom Blvd Rochester, NY 14623
PROJECT LOCATION:	6800 W. Henrietta Road Henrietta, NY 14586
PROJECT SUMMARY:	Mushroom Blvd Enterprises, Inc., a real estate holding company, proposes the construction of the West Sunset, a 64-unit senior residential community in the Town of Henrietta. This project consists of three, four-unit ranch style townhomes, and two 26-unit three story multifamily buildings consisting of 14 one-bedroom units, 34 two-bedroom units, and four, three-bedroom units. The 12 townhome units will provide special amenities for hearing impaired tenants. Rent will range from $1,693 for a one-bedroom unit and $2,063 for a three-bedroom unit. All units are dedicated to individuals 55 years and older and a portion of the units will be affordable to those earning 90% AMI. The applicant is seeking approval of a sales tax exemption, mortgage recording tax exemption, and qualifies for the Enhanced HousingPlus real property tax abatement recommended in the housing study. The $19 million project is projected to create 2.5 FTEs and has a benefit/incentive ratio of 18:1.
PROJECT AMOUNT:	$19,295,424 $478,400 $103,346 Mortgage Recording Tax Exemption

JOBS: EXISTING:	0	FTEs
NEW:	2.5	FTE - Direct

PUBLIC HEARING DATE:	October 15, 2026
BENEFIT TO INCENTIVE RATIO:	18:1
SEQR:	REVIEWED AND PROCESS IS COMPLETE.
ELIGIBILITY:	NEW COMMERCIAL CONSTRUCTION WITH INCREASE TO THE TAX BASE
APPROVED PURPOSE:	STUDENT/SENIOR/AFFORDABLE HOUSING

County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

Cost-Benefit Analysis Tool powered by MRB Group

Date October 20, 2026
Project Title Mushroom Blvd Enterprises Inc.
Project Location 6800 W. Henrietta Road

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

$19,295,424

Temporary (Construction)

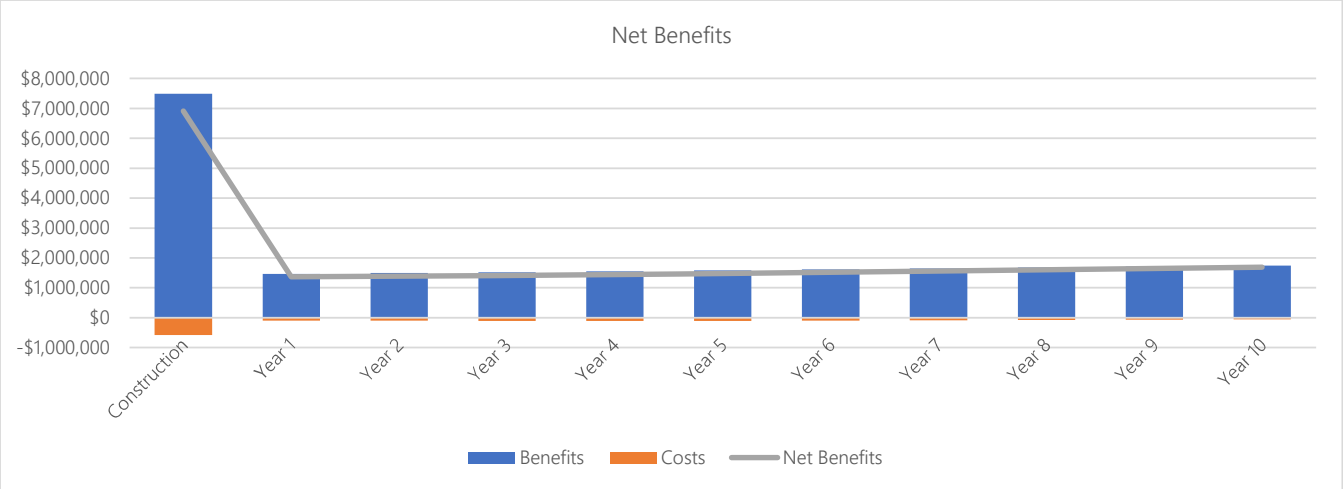
	Direct	Indirect	Total
Jobs	97	22	119
Earnings	$5,948,821	$1,128,737	$7,077,558
Local Spend	$15,436,339	$3,842,397	$19,278,736

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	25	6	31
Earnings	$15,588,324	$4,530,633	$20,118,956

Figure 1



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

Figure 2

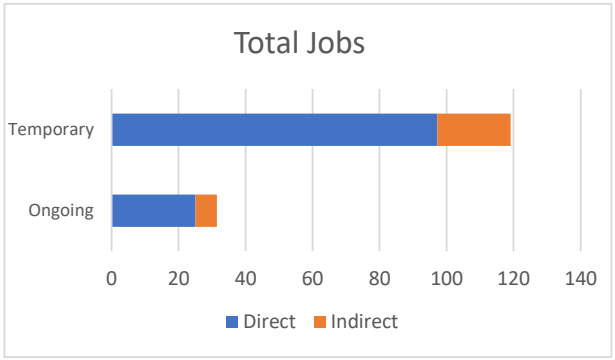
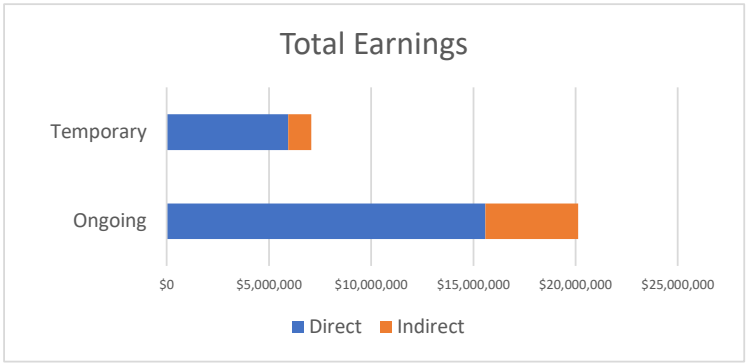


Figure 3



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

Fiscal Impacts

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$986,428	$885,181
Sales Tax Exemption	$478,400	$478,400
Local Sales Tax Exemption	*$239,200*	*$239,200*
State Sales Tax Exemption	*$239,200*	*$239,200*
Mortgage Recording Tax Exemption	$103,346	$103,346
Local Mortgage Recording Tax Exemption	*$34,449*	*$34,449*
State Mortgage Recording Tax Exemption	*$68,897*	*$68,897*
Total Costs	**$1,568,174**	**$1,466,927**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	**$28,106,896**	**$25,313,468**
To Private Individuals	**$27,196,514**	**$24,545,348**
Temporary Payroll	*$7,077,558*	*$7,077,558*
Ongoing Payroll	*$20,118,956*	*$17,467,790*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	**$910,382**	**$768,120**
Increase in Property Tax Revenue	*$649,948*	*$535,480*
Temporary Jobs - Sales Tax Revenue	*$49,543*	*$49,543*
Ongoing Jobs - Sales Tax Revenue	*$210,891*	*$183,097*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	**$1,484,277**	**$1,337,181**
To the Public	**$1,484,277**	**$1,337,181**
Temporary Income Tax Revenue	*$318,490*	*$318,490*
Ongoing Income Tax Revenue	*$905,353*	*$786,051*
Temporary Jobs - Sales Tax Revenue	*$49,543*	*$49,543*
Ongoing Jobs - Sales Tax Revenue	*$210,891*	*$183,097*
Total Benefits to State & Region	**$29,591,173**	**$26,650,648**

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$25,313,468	$1,158,829	22:1
State	$1,337,181	$308,097	4:1
Grand Total	**$26,650,648**	**$1,466,927**	**18:1**

*Discounted at 2%

Additional Comments from IDA

Direct jobs are estimated based on new household spending.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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Motion By: _____
Seconded By: _____

RESOLUTION
(Mushroom Boulevard Enterprises, LLC Project)
OSC Code 2602-26-044A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on October 20, 2026 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON OCTOBER 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY MUSHROOM BOULEVARD ENTERPRISES, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (V) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, **MUSHROOM BOULEVARD ENTERPRISES, LLC**, a New York limited liability company, for itself or a related entity formed or to be formed (collectively, the "Company") has requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in a portion of an approximately 12.24-acre parcel of land located on West Henrietta Road in the Town of Henrietta, New York 14586 and all other lands in the Town of Henrietta where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the construction thereon of a senior residential community consisting of approximately 64 units, twelve (12) of which will be for hearing-impaired seniors (the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and

related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, pursuant to Section 859-a of the Act, on Thursday, October 15, 2026, at 11:00 a.m., local time, in the Main Meeting Room at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York 14623, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined below) being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) negotiate a project agreement (the "Project Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement") and payment-in-lieu-of-tax agreement (the "PILOT Agreement") with the Company and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a partial mortgage recording tax exemption for financing relating to the Project and (c) a partial real property tax abatement structured through the PILOT Agreement; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities which may arise in connection with the transactions contemplated by the lease of the Facility; and

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

WHEREAS, the Henrietta Town Board (the "Town Board"), as lead agency, conducted an uncoordinated review of the Project pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), which resulted in the issuance of a negative declaration by the Town Board dated March 27, 2024 (the "Negative Declaration"), concluding the SEQRA process.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the application and other correspondence submitted by the Company to the Agency, the Agency hereby finds and determines that:

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

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of undertaking the Project; and

(d) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in Monroe County and otherwise furthering the purposes of the Agency as set forth in the Act; and

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

(f) The Town Board has conducted an uncoordinated review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). In addition to classifying the Project as an "Unlisted Action" pursuant to SEQRA, the Town Board also issued a Negative Declaration on March 27, 2024, determining that the Project did not present a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Town Board pursuant to 6 N.Y.C.R.R. § 617.7.

Section 2. The Agency hereby determines that the acquisition of a leasehold interest in and the construction, equipping, repair and maintenance of the Facility by the Agency and the lease or sublease of the Facility to the Company will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County of Monroe and the people of the State of New York and improve their standard of living, thereby serving the public purposes of the Act and, therefore, the same is approved.

Section 3. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 4. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, construct and equip the Facility, and such

appointment includes the following activities as they relate to the construction, erection, completion, use, repair and maintenance of the Improvements and the purchase, use, lease, placement, installation, repair, maintenance and replacement of the Equipment, whether or not any materials or supplies described below are incorporated into or become an integral part of the Improvements or the Equipment: (i) all purchases, leases, rentals and other uses of tools, machinery and equipment in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, and (iii) all purchases, leases, rentals and uses of equipment, machinery, and other tangible personal property (including installation costs with respect thereto), installed or placed in, upon or under the Improvements, Land or the Equipment, including all repairs, maintenance and replacement of all such property. Said agents are authorized to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agents for the Agency, and in general to do all things which may be requisite or proper for completing the Facility, all with the same powers and with the same validity as the Agency could do if acting on its own behalf. As agent of the Agency, the Company is authorized to delegate such agency, in whole or in part, to agents, subagents, contractors, subcontractors, contractors and subcontractors of such agents and subagents and to such other parties as the Company chooses; provided, however, the Project Agreement shall expire on **December 31, 2027** (unless extended for good cause by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement and Leaseback Agreement contemplated have not been executed and delivered. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are authorized and directed to execute and deliver to said agent an appropriate letter on Agency letterhead describing the authority granted under this resolution.

Section 5. Based upon the representation and warranties made by the Company in its application for financial assistance, the Agency hereby authorizes and approves (i) the Company as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to **$5,980,000** which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **$478,400**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and (ii) a mortgage (or mortgages), in connection with the financing of the Facility or portions thereof and including any refinancing thereof, securing an aggregate principal amount not to exceed **$13,779,448**, resulting in a mortgage tax exemption not to exceed **$103,346**.

Section 6. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption

benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 7. The form and substance of the Lease Agreement, the Leaseback Agreement and the PILOT Agreement (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 8. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to negotiate and execute (A) the Lease Agreement whereby the Company leases the Project to the Agency, (B) the related Leaseback Agreement conveying the Project back to the Company, and (C) the PILOT Agreement; provided, that, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement and PILOT Agreement are collectively referred to as, the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency (if any) to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency shall approve, the execution thereof by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 10. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing

resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 11. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of $350.00 is required. Please see page 12 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name: Mushroom Blvd Enterprises Inc.
Address: 100 Mushroom Blvd
City/State/Zip: Rochester, NY 14623
Tax Id No.: [redacted]
Contact Name: John Migliorini
Title: General Manager
Telephone: [redacted]
E-Mail: [redacted]

B. Applicant's Legal Counsel

Name: Jordan Alaimo
Firm: Harris Beach
Address: 99 Garnsey Road
City/State/Zip: Pittsford, NY 14534
Telephone: [redacted]
Email: [redacted]

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
Alex Voronin	100	President

D. Is the business applying for assistance certified as an MWBE or service-disabled veterans' agency? ☐Yes ■No

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II. PROJECT

A. Address of proposed project facility

Address: 6800 W.Henrietta Road

Tax Map Parcel Number: 202.01-2.2.006

City/Town/Village: Henrietta NY

School District: Rush Herietta

Zip: 14586

Current Legal Owner of Property:

Alex Voronin

B. Benefits Requested (Check all that apply)

- ■ Sales Tax Exemption
- ■ Mortgage Recording Tax Exemption
- ■ Real Property Tax Abatement
- ☐ Industrial Revenue Bond Financing

C. Description of project (check all that apply)

- ■ New Construction
- ☐ Existing Facility
  - ☐ Acquisition
  - ☐ Expansion
- ☐ Renovation/Modernization
- ☐ Acquisition of machinery/equipment
- ☐ Other (specify) _____

D. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? ☐Yes ☐No

Company Name: _____

Address: _____

City/State/Zip: _____

Tax ID No: _____

Contact Name: _____

Title: _____

Telephone: _____

Email: _____

% of facility to be occupied by user/tenant _____

E. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
Alex Voronin	100	Manager Member

F. Project Timeline

Proposed Date of Acquisition: 2023

Proposed Commencement Date of Construction: 12/1/2026

Anticipated Completion Date: 12/1/2027

G. Contractor(s)

FSI

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II.PROJECT (cont'd)

H. DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

NAICS Code: 236116

The West Sunset senior residential community proposes the construction of a 64 unit three story apartment and townhouse project consisting of 12 town home units and 52 apartment units (14 one bedroom units, 34 two bedroom units and 4 three bedroom units). The project is designated as a 55 and older rental apartment project. The 12 town home units will provide for hearing impaired tenants.

The West Sunset senior residential community will consist of 3 4-unit ranch style townhouses and 2 26-unit 3 story multifamily units.

The proposed senior housing addresses a need for market rate middle income housing for seniors living in the Town of Henrietta. It is consistent with the Town of Henrietta comprehensive plan which recognizes the housing need and identifies the rural residential zoned areas as an appropriate location for the residential project. At least 20% of the units are Middle-Market units with rents averaging 90% AMI based on household size.

The units range in size and monthly rent as follows:

-1 Bedroom 806-855 Square feet; $1,693-$1,796 per month
-2 Bedroom 1091-1660 Square feet; $1,909-$2,905 per month
-3 Bedroom 1331 square feet; $2,063 per month

The proposed project will create 2.5 FTEs:
-1 full-time leasing agent
-1 part-time leasing agent
-1 full time maintenance technician

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II. PROJECT (cont'd)

I. **Would the project be undertaken without financial assistance from the Agency?** ☐Yes ■ No

Please explain why financial assistance is necessary.

COMIDA will provide assistance in lowering material costs by waiving the sales tax requirement. This reduces a portion of the higher construction costs that are being experienced for new construction projects. The subject project is also incurring added hard costs as it was approved by the Town to provide12 hearing In-paired units. The designated units will be the 12 town home units. Given the higher rate environment that the Lender's use to size their construction loans the PILOT allows the Lender's underwriting analysis to use a DSCR of 1.10X to 1.15X versus a 1.25X DSCR. This allows the Lender to increase their loan amount resulting in a more feasible economic return.

J. **Are other facilities or related companies located within New York State?**

☐Yes ■ No

Location:

_____

_____

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? ☐Yes ■ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? ☐Yes ■ No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

_____

_____

_____

_____

K. **State Environmental Quality Review (SEQR) Act Compliance**

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

■ YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

☐ NO

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III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

☐ JOBSPLUS

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ ENHANCED JOBSPLUS

Requirements:

- A minimum $15 million investment **AND**
- A minimum of 100 new jobs

☐ GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green
- Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ SHELTER RENT

For student housing or affordable housing projects.

■ Housing

☐ Local Tax Jurisdiction Sponsored PILOT

☐ NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

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IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

a. Materials	a. $	5,000,000
b. Labor	b. $	9,034,933

Site Work

c. Materials	c. $	980,000
d. Labor	d. $	1,232,215
e. Non-Manufacturing Equipment	e. $	
f. Manufacturing Equipment	f. $	
g. Equipment Furniture and Fixtures	g. $	
h. Land and/or Building Purchase	h. $	1,600,000
i. Soft Costs (Legal, Architect, Engineering)	i. $	1,448,266
Other (specify) j.	j. $	
k.	k. $	
l.	l. $	
m.	m. $	
Total Project Costs (must equal Total Sources)	$	19,295,424

B. Sources of Funds for Project Costs:

a. Tax-Exempt Industrial Revenue Bond	a. $	
b. Taxable Industrial Revenue Bond	b. $	
c. Bank Financing	c. $	13,779,448
d. TOTAL Public Sources	d. $	

Identify below each state and federal grant/credit totaling the amount for d.)

_____ $_____

_____ $_____

_____ $_____

_____ $_____

e. Equity	e. $	5,515,966
TOTAL SOURCES (must equal Total Project Costs)	$	19,295,424

C. Has the applicant made any arrangements for the financing of this project

☐ Yes ■ No

If yes, please specify bank, underwriter, etc.

_____

_____

_____

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

a. Materials	a. $	
b. Labor	b. $	
c. Non-Manufacturing Equipment	c. $	
d. Manufacturing Equipment	d. $	
e. Furniture and Fixtures	e. $	
Other (specify): f.	f. $	
g.	g. $	
h.	h. $	
i.	i. $	
Total Project Costs	$	

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Value of Incentives
Mushroom Blvd Enterprises Inc.

A. IDA PILOT Benefits:	
Current Assessment	$231,500
Value of New Construction & Renovation Costs	$5,980,000
Estimated New Assessed Value Subject to IDA	$6,211,500
Current Taxes	$4,315
Current Taxes Escalator	2%
PILOT Terms - Years	13
County Tax rate/$1,000	5.36000
Local Tax Rate* Tax Rate/$1,000	0.75000
School Tax Rate /$1,000	12.53000
Total Tax Rate	18.64000

B. Sales Tax Exemption Benefit:	
Estimated value of Sales Tax exemption:	$478,400
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:	
Estimated Value of MRTE:	$103,346

D. Industrial Revenue Bond Benefit	
IRB inducement amount:	$0

E. Percentage of Project Costs financed from Public Sector sources:	
Total Value of Incentives:	$1,568,174
Project Construction Costs:	$19,295,424
	8.13%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	$186,895	$26,151	$436,901	$649,948	$1,636,375	$986,428
1	90%	$3,205	$449	$7,493	$11,147	$111,467	$100,320
2	90%	$3,269	$457	$7,643	$11,370	$113,697	$102,327
3	90%	$3,335	$467	$7,796	$11,597	$115,970	$104,373
4	90%	$3,401	$476	$7,952	$11,829	$118,290	$106,461
5	90%	$3,469	$485	$8,111	$12,066	$120,656	$108,590
6	80%	$7,078	$990	$16,546	$24,614	$123,069	$98,455
7	70%	$10,829	$1,515	$25,315	$37,659	$125,530	$87,871
8	60%	$14,727	$2,061	$34,428	$51,216	$128,041	$76,824
9	50%	$18,777	$2,627	$43,896	$65,301	$130,602	$65,301
10	40%	$22,984	$3,216	$53,729	$79,928	$133,214	$53,285
11	30%	$27,351	$3,827	$63,937	$95,115	$135,878	$40,763
12	20%	$31,883	$4,461	$74,532	$110,876	$138,595	$27,719
13	10%	$36,586	$5,119	$85,526	$127,231	$141,367	$14,137

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: West Sunset Apartments

Applicant: ■ **or** **User/Tenant:** ☐

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be **RETAINED**	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)			2	2
Part Time (PTE)			1	1
Total	0	0	2.5	2.5

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name Mushroom Blvd Enterprises LLC

Applicant: ■ **and/or User/Tenant:** ☐

The County of Monroe Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Monroe County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Monroe County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs are vital to the overall employment opportunities and economic growth in Monroe County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices ("construction workers"), during the construction phase of projects.

X **100% Local Labor**
Applicants receiving IDA benefits ***must*** ensure that the it and/or its contractor/developer hire ***100% of its construction workers from the local labor market***.

X **Local Labor Market**
For the purpose of this policy, the local labor market is defined as construction workers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Steuben, Wayne, Wyoming and Yates.

X **Bid Processing**
Local participation in qualified projects receiving IDA economic incentives and benefits is vital to the economic growth of Monroe County. As such, all applicants/contractors/developers of a qualified project with a minimum $5,000,000 investment must place any and all invitations to bid in the Builders Exchange of Rochester Plan Room (https://robex.com/planroom/) two weeks before the bids are due.

X **Monitoring**
A third-party auditing firm ("Project Monitor") will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

Once approved for IDA benefits, all applicants will be required to provide to the Project Monitor and the Exemption Processor (as hereinafter defined) the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project; and

2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions.

All Monroe County IDA projects are subject to local monitoring by the IDA and the Project Monitor. Proof of residency or copy of drivers' license shall be checked by the Project Monitor during the Project Monitor's periodic inspection of the project.

The Project Monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the Monroe County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

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X

Signage

The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

X

Exemption Process

In some instances, use of 100% local labor may not be possible for any of the following reasons:

- Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided). The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation.

- Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work (proof of communication with local contractors, or details of the specialized construction must be provided);

- Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted (copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).

- No local labor available for the project (if local bids were solicited with no response, please provide a copy of the bid, explain how it was advertised, and list who the bids were requested from).

The request to secure an exemption ***for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing***. The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

The applicant has read the Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

Mushroom Blvd Enterprises LLC					
(APPLICANT COMPANY)			(TENANT COMPANY)		
Signature	, Title	Date	Signature	, Title	Date
Orrea		9/27/26			

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IX. FEES

Transaction Type	Fees
Real Property Tax Abatement (PILOT Agreement) including Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption.	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.75% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000.
Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 0.50% of the total project cost **Legal Fee:** 33% of the IDA fee. Minimum fee of $4,000 if transaction includes mortgage recording tax exemption. Minimum fee of $750 if transaction is sales tax exemption only.
Small Business Sales Tax Exemption (Non-retail projects with total project costs under $500,000)	**Application Fee:** Non-refundable $350.00 **IDA Fee:** Flat fee of $750 ($500 for certified M/WBE or certified service disabled Veterans) **Legal Fee:** Flat fee of $750
Bond: Taxable or Tax-Exempt Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Partial Mortgage Recording Tax Exemption	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.25% of the total project cost **Legal Fee:** 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.
Bond: Taxable or Tax-Exempt	**Application Fee:** Non-refundable $350.00 **IDA Fee:** 1.00% of the total project cost **Legal Fee**: 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

*If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

Mushroom Blvd Enterprises LLC

(APPLICANT COMPANY)

Owner 9/29/24

Signature , Title Date

(TENANT COMPANY)

Signature , Title Date

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X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.

B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.

C. Absence of Conflicts of Interest – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described: _____

_____

D. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

E. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

F. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

G. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

H. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.

I. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

Mushroom Blvd Enterprises LLC

Owner 9/29/26

Signature , Title Date

TENANT COMPANY

_____

Signature , Title Date

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AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON MARCH 27, 2024 AT 6:00 P.M.

RESOLUTION #7-119/2024 To issue a Negative Declaration and approve Special Use Permit Application Nos. 2023-024 and 2023-045 for Senior Housing on West Henrietta Road with an increased maximum building height.

On Motion of
Supervisor Schultz

Seconded by
Councilmember Page

WHEREAS, West Sunset Development, LLC has applied for Special Use Permits 2023-024 and 2023-045 to construct and operate a multifamily senior housing facility comprising of three 4-unit buildings and two 26-unit three story buildings with an average building height of approximately forty feet, whereas Town Code only permits a height of thirty-five feet, unless a greater height is permitted via a Special Use Permit (the "Project"), to be located in a Rural Residential District on West Henrietta Road in West Henrietta, New York 14586, Tax Map Nos. 202.01-2-2.001 through 202.01-2-2.005 (the "Property"), or as more particularly described in plans on file in the Town Clerk's Office; and

WHEREAS, public hearings were duly advertised and held relative to the same; and

WHEREAS, the Town Board has carefully reviewed and considered all documentary, testimonial, and other evidence presented to the Town Board, together with any input from Town staff, other Boards, and other agencies.

THEREFORE, BE IT RESOLVED, that pursuant to the State Environmental Quality Review Act, and in accordance with EAF Parts 1, 2, and 3, attached hereto, which are hereby accepted and approved, the Application will not have a significant adverse environmental impact and the Town Board hereby issues a Negative Declaration relative to the Application.

BE IT FURTHER RESOLVED, that the Town Board has considered the Special Use Permit factors and makes the findings relative thereto as set forth in Schedule A attached hereto and made a part hereof, and, based upon said considerations, including based upon all information a part of the record, including all materials submitted related to such Application, and based upon those reasons discussed at the public meetings related to the same, and so long as they are compliant with any conditions set forth herein, the Town Board finds that said Special Use Permit factors favor approval of the Application.

BE IT FURTHER RESOLVED, that the Town Board thus approves the Application such that a Special Use Permit for a multifamily senior housing facility comprising of three 4-unit buildings and two 26-unit three story units with an average building height of forty feet, as more fully described in the Application, is hereby issued, including that the dimensional requirements are hereby modified such that the setbacks and transitional buffers proposed as set forth in the Application are hereby approved, subject to the following conditions:

1. This Permit is for Senior Housing only, which means at least one of the tenants on a lease must be 55-years of age or older.
2. That transitional buffers and vegetative screening and/or fencing be provided, consistent with the plans presented with the associated Special Use Permit application, with final approval from the

Planning Board as part of the Site Plan process, and that any required buffers, screening, or fencing be maintained by the apartment complex.

3. That the appearance of the structures be built with the "rural aesthetic" consistent with the elevations provided with the associated Special Use Permit application, with final approval from the Planning Board as part of the Site Plan process, and that any future renovations or additions remain consistent with this appearance.
4. That all of the units in two of the four-unit buildings be wired for the Deaf and Hard of Hearing, with final approval from the Planning Board as part of the Site Plan process, and that the doorbells and fire alarms be maintained in working order.
5. That stormwater runoff from the site be collected and detained such that the amount of runoff that reaches adjacent properties be reduced by at least 30%, and that said stormwater structures and grading be maintained such that the reduction is still achieved.
6. That the development shall comply with all applicable zoning, building, fire prevention, health, and other codes in both construction and maintenance, including obtaining Site Plan approval from the Planning Board.
7. That the failure to adhere to these conditions may result in the revocation of this Special Use Permit, per the procedures set forth in Henrietta Town Code Section 295-55.

Duly put to a vote:

Councilmember Page	Aye
Councilmember Bellanca	Aye
Councilmember Barley	Aye
Councilmember Stafford	No
Supervisor Schultz	Aye

RESOLUTION ADOPTED

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.

Part 1 – Project and Sponsor Information

Name of Action or Project:

West Sunset Senior Housing

Project Location (describe, and attach a location map):

The property is located on the east side of West Henrietta Road approximately 772' south of Martin Road in the Rural Residential (RR-1) zoning district

Brief Description of Proposed Action:

The applicate owns this 12.5+/- acre property is located on the east side of West Henrietta Road approximately 772' south of Martin Road in the Rural Residential (RR-1) zoning district. The parcel is well drained and has access to public sanitary sewer, water, gas and electric. West Henrietta Road is a State Route (15) and permits are required for the proposed driveways and utility crossings.

The application proposed a senior apartment project on this site consisting of the following elements:
- Two 3 story apartment buildings with 26 units in each
  Note: These two buildings will be 40 feet in height
* Three 4 unit ranch Town homes
* 8 units will be designed for the hearing and visually impaired

Name of Applicant or Sponsor:	Telephone: 585-442-9902
LandTech - John Sciarabba	E-Mail: john@landtechny.com

Address:

1105 Ridgeway Avenue

City/PO:	State:	Zip Code:
Rochester	NY	14615

	NO	YES
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.	☑	☐
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 Board Special Permit, Planning Board approval	☐	☑

3. a. Total acreage of the site of the proposed action? 12.5 acres
   b. Total acreage to be physically disturbed? 7.0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 12.5 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☑ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other(Specify): wetlands
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
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
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
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
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____ _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____ _____	☐	☑

	NO	YES
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
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: _____ A NYSDEC wetlans is located on the project site. No disturbance of the wetland or buffer is proposed as part of this application _____ _____		

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

	NO	YES
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?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
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: On site storm sewer and Storm water pollution prevention plan will be designed		
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:	☑	☐
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:	☑	☐
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:	☑	☐

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

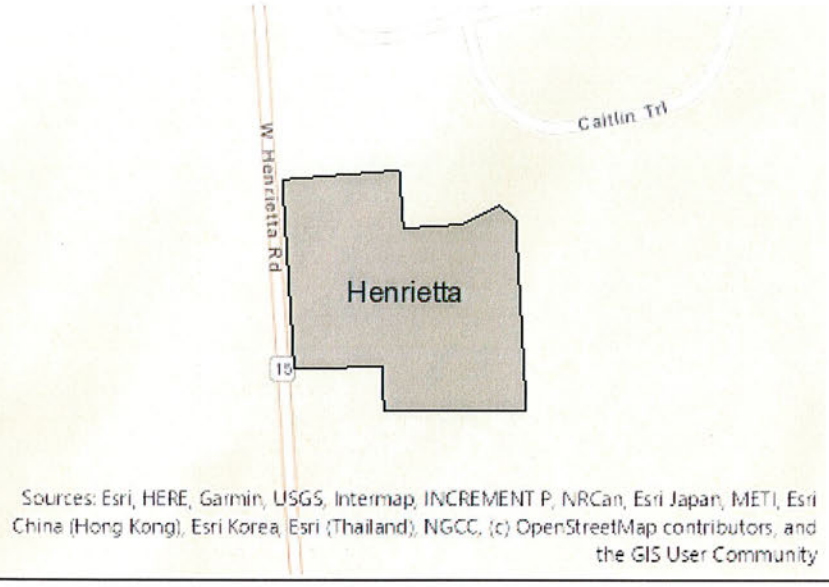
Applicant/sponsor/name: LandTech - John Sciarabba Date: 11-09-23

Signature: Title: Project engineer

PRINT FORM

EAF Mapper Summary Report

Friday, August 25, 2023 10:42 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only [If applicable]

Project: West Sunset Senior Housing

Date: March 20, 2024

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?"

	No, or small impact may occur	Moderate to large impact may occur
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?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project: West Sunset Senior

Date: March 20, 2024

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.

For the support documentation for Part 2, see the attached "EAF Part 3 for the West Sunset Senior Housing" Special Permit supplement dated March 20, 2024.

☐ 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.

Henrietta Town Board	3/27/2024
Name of Lead Agency	Date
Stephen L. Schultz	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Christopher E. Martin Signature of Preparer (if different from Responsible Officer)

PRINT FORM

EAF Part 3 for West Sunset Senior Housing
West Henrietta Road
Tax Account No. 202.01-2-2.11

March 20, 2024

In addition to the narrative below, this EAF Part 2 hereby incorporates the following, which is made a part of this Part 3 reasoned elaboration;

a. Special Use Permit Application SUP 2023-024 (Revised) and SUP 2023-045 for West Sunset Senior Housing, prepared by West Sunset Development, LLC and LandTech dated November 15, 2023;

b. Short Environmental Assessment Form, Part 1, prepared by LandTech, dated November 9, 2023;

c. Conceptual Site Plan 8 for West Sunset Senior Housing, prepared by LandTech, dated November 9, 2023 and later revised on November 9, 2023;

d. Conceptual Building Elevations for The Dens, prepared by James Fahy Design, dated August, 2022 and later revised on February, 2024;

e. Letter from Christopher Reeve, PE from the New York State Department of Transportation to Christopher E. Martin, PE of the Town of Henrietta, dated June 15, 2023;

f. Letter from Ashley Rubacha from the New York State Department of Environmental Conservation to Joshua Saxton of Passero Associates, dated June 23, 2023.

1. Material Conflict with Adopted Land Use Plan or Zoning

The property is zoned Rural Residential, and the project is being developed as a senior housing project which is a permitted use in this zoning district as long as the applicant obtains a special use permit from the Henrietta Town Board.

2. Change in Use or Intensity of the Use of Land

The parcel is currently vacant but the area surrounding it consists of single family homes and farmland. The three story apartment units aren't expected to have a significant adverse impact since their residential use will be consistent with the adjacent residences.

Moreover, though the density of the development is more than that of single family homes, it is slightly over the required six dwelling units per acre and could comply with the density requirements if approval is granted by the Town Board. The buildings will be constructed in adherence with buffer requirements of one hundred feet between the single family homes and multi-family buildings in order to mitigate any potential impact that may have otherwise resulted from the distinction between the existing single family homes and the proposed multi-family residences unless a reduction is granted by the Planning Board.

3. Impairment of the Character or Quality of the Existing Community

The current site is located within an existing residential area and the low density two story senior apartment buildings will fit in with the surrounding community. Also, the buffering through landscaping or fencing should be provided between the adjacent property on Caitlin Drive and the proposed development, as determined by the Planning Board during the site plan review process.

In addition, the three story apartment buildings were modified by the architect to reflect the rural character of the neighborhood.

4. Impact on Critical Environmental Areas

No impact; there are no CEA's located within or adjacent to the site.

5. Impact on Transportation

Even though there is a significant amount of traffic utilizing the West Henrietta Road corridor, the construction of 64 senior multi-family units should not have an impact on the surrounding transportation system due to the project generating a minimal amount of traffic because it is a senior facility and seniors tend not to travel during the peak traffic hours. Also, the applicant will have to obtain a permit from the New York State Department of Transportation for the two private drives.

6. Impacts on Energy

No impact; there is ample energy capacity present in the area if needed.

7. Impact on Existing Water Supplies and Wastewater Treatment Facilities

No impact; there is an adequate supply of water and sanitary sewer systems present in the area if needed.

8. Impact on Historic And Archeological Resources

The proposed multi-family senior facility is located within a designated archeologically sensitive area, and before any construction activity can take place within the project site, it will have to be approved by the Office of the New York State Parks, Recreation, and Historic Preservation (OPRHP).

9. Impact on Natural Resources

No impact; there are no scenic or aesthetic resources in the vicinity of the site.

10. Impact on Erosion, Flooding or Drainage

Minor impact. The proposed construction work for the senior housing project has the potential to create turbidity and sediment in the adjacent water bodies if the proper erosion control devices are not implemented or maintained. The grading plan shall use silt fence, and other erosion control devices to control site erosion. Also, site inspections will be performed until the disturbed area is stabilized to ensure that erosion is not leaving the construction site.

The drainage from the site will be stored in a stormwater management facility so there should be no impact to the downstream storm drainage system.

The site is not located within a floodplain or floodway.

11. Impact on Human Health

No impact.

Exhibit A. West Sunset Senior Housing Special Use Permit Assessment by Henrietta Town Board for Proposal at West Henrietta Road

§ 295-54 **Granting or denial of special use permits.**

In considering an application for a special use permit, the Town Board shall make its decision based upon the following factors. The Town Board may impose conditions, including in order to resolve any issues identified via its assessment of said factors.

A. **Whether the proposed use is substantially consistent in its scale and character with those uses permitted and the existing built permitted uses in the subject zoning district and neighborhood or will otherwise impair such uses due to inconsistency.**

Senior living facilities are an allowed use within the Rural Residential Zoning District within which the proposed use is located. The layout of the facility and the low unit density are both consistent with the location and the neighborhood. Also, at the request of the Henrietta Town Board, the elevations of the three-story apartment building were revised to create a "rural aesthetic" look in order to blend in better to the landscape.

In addition, two of the four-unit buildings will be wired for the Deaf and Hard of Hearing with doorbells and fire alarms.

B. **Whether the proposed use aligns with the vision, goals and recommendations of the Comprehensive Plan and other applicable plans and studies conducted by or on behalf of the Town.**

The Comprehensive Plan identifies the Rural Residential Zoning District as a potential location for lower-density senior living facilities to take advantage of the more peaceful rural portion of Town as well as due to the fact that senior living facilities see far less impact due to vehicle traffic than due traditional multi-family facilities. A need for senior living facilities that are more affordable has been a common response to surveys or questionnaires about Town needs. The proposed facility may be able to provide some of that need.

C. **Whether the proposed use aligns with the purpose, intent, and applicable design and development standards of the zoning district(s) in which the use is proposed to be located.**

The site plan and building elevations for the proposed development show one that is well integrated into the area and has an architectural and landscaping design that is consistent with the design and development standards of the Rural Residential zoning district. The use of the one-story townhouses integrate well into the existing residential uses and act as a buffer

for the taller three-story apartment buildings. The height of the proposed buildings are permitted via a special use permit.

Also, transitional buffers with vegetative screening and/or fencing will be provided to enhance the distance between the apartment buildings and the adjacent single-family residences.

D. **Whether the proposed use will be a nuisance in law or in fact due to its being materially noxious, offensive or injurious by reason of the production of or emission of dust, smoke, refuse, poisonous substances, odors, fumes, noise, radiation, vibration, unsightliness or similar conditions, or will contaminate waters.**

The proposed use presents no nuisance in law or in fact with regards to any of the conditions listed. The developer will need to take care to minimize the dust impact from grading and construction, as well as provide good stone construction entrances to attempt to minimize any dirt carried out onto West Henrietta Road. Proper construction drainage ponds, erosion barriers, site stabilization, and other conservation strategies will need to be employed to prevent improper run-off and/or contamination of the nearby wetlands and inland waterways during construction. The Town will be actively monitoring construction to ensure the above does not happen and that any issues that may occur are immediately corrected and remediated.

E. **Whether the proposed use will create material hazards or dangers to the public or to persons in the vicinity from fire, explosion, electricity, radiation, traffic congestion, crowds, parking of vehicles, or other causes.**

The proposed use presents no material hazards or dangers to the public or persons in the vicinity from any of the listed conditions or other causes. The New York State Department of Transportation has indicated that due to the anticipated traffic volumes, only a single entrance is required since senior housing projects do not generate much traffic during the peak traffic hours.

F. **Whether the proposed use will create materially adverse impacts that cannot be adequately mitigated, such as to adversely impact natural resources or the environment, agriculture, community services or other areas required to be addressed by the State Environmental Quality Review Act (SEQRA).**

The proposed use presents no materially adverse impacts under SEQRA – all potential adverse impacts identified have been adequately mitigated, including but not limited to the need to ensure proper drainage to the east and by the revisions made to the building elevations.

G. **Whether the physical conditions and characteristics of the site are suitable for the proposed use considering site size, configuration, location, access, topography, vegetation, soils, and hydrology for effective stormwater management and, if necessary, the ability to be screened from neighboring properties and public roads.**

The site is over 12.56-acres and the proposed site plan results in a unit density slightly above the six units per acre for a Rural Residential senior living complex. The slope of the land goes from west to east with the taller three-story apartment buildings being located in the middle of the site so that they don't seem as high from West Henrietta Road. The parking lots are also located between the buildings and as far away from the adjacent single family residences as possible.

H. **Whether there are adequate utilities, public infrastructure, community facilities and emergency services, either existing or to be provided by the applicant or others, to effectively serve the proposed use. A proposed use shall not create or contribute to an existing inadequacy.**

There is an adequate supply of water and ample capacity in the sanitary sewer system for the 64 unit senior housing facility.

I. **Whether the proposed use will provide, maintain, or enhance, as necessary, safe and efficient vehicular traffic patterns, nonmotorized travel, and pedestrian circulation as well as, where feasible, access to public spaces, parks, recreation, and open space resources.**

Traffic and circulation will be safe and efficient. See above at "E" for further discussion on entrances.

LANDTECH
SURVEYING & PLANNING P.L.L.C.
1105 Ridgeway Avenue
Rochester, NY 14615
Tel: (585) 442-9902
www.landtechny.com

November 10, 2023

Project Number: 23292

Town of Henrietta
475 Calkins Road
PO Box 999
Henrietta, NY 14467

Attn: Henrietta Town Board

RE: West Henrietta Road
Special Permit

Supervisor Schultz and honorable Town Board members,

On behalf of West Sunset Development LLC, we submit the following for the consideration of two special permits to allow the construction of senior apartments on this site. The second special permit for two of the buildings to be constructed 40 feet high. This application was tabled at the September 13th Town Board meeting.

During that meeting the Town Board had some concerns over the proposed layout of the project and wanted confirmation on the proposed height of the 3 story structures. We have made the following significant changes to the Concept Plan:

- We have rotated the two 26 unit buildings 90 degrees, they now face each other.
- We removed one of the 4-unit ranch apartment buildings.
- The building setbacks to the adjacent properties have significantly increased.
    - 132 feet from our north property line vs 100 feet from the original plan
    - 111 feet from our south property line vs 100 feet from the original plan
    - 123 feet from our east property line (6500 W. Henrietta Road) vs 60 feet
    - 116 feet from the R.O.W to the Three-Story building
- We removed the parking areas and drive lanes adjacent to our north and south property lines.
- All pavement is at least 60 feet from any property line.
- Landscape buffering has been increased.

During the previous Town Board meeting we only had one member of the public speak regarding this project: the adjacent homeowner Mr. Mike Berardi (6500 West Henrietta Road). During the meeting Mr. Berardi agreed with the intended use "We're not opposed to the idea of apartments & the seniors, everything that's being said sounds good" but he has concerns regarding parking and the buildings being close to his property.

I reached out to Mr. Berardi in an attempt to review the updated Site Plan and to identify any other concerns or questions he may have had. Unfortunately, after a very brief conversation he stated that he had viewed the updated plan and did not wish to speak to me regarding the project.

One point of confusion was regarding the proposed height of the three-story buildings. The following is the section of Town Code regarding height and the definition of building height:

§ 295-8**Building height limits.**

[Amended 2-27-2019 by L.L. No. 3-2019; 4-12-2022 by L.L. No. 8-2022]

No structure in a residential district shall exceed two stories of any kind above the basement, and no residential building shall exceed 21 feet in height from the top of the first floor of the first story to the ceiling of the second story. In the case of churches, schools and institutions of higher education, public hospitals, public libraries, municipal and special district buildings and apartment houses, no such structure, with the exception of barns and silos associated with a farm operation in a county agricultural district, shall exceed **35 feet** in height, except by special use permit granted by the Town Board, after a public hearing in accordance with the procedures set forth in Article **XII** of this chapter.

BUILDING, HEIGHT OF

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to a point midway between the highest and lowest point of the roof, except chimneys, spires, towers, elevator penthouses, tanks and similar permitted projections.[1]
[Amended 2-27-2019 by L.L. No. 3-2019]

The building plans that are intended to be used for this project have the following building height elements:

- Top of the peak of the roof 48' 67/8"
- Mid-Points of the Roof 39' 10 3/8"

The proposed building does not meet the code and we are formally requesting a Special Permit for a building height of 40 feet. A copy of the Elevation of the proposed building has been added to the application package.

Attached please find the following information for your review:

- One copy of this letter of intent
- Four copies of the updated concept plan
- Fur copies of the Special Permit applications
- Four copies of the building elevation
- The application Fee of $ 150

Note: an electronic copy (format: .DWG, .PDF and/or .TIFF) of all application materials, including site plans, instrument survey maps, and colored renderings (medium: CD/DVD, USB Flash Drive, email: drawings@henrietta.org) has been submitted

The applicate owns this 12.5+/- acre property located on the east side of West Henrietta Road approximately 772' south of Martin Road in the Rural Residential (RR-1) zoning district.

The parcel is well drained and has access to public sanitary sewer, water, gas and electric. West Henrietta Road is a State Route (15) and permits are required for the proposed driveways and utility crossings.

The application proposed a senior apartment project on this site consisting of the following elements:

- Two 3 story apartment buildings with 26 units in each
  - These buildings will have 12 garages.
  - The buildings will have elevators.
  - The buildings will have sprinkler fire protection.
- Three buildings with ranch style units
  - A minimum of eight units will be designed to accommodate the needs of the hearing impaired.
- Private driveway
- Landscape buffering along West Henrietta Road and along the neighbors
- Maintained open space for passive recreation.

We would like to be added to the December 20th Town Board agenda. In the meantime, please contact me with any questions or comments.

Sincerely,

John H. Sciarabba, L.S. LandTech

Legend

Linetypes

- Centerline
- Property Line
- Resub. Prop. Line (100.00')
- Easement Line
- Existing Contour (270)
- Proposed Contour (270)
- Chain Link Fence
- Wood Fence
- Guide Rail
- Wire Fence
- Overhead Wires (OHW)
- Gas Line (G)
- Water Line (W)
- Forcemain (FM)
- Sanitary Sewer (SA)
- Storm Sewer (ST)
- Electric (E)
- Edge of Woods
- Floodzone
- Wetlands
- Right-of-Way (R.O.W.)
- Landscaping & Retaining Walls
- Silt Fence
- Drainage Flow
- Sump Pump Discharge (SD)

Symbols

- Utility Pole
- Water Gate Valve
- Curb Box
- Gas Valve
- Utility Box
- Transformer
- Survey Monument
- Mailbox
- Sign
- Iron pipe/rebar
- Traffic Control M.H.
- Cleanout
- Catch basin or
- Fire hydrant
- Signal span pole
- Perc hole
- Deep hole
- Benchmark
- End section
- Spot elev. x351.00'
- Light pole
- Well
- Utility manhole
- Storm Sewer Manhole
- Sanitary Sewer Manhole
- Rebar (to be set)

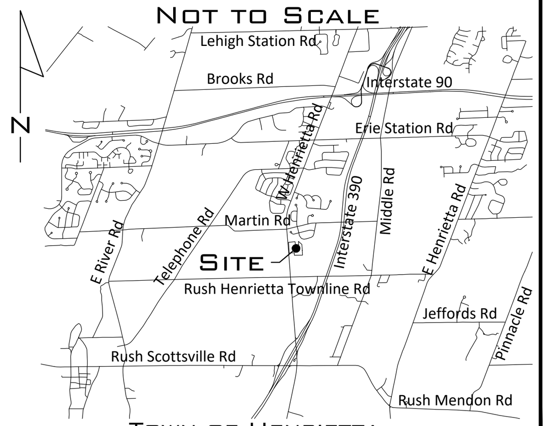
Line Styles

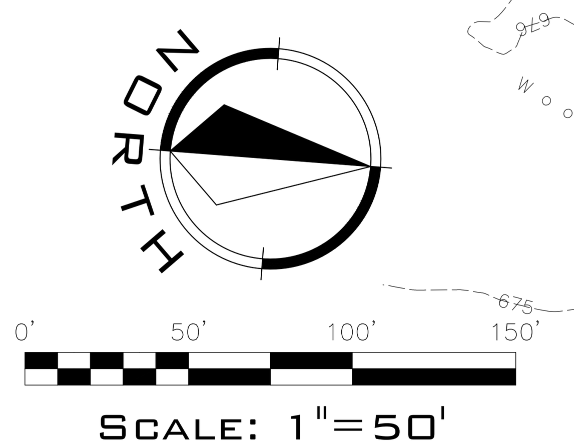
- Feature to be removed (Gray Line)
- Existing Utility (Light Line Weight)
- Proposed Utility (Heavier Line Weight)

Labels

- Record Map Info. "(R)"
- Typical Style "Typ."
- To Be Removed "TBR"
- Proposed "Pr."

Location Map





General Notes

1. Tax Account Number: 202.01-2-001
   202.01-2-002
   202.01-2-003
   202.01-2-004
   202.01-2-005
2. Owner: West Sunset Development LLC.
3. Site address: West Henrietta Road
4. Total Area: 547,147± s.f. 12.561± Acres
5. Total Soil Disturbance Area: 8.0± Acres
6. This project is located in Town Lots 31 & 33, 4th Range of Lots, Township 12, Range 7, of the Phelps and Gorham Purchase, Town of Henrietta, County of Monroe, State of New York.
7. This project is located within Other Areas-Zone X (Areas determined to be outside the 0.2% annual chance floodplain) according to Flood Insurance Rate Map Number 36055C0343G, dated August 28, 2008.

Survey References

1. This topographic survey was prepared from notes of an Instrument Survey completed on February 11, 2021 by Landtech Surveying & Planning, PLLC.
2. Site benchmark: South Property Line Fire Hydrant N.E. Bonnet Bolt Elevation = 683.46
3. Liber 12442 of Deeds, Page 431.
4. Liber 320 of Maps, Pages 74, 75, 76, & 77.
5. The vertical datum is referenced to The North American Vertical Datum of 1988 (NAVD 88)

Zoning Notes

RR – Rural Residential Zoning District (With Water/Sewer)

§ 295-10.1 Rural Residential District.

F. Area, width and setbacks.
(1) The following shall apply to lots served by both municipal water and sewer, and that are not within a state-certified, county-adopted agricultural district:
(a) Minimum lot area: two acres (may be smaller with open space incentive).
(b) Minimum lot width shall be 80 feet.
(c) Minimum front yard setbacks shall be 30 feet if located on a Town or private road or 50 feet if located on a county or state road.
(d) Minimum side yard setbacks shall be 10 feet on one side, 15 feet on the other side.
(e) Minimum rear yard setbacks shall be 30 feet.
(f) Each lot shall contain a minimum of 10,000 square feet of contiguous area for building and yard area free of wetlands, surface water or slopes over 15%.

Proposed

-Two 26 unit Buildings	52 Units
-Three 4 unit Buildings	12 Units
(8 units will be Wired for the Hearing Impaired)	
	64 Total Units
Code allows up to	62.4 Units

Proposed Parking

- -12 Two Car Garages
- -12 One Car Garages
- -58 Parking Spots
- -8 Handicap Parking Spots

Unauthorized alteration or addition to a map bearing the seal of a licensed professional engineer or land surveyor is a violation of Article 145, Section 7209, Subdivision 2 of the New York State Education Law.



Underground Facilities Protective Organization Utility Coordinating Commitee.
SAVE BIG, CALL BEFORE YOU DIG.
1-800-962-7962

LANDTECH
Surveying & Planning P.L.L.C.
1105 Ridgeway Ave - Rochester, NY - 14615
Phone (585) 442-9902 - info@landtechny.com

Date	Revision	By
11/9/23	Minor Edit	ODS

Revisions

Scale: 1"=50'
Date: 9/5/23
Drawn By: KMS
Checked By: JHS
Project Number: 23292

July 14, 2023
West Henrietta Rd

Town Lots 31 & 33, 4th Range of Lots, Township 12, Range 7, of the Phelps and Gorham Purchase, Town of Henrietta, County of Monroe, State of New York

Concept Plan 8

Sheet 1 of 1



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

MODIFICATION SUMMARY

DATE: October 20, 2026

APPLICANT:	DelMonte Development LLC 909 Linden Avenue Rochester, NY 14625
PROJECT LOCATION:	460 E. Henrietta Rd. Rochester, NY 14620
MODIFICATION REQUEST:	DelMonte Development LLC is currently constructing a 114,000 sq ft hotel with 191 rooms in the City of Rochester. Originally approved in May of 2024, this new facility will be a dual brand hotel concept featuring the Element by Westin for extended stay, and AC Hotels by Marriott to accommodate business travelers. The project is now seeking an extension of the sales tax exemption through December 31, 2027 as the project experienced minor delays.
PROJECT AMOUNT	ORIGINAL $42,814,285

Motion By: _____
Seconded By: _____

RESOLUTION
(Del Monte Development LLC Project Modification)
OSC Code 2602-24-001B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices located at 50 West Main Street, Rochester, New York 14614, on October 20, 2026, at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO DEL MONTE DEVELOPMENT LLC (THE "COMPANY") THROUGH DECEMBER 31, 2027; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on May 21, 2024, the Agency appointed **DEL MONTE DEVELOPMENT LLC**, a New York limited liability company for itself or a related entity formed or to be formed (collectively, the "Company") requested the Agency to assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in a portion of an approximately 11.74-acre parcel of land located at 460 East Henrietta Road in the City of Rochester, New York 14620 and all other lands in the City of Rochester where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the construction thereon of an approximately 114,000 square-foot, 5-story hotel (the "Improvements") comprised of 115 guest rooms which will be managed by AC Hotels by Marriott and 76 guest rooms which will be managed by Element by Westin, together with an additional 140 parking spaces; and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Agency initially appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") through December 31, 2026;

WHEREAS, pursuant to a Project Modification Request, dated September 16, 2026, the Company has requested that the Agency grant an extension to the Sales and Use Tax Benefits through December 31, 2027; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the extension in Sales and Use Tax Exemption Benefits; and (ii) the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax through **December 31, 2027**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant: DelMonte Development LLC (CityGate Hotel LLC)

Project Address: 470 East Henrietta Rd. Rochester, NY 14620

Contact Name: Cynthia Cruz

Contact Company: DelMonte Hotel Group

Contact Address: 909 Linden Ave. Rochester, NY 14625

Contact Email: [redacted] Contact Phone: [redacted]

Employment in Monroe County: N/A (Full Time) _____ (Part Time) _____ (As of Date)

Modification Requested: Check all that apply. (Attach additional page if necessary). Legal fees apply.

***A substantial change in project costs or scope may require a new application. ***

☐ **Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement ☐ Mortgage Tax Exemption ☐ Sales Tax Exemption

Project Cost Information: $ _____ (Original Project Cost) $ _____ (Increase in Project Costs) $ 0 (New Project Costs)

☑ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a $350 fee applies.)

12/31/2026 (Current Expiration Date) 04/30/2027 (Requested Expiration Date) $1,249,804.32 (Amount of Exemptions Taken to Date)

Reason for Extension:

The project is currently slated for completion in January 2027. We expect final invoices to be received in the months following completion. Therefore, we are requesting an extension to allow sufficient time for all outstanding invoices to be processed and paid.

☐ **New Tenant:** Include name, business description , and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: _____ Date: 09/16/2026

Print Name and Title: Cynthia Cruz, Director of Acquisitions and Development

Staff Use Only: 2/20

Date Received 9/17/26 Date of Original Approval: 5/21/24 New Code 2602 24 001 B

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

MODIFICATION SUMMARY

DATE: October 20, 2026

APPLICANT:	Cascade District LLC 7 Van Auker St. Rochester, NY 14608
PROJECT LOCATION:	69 and 72-75 Cascade Drive Rochester, NY 14614
MODIFICATION REQUEST:	Cascade District LLC is renovating a 230,000 square foot industrial building in the City of Rochester into a mixed-use development. Originally approved in April of 2025, the project includes the renovation of 32 existing loft-style apartments and the addition of 58 one- and two-bedroom apartments for a total of 90 units. Additional space is set aside for commercial tenants. The applicant is requesting an extension of the sales tax exemption through December 31, 2027 as the project is nearing completion, and the extension would provide additional time necessary to finalize construction.
PROJECT AMOUNT	ORIGINAL $22,718,000

Motion By: _____
Seconded By: _____

RESOLUTION
(Cascade District LLC Project Modification)
OSC Code 2602-25-010B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices located at 50 West Main Street, Rochester, New York 14614, on October 20, 2026, at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO CASCADE DISTRICT LLC (THE "COMPANY") THROUGH DECEMBER 31, 2027; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on April 15, 2025, the Agency appointed **CASCADE DISTRICT LLC**, a New York limited liability company for itself or a related entity formed or to be formed (collectively, the "Company") requested the Agency to assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest land located at 69 and 72-78 Cascade Drive in the City of Rochester, New York 14614 and all other lands in the City of Rochester where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (collectively, the "Land") together with the approximately 230,000 square-foot building thereon (the "Existing Improvements"); (B) the renovation and modernization of the Existing Improvements into a mixed-use development containing (i) approximately 90 residential apartments including, but not limited to, new flooring, updated kitchens and bathrooms, new mechanical systems, updates to the existing elevators, an exercise facility, and renovations to the underground parking garage and (ii) commercial and industrial space (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Agency initially appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") through December 31, 2026;

WHEREAS, pursuant to a Project Modification Request, dated September 23, 2026, the Company has requested that the Agency grant an extension to the Sales and Use Tax Benefits through December 31, 2027; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the extension in Sales and Use Tax Exemption Benefits; and (ii) the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax through **December 31, 2027**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant: Cascade District LLC

Project Address: 69 and 72-78 Cascade drive, Rochester 14614

Contact Name: Michael M Spoleta

Contact Company: Cascade District LLC

Contact Address: 7 Van Auker Street, Rochester 14608

Contact Email: [redacted] Contact Phone: [redacted]

Employment in Monroe County: 1 (Full Time) 1 (Part Time) 8/31/26 (As of Date)

Modification Requested: Check all that apply. (Attach additional page if necessary). Legal fees apply.

***A substantial change in project costs or scope may require a new application. ***

☐ **Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement ☐ Mortgage Tax Exemption ☐ Sales Tax Exemption

Project Cost Information: $ _____ (Original Project Cost) $ _____ (Increase in Project Costs) $ 0 (New Project Costs)

☒ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a $350 fee applies.)

12/31/26 (Current Expiration Date) 6/30/27 (Requested Expiration Date) $ 120,483.28 (5/15/25 to 8/31/26) (Amount of Exemptions Taken to Date)

Reason for Extension:

Increase in scope and cost of renovations

☐ **New Tenant:** Include name, business description , and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: Michael M. Spoleta Partner Date: 9/23/26

Print Name and Title: Michael M Spoleta, Partner

Staff Use Only:

Date Received 9/23/26 Date of Original Approval: 4/15/25 New Code 2602 25 010 B 2/20

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

MODIFICATION SUMMARY

DATE: October 15, 2026

APPLICANT:

Love Beets Production LLC
1150 Lee Rd, Section A
Rochester, NY 14606

PROJECT LOCATION:

1150 Lee Rd, Section A
Rochester, NY 14606

MODIFICATION REQUEST:

Love Beets Production LLC, a food manufacturer specializing in beets and other root vegetables, is currently in the process of purchasing and installing new equipment related to the expansion of its cold storage facility. The project was approved by the board in October of 2025 for a sales tax exemption. Due to the success of the project, the applicant now has the space and ability to create a new vac-pac production line. The applicant is requesting an increase in the project costs of $1,073,000 and an extension of the sales tax exemption through December 31, 2027. The new sales tax exemption is not to exceed $107,040. The total project cost is now $2,203,000. The new cost benefit ratio is 50:1.

PROJECT AMOUNT

CURRENT	REQUESTED	NEW TOTAL
$1,130,000	**$1,073,000**	**$2,203,000**

PUBLIC HEARING DATE: October 19, 2026

County of Monroe Industrial Development Agency
MRB Cost Benefit Calculator

Cost-Benefit Analysis Tool powered by MRB Group

Date October 21, 2025
Project Title Love Beets Production LLC
Project Location 1150 Lee Road, Rochester, NY 14606

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
$2,203,000

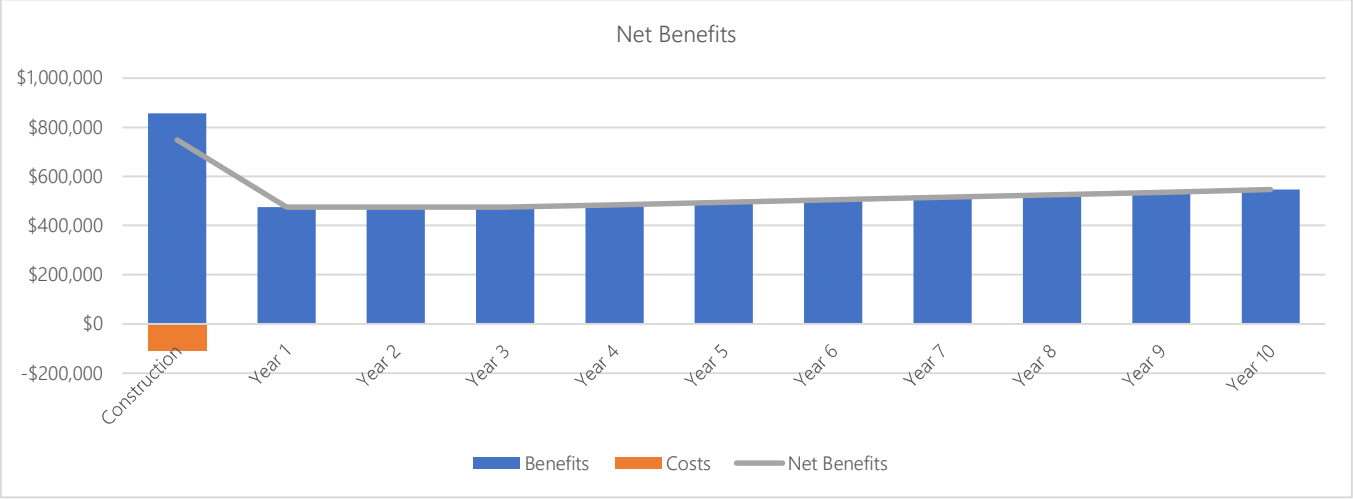
Temporary (Construction)

	Direct	Indirect	Total
Jobs	11	2	14
Earnings	$679,190	$128,870	$808,060
Local Spend	$1,762,400	$438,695	$2,201,095

Ongoing (Operations)
Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	11	2	13
Earnings	$4,176,886	$576,232	$4,753,118

Figure 1



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

Figure 2

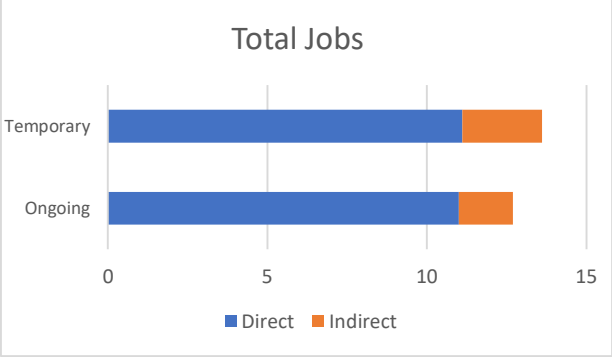
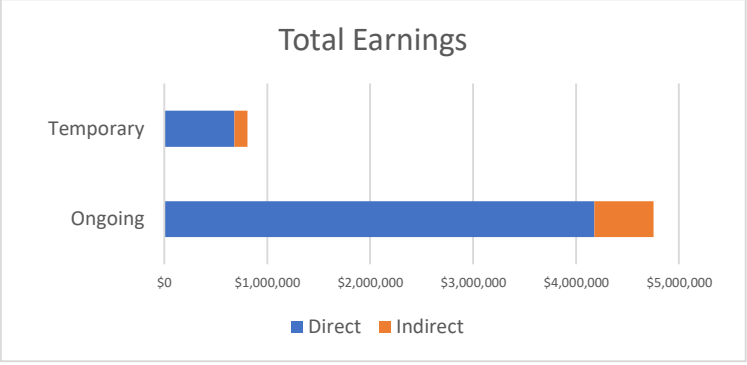


Figure 3



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

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Fiscal Impacts

MRB group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$0	$0
Sales Tax Exemption	$107,040	$107,040
Local Sales Tax Exemption	*$53,520*	*$53,520*
State Sales Tax Exemption	*$53,520*	*$53,520*
Mortgage Recording Tax Exemption	$0	$0
Local Mortgage Recording Tax Exemption	*$0*	*$0*
State Mortgage Recording Tax Exemption	*$0*	*$0*
Total Costs	**$107,040**	**$107,040**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	**$5,600,107**	**$5,101,327**
To Private Individuals	**$5,561,178**	**$5,065,866**
Temporary Payroll	*$808,060*	*$808,060*
Ongoing Payroll	*$4,753,118*	*$4,257,806*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	**$38,928**	**$35,461**
Increase in Property Tax Revenue	*$0*	*$0*
Temporary Jobs - Sales Tax Revenue	*$5,656*	*$5,656*
Ongoing Jobs - Sales Tax Revenue	*$33,272*	*$29,805*
Other Local Municipal Revenue	*$0*	*$0*
State Benefits	**$289,181**	**$263,425**
To the Public	**$289,181**	**$263,425**
Temporary Income Tax Revenue	*$36,363*	*$36,363*
Ongoing Income Tax Revenue	*$213,890*	*$191,601*
Temporary Jobs - Sales Tax Revenue	*$5,656*	*$5,656*
Ongoing Jobs - Sales Tax Revenue	*$33,272*	*$29,805*
Total Benefits to State & Region	**$5,889,288**	**$5,364,752**

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$5,101,327	$53,520	95:1
State	$263,425	$53,520	5:1
Grand Total	**$5,364,752**	**$107,040**	**50:1**

*Discounted at 2%

Additional Comments from IDA

This is a good project.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

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Motion By: _____
Seconded By: _____

RESOLUTION
(Love Beets Production, LLC Project Modification)
OSC Project Code 2602-25-030B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's offices located at 50 West Main Street, Rochester, New York 14614, on October 20, 2026 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO LOVE BEETS PRODUCTION, LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; (ii) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) GRANTED TO THE COMPANY THROUGH DECEMBER 31, 2027; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on October 21, 2025, the Agency appointed **LOVE BEETS PRODUCTION, LLC**, a consisting of: (A) the renovation and modernization of the Company's current location at 1150 Lee Road, Section A, in the Town of Greece, New York 14606 and all other lands in the Town of Greece where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project including, but not limited to, the installation of drive-thru racking in new cold space, the addition of dry peelers, and the implementation of bags to barrels, a spot sprayer, dual unwind, check weigher and turn table automation, all to enhance production, efficiency and sustainability in delivering high-quality products (collectively, the "Improvements"); and (B) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (collectively, the "Equipment" and, together with the Improvements, the "Facility"), all for use by the Company in its business as a root vegetable producer; and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") in an amount up to $715,000, which would result in New York State and local sales and use tax exemption benefits not to exceed $57,200; which benefits were to expire on December 31, 2026; and

WHEREAS, by Project Modification Request, dated September 25, 2026, the Company has now requested that the Agency approve (i) an increase purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use

tax in an amount up to $1,338,000, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed $107,040 (as increased, the "Sales and Use Tax Exemption Benefits"), and (ii) an extension to the Sales and Use Tax Exemption Benefits through December 31, 2027; and

WHEREAS, pursuant to Section 859-a of the Act, on Monday, October 19, 2026, at 10:00 a.m., local time, in Community Rooms A and B at the Greece Town Hall, 1 Vince Tofany Boulevard, Greece, New York 14612, the Agency held a public hearing with respect to the Project, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, the Agency desires to adopt a resolution authorizing the increase of Sales and Use Tax Exemption Benefits to the Company, the extension of sales tax benefits through December 31, 2027, and the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use in an amount up to **$1,338,000**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **$107,040** through **December 31, 2027.** The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described increase and extension.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant:	LOVE BEETS PRODUCTION, LLC
Project Address:	1150 LEE RD, SECTION A
Contact Name:	MATTHEW COOLEY
Contact Company:	LOVE BEETS PRODUCTION, LCC
Contact Address:	1150 LEE RD, SECTION A
Contact Email:	[redacted] Contact Phone [redacted]

Employment in Monroe County: 118 (Full Time) 7 (Part Time) 9.25.26 (As of Date)

Modification Requested: Check all that apply. (Attach additional page if necessary). Legal fees apply.
***A substantial change in project costs or scope may require a new application. ***

☑ **Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement ☐ Mortgage Tax Exemption ☑ Sales Tax Exemption

Project Cost Information: $ 1,130,000 (Original Project Cost) $ 1,073,000 (Increase in Project Costs) $ 2,203,000 (New Project Costs)

☑ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a $350 fee applies.)

12/31/2026 (Current Expiration Date) 12/31/2027 (Requested Expiration Date) $48,000.00 (Amount of Exemptions Taken to Date)

Reason for Extension:
We used the opportunity to expand a second line - the first portion of the COMIDA project allowed for this

☐ **New Tenant:** Include name, business description , and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: [signature] Date: 09/25/2026

Print Name and Title: MATTHEW COOLEY FINANCE DIRECTOR

Staff Use Only: 2/20

Date Received 9/25/2026 Date of Original Approval: 10/21/2025 New Code 2602 25 030 B

Project Modification Request - Page 2

Required when requesting an Increase in Project Costs

A. Applicant Project Costs	**Original/Current Approval**	**Requested Increase Modification**	**Revised Approval Requested**
Building Construction or Renovation			
a. Materials	$ 400,000	$ 75,000	$ 475,000
b. Labor	$ 415,000	$ 105,000	$ 520,000
Site Work			
c. Materials	$	$ 863,000	$ 863,000
d. Labor		$ 30,000	$ 30,000
e. Non-Manufacturing Equipment	$	$	$ 0
f. Furniture & Fixtures	$	$	$ 0
g. Land and/or Building Purchase	$ 315,000	$	$ 315,000
h. Manufacturing Equipment	$	$	$ 0
i. Soft Costs (Legal, Architect, Engineer)	$	$	$ 0
Other Costs (specify)			
j.	$	$	$ 0
k.	$	$	$ 0
l.	$	$	$ 0
m.	$	$	$ 0
Total Project Costs	**$ 1,130,000**	**$ 1,073,000**	**$ 2,203,000**
Sources of Funds for Project Costs			
a. Tax Exempt Industrial Revenue Bond	$	$	$ 0
b. Taxable Industrial Revenue Bond	$	$	$ 0
c. Tax Exempt Civic Facility Bond	$	$	$ 0
d. Bank Financing (subject to recording tax)	$	$	$ 0
e. Public Sources	$	$	$ 0
f. Equity	$ 1,130,000	$ 1,073,000	$ 02,203,000
Total Sources	**$ 01,130,000**	**$ 0,1,073,000**	**$ 02,203,000**

B. Reason for Increase:

We were already considering a 2nd Vac Pac line - the investment from the first part of the COMIDA project enabled this project to become a reality. The first part of the project - racking and updating the bags to barrel process opened up the space to put a second vac pac line in. That is why there isn't much building costs associated with the project only 180K. The costs really are just electric, air, and water to the new line and the rest of the costs are the manufacturing equipment.

C. Amount of Sale Tax Exemptions Taken to Date: $ 48,000.00

Value of Incentives
Love Beets Production LLC

A. IDA PILOT Benefits:

Current Assessment	$8,102,700
Value of New Construction & Renovation Costs	
Estimated New Assessed Value Subject to IDA	$8,102,700
Current Taxes	$0
Current Taxes Escalator	2%
PILOT Terms - Years	10
County Tax rate/$1,000	
Local Tax Rate* Tax Rate/$1,000	
School Tax Rate /$1,000	
Total Tax Rate	0.00000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	$107,040
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	$0

D. Industrial Revenue Bond Benefit

IRB inducement amount:	$0

E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	$107,040
Project Construction Costs:	$2,203,000
	4.86%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	$0	$0	$0	$0	$0	$0
1	90%	$0	$0	$0	$0	$0	$0
2	80%	$0	$0	$0	$0	$0	$0
3	70%	$0	$0	$0	$0	$0	$0
4	60%	$0	$0	$0	$0	$0	$0
5	50%	$0	$0	$0	$0	$0	$0
6	40%	$0	$0	$0	$0	$0	$0
7	30%	$0	$0	$0	$0	$0	$0
8	20%	$0	$0	$0	$0	$0	$0
9	10%	$0	$0	$0	$0	$0	$0
10	0%	$0	$0	$0	$0	$0	$0

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

ASSIGNMENT/ASSUMPTION SUMMARY

DATE: October 20, 2026

APPLICANT:	PH ES 400 Roch LLC 10210 N. Central Expy Suite 300 Dallas, TX 75231
PROJECT LOCATION:	400 Bellwood Drive Rochester, NY 14606
ORIGINAL APPROVAL DATE:	May 17, 2016
MODIFICATION REQUEST:	Central PA Equities 35 LLC is selling the Home2 Suites by Hilton located at 400 Bellwood Drive in the Town of Greece to PH ES 400 ROCH LLC, a real estate holding company. The project was previously assumed by Central PA Equities 35 LLC from 2018 Gateway Hotel, LLC in 2021.
ORIGINAL PROJECT AMOUNT:	20,100,000

Original Code: 2602 21 060A
New Code: 2602 26 045A

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSUMPTION

Each applicant seeking assumption of an existing Project must complete this form and provide additional information if requested. A **non-refundable** application fee of $350 must be included with this application. Make check payable to COMIDA. If assumption is approved, assumption will require preparation of legal documentation and a fee of $2,000 plus legal costs.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available online at www.monroecountyida.org.

I. PROJECT

a. Address: 400 Bellwood Drive
City/State/Zip: Rochester, NY 14606
TAX Map No: 089.04-1-13.111

b. Current Project Owner
Central PA Equities 35 LLC

c. Does Applicant contemplate any changes in use or tenancy of the project? YES ☐ NO ☑

If YES, provide information on additional pages.

II. APPLICANT

a. Name: PH ES 400 ROCH LLC
Address: 10210 N Central Expy Suite 300
City/State/Zip: Dallas, TX 75231
TAX ID No: [redacted]
Contact Name: Glenn Lanier
Title: Vice President
Telephone #: [redacted]
Email: [redacted]

b. Owners of 20% or more Applicant Company
PH ES Portfolio V LLC

Do any of these owners currently own property within Monroe County New York? YES ☐ NO ☑

III. APPLICANT Legal Counsel

Name: PH ES 400 ROCH LLC
Firm: Provident Corp
Address: 10210 N Central Expy Suite 300
City/State/Zip: Dallas, TX 75231
Telephone #: [redacted]
Email: [redacted]

IV. CERTIFICATION

Current Project Owner represents that (i) it is not in default under any documents executed in connection with the Project being assigned; (ii) Assignee must agree to assume Current Project Owner's rights, interest, duties, obligations and liability set forth in any documents executed in connection with the Project being assigned; and (iii) Assignee will pay all fees of the Agency and its counsel in connection with the assignment of said Project.

Signed:

Current Project Owner:
Central PA Equities 35 LLC

Name, Title: Justin D. Shelton, Manager — Date: 10/1/26

Assignee:

Name, Title: Brent Wille, Vice President — Date: 9/28/26

Motion By: _____
Seconded By: _____

RESOLUTION
(Assignment of Central PA Equities 35 LLC Project to PH ES 400 ROCH LLC)
OSC Code 2602-26-045A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on October 20, 2026 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY CENTRAL PA EQUITIES 35 LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS (EACH AS DEFINED BELOW) IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 400 BELLWOOD DRIVE IN THE TOWN OF GREECE, NEW YORK, TO PH ES 400 ROCH LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by resolution duly adopted on May 17, 2016, the Agency appointed **2016 GATEWAY H2 LLC**, a New York corporation (the "2016 Gateway"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in an approximately 3.845-acre parcel of land located at 400 Bellwood Drive in the Town of Greece, New York (the "Land"); (B) the construction thereon of an approximately 60,000 square-foot Hilton Home2Suites Hotel containing 119 rooms with a pool, related parking area, and landscaping (collectively, the "Improvements"), (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, by resolution duly adopted on July 17, 2018, the Agency authorized (i) the assignment to and assumption of the Project from 2016 Gateway to 2018 Gateway Hotel LLC (the "2018 Gateway"); (ii) an increase in the amount of New York State and local sales and use tax exemption and (iii) and an increase in the mortgage recording tax exemption; and

WHEREAS, the Agency and 2018 Gateway executed and delivered (i) a certain Lease Agreement, dated as of October 1, 2018, by and between the Agency and 2018 Gateway,

pursuant to which the 2018 Gateway leased the Facility to the Agency (the "Lease Agreement"), a memorandum of which (the "Memorandum of Lease") was recorded in the Monroe County Clerk's Office on October 31, 2018 in Liber 12103 of Deeds, at Page 297; (ii) a certain Leaseback Agreement, dated as of October 1, 2018, by and between the Agency and 2018 Gateway, pursuant to which the Agency leased the Facility back to 2018 Gateway (the "Leaseback Agreement"), a memorandum of which was recorded in the Monroe County Clerk's Office on October 31, 2018 in Liber 12103 of Deeds, at Page 301 (the "Memorandum of Leaseback") and (iii) a certain Payment-In-Lieu-Of-Tax Agreement, dated as of October 1, 2018, by and between the Agency and 2018 Gateway (the "PILOT Agreement"; and, together with the Lease Agreement, Memorandum of Lease, Leaseback Agreement and the Memorandum of Leaseback, the "Documents"); and

WHEREAS, pursuant to the Documents, the Agency provided financial assistance (the "Financial Assistance") to 2018 Gateway in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a mortgage recording tax exemption for financing relating to the Project and (c) a partial real property tax abatement structured through the PILOT Agreement; and

WHEREAS, by Resolution adopted on February 25, 2020, the Agency approved an extension of 2018 Gateway's agency appointment for purposes of New York State and local sales and use tax through June 30, 2020; and

WHEREAS, by Resolution adopted on November 16, 2025, the Agency approved the assignment of the Financial Assistance and the Documents to Central PA Equities 35 LLC, or a related entity formed or to be formed (collectively, "Central PA Equities"); and

WHEREAS, by Application for Assumption, dated October 1, 2026, Central PA Equities has requested the Agency's approval of the sale of the Facility and assignment of the Financial Assistance and the Documents to PH ES 400 ROCH LLC, or a related entity formed or to be formed (collectively, the "Company"); and

WHEREAS, Central PA Equities and the Company represent that the sale of its assets to the Company will not in any way change the use of the Facility and that the Facility will continue to constitute a "project" as such quoted term is defined in the Act; and

WHEREAS, the Agency now desires to adopt a resolution: (i) approving the sale of the Facility, (ii) approving the assignment of the Financial Assistance and the Documents to the Company and (iii) approving the execution of any and all documents necessary to effectuate the assignment of the Financial Assistance and the Documents.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby consents to the sale of Central PA Equities' rights, title and interests in and to the Facility to the Company.

Section 2. The Agency hereby consents to the assignment of the Financial Assistance and the Documents from Central PA Equities to the Company.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver any and all documents necessary to effectuate the above-described assignments and continuation of the Financial Assistance and the Documents with respect to the Facility.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

[Remainder of Page Intentionally Left Blank]

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October. 2026.

_____
Ana J. Liss, Executive Director

COMIDA
Budget Template
As of July 31, 2026

	Year To Date 7/31/2026	**Year Ending 12/31/2026**	Year Ending 12/31/2026	*Projected 2026 vs. Budget 2026*	**Year Ending 12/31/2027**
	Actual	**Projected**	Budget	*Projected Var*	**Budget**
Revenue					
Revenue					
Interest Income	260,554	**442,057**	665,255	*-34%*	**515,000**
Fee Income	1,216,863	**2,000,000**	1,000,000	*100%*	**2,000,000**
Application Fee	11,200	**14,000**	8,400	*67%*	**12,000**
Grant Income	5,276,039		1,038,702	*-100%*	
Grant Expenses	(5,276,039)		(1,038,702)	*-100%*	
Total Revenue	1,488,617	**2,456,057**	1,673,655	*47%*	**2,527,000**
Payroll					
Payroll - Employee Benefits	49,911	**86,000**	96,600	*11%*	**107,500**
Payroll - Fees	8,009	**13,800**	10,900	*-27%*	**14,500**
Payroll - Retirement Expense	49,841	**88,239**	87,500	*-1%*	**92,700**
Payroll - COMIDA Salaries	208,789	**308,472**	363,300	*15%*	**418,982**
Payroll - Taxes	16,550	**29,000**	29,400	*1%*	**35,700**
Payroll - Workers' Compensation	780	**1,500**	1,500	*0%*	**1,600**
Total Payroll	333,880	**527,011**	589,200	*-11%*	**670,982**
Sponsorships	-	**-**	-		**-**
Program & Community Development					
APEX Funding	61,490	**120,000**	145,000	*17%*	**120,000**
Economic Gardening Program	25,000	**50,000**	50,000	*0%*	**50,000**
GRE	27,500	**55,000**	55,000	*0%*	**110,000**
Workforce Development Fund	1,218,417	**1,818,436**	1,818,436	*0%*	**748,897**
Program & Community Development - Other	274,063	**400,000**	400,000	*0%*	**200,000**
Total Program & Community Development	1,606,470	**2,443,436**	2,468,436	*-1%*	**1,228,897**
General and Administrative Expenses					
Advertising	12,000	**170,000**	10,000	*-1600%*	**10,000**
Website Maintenance	13,773	**35,000**	35,000	*0%*	**5,000**
Staff Development - Training & Travel	6,752	**25,000**	30,000	*17%*	**20,000**
Depreciation	1,649	**2,827**	2,800		**2,827**
Due and Subscriptions	28,201	**45,000**	45,000	*0%*	**45,000**
Liability Insurance	6,226	**12,000**	12,000	*0%*	**12,000**
County Administrative Contract	245,000	**490,000**	490,000	*0%*	**490,000**
General & Admin. Expense	2,835	**30,000**	50,000	*40%*	**30,000**
Office Supplies	3,879	**10,000**	10,500	*5%*	**10,000**
Telephone & Internet	138	**200**	800	*75%*	**-**
Legal Notices & Filing Fees	3,665	**7,000**	5,000	*-40%*	**7,400**
Postage & Delivery	133	**500**	2,000	*75%*	**500**
Local Labor Monitoring	48,061	**82,390**	80,900	*-2%*	**82,390**
Local Labor Waiver Processing	2,400	**22,900**	36,500	*37%*	**24,000**
Accounting Fees					
Audit	14,760	**14,760**	13,700	*-8%*	**15,500**
Financial Services	40,355	**62,250**	66,400	*6%*	**63,495**
Investment Services	16,071	**32,142**	35,000	*8%*	**32,400**
Professional Fees - Other	12,000		-		
Legal Fees	-		50,000	*100%*	
Travel & Entertainment - Hospitality	8,757	**15,000**	20,000	*25%*	**15,000**
APEX Activity, Net - (Income)/Expense					
APEX Income	(394,701)		-		**(650,238)**
APEX Expense	320,608		-		**637,938**
Total APEX Activity (Income)/Expense	(74,093)	**-**	-		**(12,300)**
Total General and Administrative Expenses	392,561	**1,056,968**	995,600	*6%*	**853,212**
Total Expenses	2,332,912	**4,027,415**	4,053,236	*-1%*	**2,753,090**
Change In Net Assets	(844,295)	**(1,571,359)**	(2,379,581)	*-34%*	**(226,090)**

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

Key Highlights of 2027 Budget Analysis

Projected 12 months ending December 31, 2026 compared to Budget 12 months ending December 31, 2026

	2026 Projected	2026 Budget	$ Variance	% Variance
Overall Projected Net Deficit	($1,571,359)	($2,379,581)	$808,222	34%
Interest Income	$442,057	$665,255	($223,199)	-34%
Fee Income	$2,000,000	$1,000,000	$1,000,000	100%
Payroll & Benefits	$527,011	$589,200	$62,189	11%
Program & Community Development	$2,443,436	$2,468,436	$25,000	1%
General & Administrative Expenses	$1,056,968	$995,600	($61,368)	-6%

Projected 12 months ending December 31, 2027 compared to Budget 12 months ending December 31, 2027

	2026 Projected	2027 Budget	Variance	% Variance
Overall Projected Net Deficit	($1,571,359)	($226,090)	$1,345,268	595%
Interest Income	$442,057	$515,000	$72,943	14%
Fee Income	$2,000,000	$2,000,000	$0	0%
Payroll & Benefits	$527,011	$670,982	($143,971)	-21%
Program & Community Development	$2,443,436	$1,228,897	$1,214,539	99%
General & Administrative Expenses	$1,056,968	$853,212	$203,757	24%



	01/01/2026 Through 08/31/2026	Year Ending 12/31/2026	Year Ending 12/31/2027	Budget 2027 vs. Projected 2026
	Actual	Projected	Budget	Projected Var
APEX Activity, Net				
40005 - APEX Income	(438,067.40)	(657,101.10)	(650,238.00)	-1%
59001 - APEX - Payroll - Salaries	163,103.94	244,655.91	271,122.00	11%
59002 - APEX - Payroll - Taxes	13,568.09	20,352.14	20,352.00	0%
59016 - APEX - Employee Benefits			82,378.00	
59003 - APEX - Payroll - Fees	1,255.65	1,883.48	1,900.00	1%
59004 - APEX - Accounting Fees	16,363.50	24,545.25	24,000.00	-2%
59005 - APEX - Staff Development	19,065.24	28,597.86	24,378.00	-15%
59006 - APEX - Office Supplies	2,325.24	3,487.86	1,000.00	-71%
59007 - APEX - Events & Hospitality	19,342.33	29,013.50	25,000.00	-14%
59008 - APEX - Marketing	14,539.00	21,808.50	3,008.00	-86%
59009 - APEX - Subscriptions	15,823.26	23,734.89	20,000.00	-16%
59011 - APEX - Consulting	81,893.11	122,839.67	150,800.00	23%
59015 - APEX - Professional Fees-Other	9,280.65	13,920.98	14,000.00	1%
APEX Expenses	356,560.01	534,840.02	637,938.00	19%
Total APEX Activity, Net	(81,507.39)	(122,261.09)	(12,300.00)	-90%

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

Workforce Development Fund Summary

Program	Total Amount	Payments in 2022	Payments in 2023	Payments in 2024	Projected Payments in 2025	Projected Payments in 2026	Projected Payments in 2027	Total Payments
YAMTEP - Year 1	$400,000	$200,000	$200,000					$400,000
MAPP	$400,000		$183,277	$52,403	$0	$0		$235,679
MCC Optics	$500,000		$114,329	$384,981				$499,310
RBCTC Workforce Campaign	$100,000	$100,000						$100,000
IBERO	$1,000,000		$375,000	$125,000	$248,000	$250,000		$998,000
1199 SEIU League	$300,000		$199,704	$20,169	$59,703			$279,576
YAMTEP - Year 2	$520,000		$320,000	$200,000				$520,000
Embark	$400,000			$200,197	$78,680			$278,877
Rochester Works - Enhanced Recovery	$200,000			$129,846	$70,154			$200,000
Rochester Works - On The Job 2024	$250,000			$234,904				$234,904
Childfirst Network	$300,000		$75,000	$0	$75,000			$150,000
CDL Training Center	$224,000				$62,188	$77,391	$82,527	$222,106
Rochester Careers in Construction- TRACS	$750,000			$206,128	$128,661	$209,202	$206,009	$750,000
Retain (2024)	$135,000			$33,750	$46,800			$80,550
Young CEO	$100,000			$25,000	$56,206	$18,794		$100,000
YAMTEP - Year 3	$520,000			$220,000	$200,000	$100,000		$520,000
Mpower 24-25	$750,000				$355,270	$380,220		$735,490
Rochester Works - Enhanced Recovery 2025	$200,000				$35,669	$166,331		$202,000
RETAIN Year 2	$168,000					$31,526	$136,474	$168,000
YAMTEP - Year 4	$300,000					$225,000	$75,000	$300,000
YAMTEP Transportations	$200,000				$50,000	$150,000		$200,000
MPower (2026)	$500,000					$351,114	$148,886	$500,000
Total	**$8,217,000**	**$300,000**	**$1,467,310**	**$1,832,378**	**$1,466,333**	**$1,959,576**	**$648,897**	**$7,674,493**

Total Funding *(as of September 2026)*	$8,673,157
Fund Committed	-$8,217,000
	$456,157
Unused Funds	$542,508
Fund Remaining	$998,665

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

Dashboard

September 30, 2026

Incentives Summary							
Sales Tax Exemptions		**Mortgage Recording Tax Exemption**		**PILOTS**		**Total Company Investment**	
Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End
32	31	21	12	21	10	$412,941,706	$190,291,576

Jobs Summary							
Number of Total Projects		**Existing Jobs Retained per Application**		**New Jobs Projected by Applicant**		**New Jobs Required***	
Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End
31	27	1131	563	718	466	113	36

Fees for Approved Projects (includes all app and agency fees)					
Total		**Paid to Date**		**Outstanding**	
2026 Projects YTD	2025 Projects YE	2026 Projects YTD	2025 Projects YE	2026 Projects YTD	2025 Projects YE
$3,193,009	$1,286,075	$909,290	$902,440	$2,283,719	$383,636

Workforce Development Fund Beginning Balance $2,500,000					
Allocated Fee income		**Committed Funds**		**Fund Balance**	
2026	2025 YE	2026	2025 YE	2026 YTD	2025 YE
$164,248	$89,281	$0	$1,368,000	$456,157	$366,876

Solar WD Fund			
Fees Approved to Date	**Fees Collected to Date**	**Allocated to Date**	**Balance**
$75,000	$50,000	$0	$50,000

*Required jobs are calculated as 10% of the existing jobs, with a minimum of 1 job. Enhanced JobsPlus is 100 jobs with a minimum of $15,000,000 investment. There is no job creation requirement for projects that only receive sales tax exemptions