



PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant: Howitt - Bayview, LLC
Project Address: 1211 Empire Blvd
Contact Name: Scott Doescher
Contact Company: Midland Management LLC
Contact Address: 758 South Avenue, Rochester, NY 14620
Contact Email: sdoescher@midlandmgmtllc.com Contact Phone: 585-473-8410

Employment in Monroe County: 1 0 10/13/2025
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: \$ 13,412,466 \$ 3,051,630 \$ 16,464,106⁰⁹⁶
Original Project Cost Increase in Project Costs New Project Costs

☐ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a \$350 fee applies.)

Current Expiration Date

Requested Expiration Date

\$ _____
Amount of Exemptions Taken to Date

Reason for Extension:

☐ **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: 6/15/26

Print Name and Title: D Scott Doescher CFO as Agent

Staff Use Only:

2/20

Date Received 6/15/26 Date of Original Approval: 1/17/23 New Code 2602 22 036 C

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	\$ 5,588,895	\$ 1,479,930	\$ 7,068,825
b. Labor	\$ 3,725,920	\$ 1,571,700	\$ 5,297,620
Site Work			
c. Materials	\$ 1,180,421	\$	\$ 1,180,421
d. Labor	\$ 786,948	\$	\$ 786,948
e. Non-Manufacturing Equipment	\$	\$	\$ 0
f. Furniture & Fixtures	\$	\$	\$ 0
g. Land and/or Building Purchase	\$ 750,000	\$	\$ 750,000
h. Manufacturing Equipment	\$	\$	\$ 0
i. Soft Costs (Legal, Architect, Engineer)	\$ 519,407	\$	\$ 519,407
Other Costs (specify)			
j. Interest	\$ 600,875	\$	\$ 600,875
k. Financing Costs	\$ 260,000	\$	\$ 260,000
l. _____	\$	\$	\$ 0
m. _____	\$	\$	\$ 0
Total Project Costs	\$ 13,412,466	\$ 3,051,630	\$ 16,464,096
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)	\$ 11,000,000	\$	\$ 11,000,000
e. Public Sources	\$	\$	\$ 0
f. Equity	\$ 2,412,466	\$ 3,051,630	\$ 5,464,096
Total Sources	\$ 13,412,466	\$ 3,051,630	\$ 16,464,096

B. Reason for Increase:

Additional costs of construction and better estimate of materials needed to complete project now that project is farther along.

C. Amount of Sale Tax Exemptions Taken to Date: \$ 520,000.00

Motion By:

Seconded By:

B. Hickey
L. Buzza

RESOLUTION

(Howitt-Bayview LLC Project Modification)

OSC Code 2602-22-036C

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 July 21, 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 AUTHORIZING (I) ADDITIONAL FINANCIAL ASSISTANCE TO HOWITT-BAYVIEW LLC IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY AND (II) 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 resolutions duly adopted on January 17, 2023 and December 16, 2025, the Agency appointed **HOWITT-BAYVIEW LLC**, a New York limited liability company for itself or a related entity formed or to be formed (collectively, the "Company") 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 3.98-acre parcel of vacant land located at 1211 Empire Boulevard in the Town of Penfield, New York 14526 and all other lands in the County of Monroe where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (collectively, the "Land"); (B) the construction thereon of a four-story, approximately 86,560 square-foot building consisting of approximately 60 residential units with 10% of the units income restricted for qualifying households earning 60% or less of the Monroe County average median income (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") in an amount up to \$6,769,316, which would result in New York State and local sales and use tax exemption benefits not to exceed \$541,545;

WHEREAS, the Company has, pursuant to a Project Modification Request, dated June 15, 2026, requested the Agency approve 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 **\$8,249,246**, which would result in New York State and local Sales and Use Tax

Exemption Benefits not to exceed **\$659,940** (as increased, the "Sales and Use Tax Exemption Benefits"); and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) an increase in the sales 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 in an amount up to **\$8,249,246**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$659,940**. 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 increase of the sales tax exemption 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.

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

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Lisa Bolzner	X			
Rhett King	X			
Norman Jones	X			
Raymond A. Ryerse Jr.			X	
Brian Hickey	X			
Miguel Velázquez	X			
Truman Tolefree	X			

The Resolutions were thereupon duly adopted.

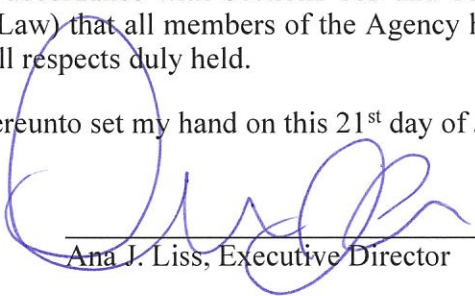
STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

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 July 21, 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 21st day of July, 2026.



Ana J. Liss, Executive Director